



Northern Ireland  
Assembly

# OFFICIAL REPORT

(Hansard)

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|   |                 |
|---|-----------------|
| <i>Office of the First Minister and deputy First Minister</i> | Mr Gerry Kelly  |
|   | Mr Robin Newton |





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# NORTHERN IRELAND ASSEMBLY

Monday 23 November 2009

*The Assembly met at 12.00 noon (Mr Deputy Speaker [Mr Dallat] in the Chair).*

*Members observed two minutes' silence.*

## MATTERS OF THE DAY

### Dissident Republican Attacks

**Mr Deputy Speaker:** The Speaker has received notice from representatives from a number of parties seeking leave to make a statement on a matter that fulfils the criteria set out in Standing Order 24. I will call Mrs Arlene Foster to speak first on the subject. I will then call each of the other parties in order. There will be no opportunity for intervention, for questions or for a vote on the matter. I will not take any points of order until the item of business has been concluded. If that is clear, we shall proceed.

**Mrs Foster:** I contacted the Speaker's Office this morning about the incident that took place in Garrison in my constituency at the weekend. However, the Speaker wants Members to speak about all the incidents at the weekend, and I will do so.

The incident in Belfast was an attack on the very heart of democracy. It was an attack on the accountability body, the Policing Board, and it should be seen as such. Undoubtedly, those who planted the bomb wanted it to be seen as such. I utterly condemn that bomb attack, as I utterly condemn the attempt on the life of a young police recruit in Garrison, County Fermanagh, who has answered the call of duty to serve his community in Northern Ireland and who stands in stark contrast to those who sought to end his life on Saturday evening.

I congratulate the Police Service on its work in thwarting that attack. It has shown its service, dedication and commitment to the community that it serves in Northern Ireland, and it stands in stark contrast to those who had murder in their hearts at the weekend.

A strong and united message must come from the Assembly today. At the weekend, my party leader said that there can be no going back. Indeed, there can be no going back. We need to move forward into a confident Northern Ireland, a Northern Ireland that is

normal and has confidence in moving forward. Strong political leadership from the House and, indeed, outside the House is needed. I trust that others will give that strong political leadership, as we will today.

**Ms Gildernew:** Go raibh maith agat, a LeasCheann Comhairle. I condemn the attacks that took place over the weekend in my constituency of Fermanagh and South Tyrone and in Belfast. Those carrying out such attacks are doing so against the expressed wishes of the Irish people and are seeking to wreck the advances of the peace and political process.

The attack on the Policing Board was a reckless attack: a no-warning bomb in an area containing both social and private homes as well as office buildings and bars. It was a clear attack on the accountability mechanisms in the policing structures and on our community, which elects its representatives to the Policing Board in order to hold the PSNI to account at the highest levels.

The attack on a young officer in Garrison was equally reckless and futile. Let me make it clear: anyone with information about that should bring it forward. Today in the Chamber we need to provide more than ritual condemnation. We need to show our people the political leadership that is necessary to steer us through the remainder of the process.

On the one hand, there are the opponents of peace who carried out the attacks over the weekend and, on the other, there is the TUV. Both are united in their attempts to bring our community back to where it has clearly said it does not wish to go. Members have the opportunity today to show the leadership that is necessary to get the job done and to bring the powers on policing and justice to locally elected and accountable representatives here in the North. All the parties in the House agree that that is what needs to happen. The PSNI, the Police Federation, the Policing Board and the judiciary all agree that the transfer of policing and justice powers should happen, so we need to get the job done and make sure that it happens.

Some people may seek to turn today's debate on such a very important issue into a squabbling session. To them I say that this is bigger than petty party politics, and the events of the weekend have shown us why. There is an obligation on all parties to complete the process. I reiterate our party's position that those events must be condemned, and I call on all of us to play our part in showing the leadership required to move us all to where we need to be.

**Sir Reg Empey:** Members will be aware that the Chief Constable and, in a recent report, the International Monitoring Commission (IMC) indicated that the level of threat to our community had risen to the highest it has been for a long time. It is perfectly clear that there is a strain of republicanism that remains addicted to

physical force. That was demonstrated at the weekend. It is only by the grace of God that we are not here this morning condemning a number of fatalities, which could easily have occurred as a result of either attack.

I do not believe that this morning is the correct time to get into the detail of the devolution of policing and justice, save to say that the challenge that has been thrown down to the whole community and this House in particular can only be addressed if the parties in the House discuss it, which we have not done. There is a need for that discussion to take place, and I hope that will happen.

When we were last challenged, with the murders that took place in February, this House was shown at its best. Today, I hope that we can give a similar united response to the challenge that has been made, not only to the House but to the democratic process. Those terrorists are trying to pursue their objectives by other means: physical force and murder. It was not very long ago that we were discussing an attack in my constituency in which a relative of a police officer was blown up in a car. When we also consider the attack in Armagh and the finding of a horizontal mortar, it is perfectly clear that people have a capability. We cannot sweep it under the carpet any more. It requires a united response from this House, and that response will be best achieved if there is proper discussion among the parties on the way ahead. Until that happens, the vacuum that the terrorists are exploiting at the moment will remain.

**Mr Durkan:** I join other Members in recording the Assembly's total condemnation of the violence and attempted violence of the past weekend. As others have said, the serious bomb attempt at the Policing Board headquarters was aimed at the heart of the democratic ethos that is part of the new policing dispensation. In Garrison, County Fermanagh, a deadly attempt was made on a young police officer, which, thankfully, was thwarted.

The weekend's attacks were not the first to be attempted by those who were involved. We know that they have been widening their threat, intimidation and rate of attack on people in every part of this region. They have attacked not only police officers but policing families and, indeed, the wider policing family. That has been shown through the threats not only to police officers but to many other people who play a positive role in policing and by the attack on the Policing Board headquarters.

The Assembly must send out a clear message to all who provide strong policing services that they have our total support as they face the challenge of those threats. We must also communicate that strong resolve to all members of policing families who feel vulnerable and under threat. We must take the threat from those groups seriously, and the challenge is to

ensure that those groups take our resolve seriously not to be thwarted or to turn the clock back in any way.

We must send out a strong united message of condemnation and deepen our commitment to ensure that any future such efforts by those people will not only be met with the sort of statements that have been heard in the Chamber today but will be dealt with by statements from our own devolved justice Minister. That would allow us to show, in the fullest sense possible, that all of us, as democrats, are part of the policing family. The Police Service and its accountability arrangements are part of the democratic dispensation here.

We need to send out a clear message to those people that what they attempted to do at the weekend was defeated and that anything that they attempt to do over the coming months and years will not succeed either. Our resolve is much greater than their malice.

**Mrs Long:** I associate myself with the words that have already been spoken by other Members today. Three incidents took place: the attempted murder of a police officer in Garrison; the attempted bombing of the Policing Board headquarters in Belfast; and the chaos that has been brought to Armagh this morning by a serious security incident there.

Reports on the radio in the past 24 hours resonated with media reports from the darkest days of the Troubles. It is difficult to find words that are adequate to condemn the actions of people who, in such a reckless fashion, would undertake not only to take the lives of specific individuals but to rob people of their peace of mind and communities of their freedom of thought and movement. That must be condemned by all Members.

An attack on a police officer is not only an attack on an individual and his or her family but an attack on the community that that individual serves. Police officers go out daily and provide a service to the community, and, when they are under attack, the community that they serve is also under attack. I pay tribute to the work of the Police Service not only in thwarting the Garrison attack but in the courageous work that it does daily, despite the level of threat that it is under. It is owed our utmost respect and support for its work.

*12.15 pm*

The attack on the Policing Board headquarters is an attack on the community, but it is more than that: it is an attack on the progress that we as a community have made. It is also an attack on the democratic structures that have been put in place to ensure that the communities that we represent get the efficient and effective policing service to which they are entitled. No one has the right to rob people of that service, and it is despicable to take a bomb of that size into the middle of a busy city, into a residential area and into

an area that contributes massively to our economy. It is reprehensible to be so destructive. I also condemn the serious threats that caused massive disruption and chaos in Armagh city.

Although news reports over the past 24 hours may have been reminiscent of bleak times in the past, the context in which we now speak is not the same, because we now have political institutions and a degree of progress that were not present then. The context has changed, and the fact that some people seem incapable of comprehending that is their loss.

It is important that we politicians move forward together with a strong, united voice to support the Police Service in its work, to support communities in the work that they do to support the police and to ensure that there is nowhere to hide for those who were involved in those attacks.

**Ms Purvis:** I join other Members in condemning the attacks. There is not a great deal more that I can add, other than to reiterate that all such attacks are on the structures of peace and democracy. I have some concerns, however, that raising these matters elevates those who carried out the attacks and their warped sense of their own importance, although that is not to play down their actions or the threat that they pose. Their ideology, like their methods, pre-dates the 1970s, and we are not going back there. We will do that by ensuring that the Assembly works and that political stability is the way forward for Northern Ireland. I praise the Police Service for its actions. Intelligence-led policing is the way to defeat those people, and, along with other Members, I call on the public to assist the police in pursuing them.

## EXECUTIVE COMMITTEE BUSINESS

### Suspension of Standing Orders

**The First Minister (Mr P Robinson):** I beg to move

That Standing Orders 10(2) to 10(4) be suspended for 23 November 2009.

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

*Question put and agreed to.*

*Resolved (with cross-community support):*

That Standing Orders 10(2) to 10(4) be suspended for 23 November 2009.

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

### Goods Vehicles (Licensing of Operators) Bill

#### Further Consideration Stage

**Mr Deputy Speaker:** I remind Members that, under Standing Order 37(2), the Further Consideration Stage of a Bill is restricted to debate on any further amendments to the Bill that have been tabled. No amendments have been tabled, so there is no opportunity to discuss the Goods Vehicles (Licensing of Operators) Bill today. Members will, of course, be able to have a full debate at Final Stage. The Further Consideration Stage of the Bill is, therefore, concluded. The Bill stands referred to the Speaker.

## Department of Justice Bill

### Further Consideration Stage

**Mr Deputy Speaker:** Members have a copy of the Marshalled List of amendments, which details the order for consideration. Two amendments have been grouped together for debate, as set out in my provisional grouping of amendments list. There will, therefore, be one debate. Amendment Nos 1 and 2 will be debated together and voted upon separately. Members should note that, as it is Further Consideration Stage, the Assembly will not debate the Bill's clauses, schedule or general principles. Remarks should be confined to the text of the amendments alone.

Amendment Nos 1 and 2 deal with the creation of reporting obligations. They would require the First Minister and the deputy First Minister to report to the Assembly on a range of matters on the day of commencement of the Act.

#### *New Clause*

**Mr Attwood:** I beg to move amendment No 1: After clause 2, insert the following new clause:

#### *“Duty of First Minister and deputy First Minister to report on certain matters*

2A. The First Minister and deputy First Minister acting jointly shall make a report orally and in writing to the Assembly on the day of commencement of sections 1 and 2 of the Act, explaining the provisions of protocols and concordats on —

- (a) national security;
- (b) the work of the Serious Organised Crime Agency;
- (c) the independence of the Judiciary;
- (d) the independence of the Public Prosecution Service

and the consequences of the provisions on the exercise of the functions that the Department of Justice is to exercise.”

*The following amendment stood on the Marshalled List:*

No 2: After clause 2, insert the following new clause:

#### *“Duty of First Minister and deputy First Minister to report on co-operation on criminal justice*

2B. The First Minister and deputy First Minister acting jointly shall make a report orally and in writing to the Assembly on the day of commencement of sections 1 and 2 of the Act, explaining the provisions of any arrangements entered into with the Government of Ireland concerning co-operation in criminal justice matters.”

— [Mr Attwood.]

**Mr Attwood:** I thank the Bill Office, the Business Office and anyone else in the Building who enabled the amendments to be brought to the Floor of the Assembly. I invite other parties to consider supporting them for several reasons. The previous debate at Consideration Stage dealt with the who and when of devolution of justice. The amendments attempt to move discussion on the devolution of justice to a

different place and level. They attempt to address the character and content of devolution of justice, if and when it arises.

Given the events of the past 24 hours and several days, it seems to the SDLP that it would be useful and timely to attempt to reframe part of the discussion of devolution of justice, without prejudice to any party's view on any other matters that have already been discussed. It seems timely and appropriate for Members to apply their minds to a debate on what should or should not happen on the day of devolution and on the day of a justice Minister's appointment.

The amendments seek to address those critical and relevant issues on which the Assembly should receive a report, orally and in writing, from the First Minister and the deputy First Minister on the day of devolution. It is important that the Assembly sends a message to the wider community that the day of devolution is not about the creation of a Department or who may or may not hold the office of justice Minister. It is important that we send a broader message to the community about the character and content of devolution of justice. The amendments touch on some of that, although not exclusively or exhaustively.

Behind the amendments is confirmation that the SDLP, as a political party, has issues and concerns about a range of matters on which those amendments touch. That concern may be shared to a degree by other parties on the Floor of the Chamber. The SDLP's main issue is to ensure that devolution, if and when it happens, will create maximum confidence, reduce any possible exposure and take forward justice issues in a way that best helps the Assembly and the wider community.

The Bill Office will be aware that my party tabled a third amendment that dealt with consequences for the programme of work that would arise from the appointment of a justice Minister and the establishment of a Department of justice. That amendment was ruled to be outside the Assembly's legislative competence. It is, however, my understanding that, in any case, the Northern Ireland Act 2009 includes a requirement for the Assembly to debate any amendment to the Programme for Government that arises from the formation of a justice Department. That debate and any resolution therein will be subject to a cross-community vote. Therefore, I trust that there will be a future opportunity for the Assembly to discuss the wider issues around the devolution of justice, including the content of any Programme for Government.

**Mr Deputy Speaker:** Order. I remind the Member that he can address only amendment Nos 1 and 2.

**Mr Attwood:** I will now focus my attention on the amendment requiring the First Minister and deputy First Minister to come to the Floor of the Assembly to



advise orally and in writing of any arrangements put in place in respect of a North/South justice agreement.

There is a justice agreement between the British and Irish Governments that deals with issues of justice co-operation. That agreement addresses issues not only between east and west but between North and South, and it arose from the Good Friday Agreement. It is operational as we speak.

The Assembly has been advised, rightly, through the Assembly and Executive Review Committee, that on the day of devolution the British-Irish justice agreement will be amended to take into account the change in circumstances that will arise when justice and policing powers are transferred to the Northern Ireland Assembly. The amendments will involve the elements of co-operation that are properly within the competence of the Executive on the one hand and the Government of Ireland on the other. There is no dispute about that and nor should there be. The British-Irish justice agreement deals with, among other things, advisory projects in respect of forensic science; public protection; registered offenders; support of victims; and youth justice. Given the nature and character of those areas of work, there are good reasons why, the day after the devolution of justice, there should be a justice co-operation agreement between the Executive and the Government of Ireland in relation to matters that fall within their competence and jurisdiction.

On the day of devolution, it will be important and healthy for the character and purpose of justice that the First Minister and deputy First Minister come to the Assembly and report on the terms of the agreement that will exist at that time, its impact on the lives of the people of this island and how public protection is enhanced because of that agreement. That will create certainty about the issues that have been taken forward between the British and Irish Governments since the Good Friday Agreement and the matters that need to be taken forward in the future between the Government in the North and the Government in Dublin.

The SDLP has a view about taking forward further areas of justice co-operation, including a proposal to create a justice sector within the North/South Ministerial Council. There will be adequate time, especially in the debate next week, for the Assembly to consider the potential of a proposal to create such a sector. However, I remind Members that, last week, Robin Newton, acting on behalf of the First Minister and deputy First Minister, gave an extensive report in respect of a meeting of the British-Irish Council that touched on a number of areas of justice and concerns about justice, and we feel that there are good grounds and evidence for the issue around a wider North/South dimension on justice to be taken forward in the fullness of time.

That is the height of the amendment in respect of a report from the First Minister and deputy First Minister on the justice co-operation agreement that may exist at the point of devolution. It is to confirm its nature and its consequences for the operations of the Northern Ireland Assembly and to deepen confidence that the respective Ministers and Administrations will attend to matters that are referred to.

12.30 pm

**Mr Paisley Jnr:** The Member says that he wants a report on the changed circumstances that will arise on the day of the devolution of policing and justice. Does he accept that, on that day, nothing will have changed in national security relationships, or does he believe that that relationship has changed? If I read proposed new clause 2A properly, he may believe that that relationship has changed.

**Mr Attwood:** I thank the Member for his intervention, and I will address that matter when I talk about amendment No 1. If he is suggesting that, on the day of devolution, nothing will change in respect of North/South justice co-operation, I can confirm that that is the case. I may wish it were different, and the SDLP may have aspirations for something bigger and greater than that which exists at present, but on the day of devolution, as far as North/South justice co-operation is concerned, that which is within the current British-Irish Agreement and which falls to the respective jurisdictions in Dublin and Belfast is all that will be in place on that day. However, I hope that, shortly thereafter, we may have the opportunity to make proposals and expand areas of co-operation on justice to benefit citizens, North and South.

**Mr Paisley Jnr:** I do not understand where the Member stands on the matter. Will he confirm that, when he talks of national security, he means UK national security issues? He may be talking about something else.

**Mr Attwood:** Again, I thank the Member for his intervention. I reassure him that when I come to discuss amendment No 1, which touches on issues of national security as opposed to justice issues on the island of Ireland governed by a North/South justice agreement, I will attend to all those matters. If it is helpful to the Member, I will take further interventions at that time.

I turn to amendment No 1, which covers an area of broad interest to the SDLP and, I trust, to Committee members. It calls on the First Minister and the deputy First Minister to provide a report, orally and in writing, on a number of matters that will have relevance at the point of devolution of justice and thereafter. Four areas are named in the amendment, which are to be governed by concordats and protocols that are being prepared by the British Government in consultation with the Office

of the First Minister and deputy First Minister. I will explain why it is important that, in each case, those matters are brought to the Assembly's attention by way of a report.

I wish to provide a little background. On 23 September 2008, the Assembly endorsed a motion to refer certain matters to the Assembly and Executive Review Committee, and, in doing so, placed on that Committee a requirement to have:

“consideration of any other matter relating to the devolution of policing and justice matters.” — [*Official Report, Bound Volume 33, p144, col 2*].

In January 2009, the Assembly accepted that Committee's first report on the arrangements for the devolution of policing and justice matters, and the Committee then considered 12 further areas, three of which touch on the protocols and concordats referred to in the amendment. On many occasions during the course of its work, the Committee has been in contact with the British Government in respect of those concordats and protocols. Over and above the wider relevance and significance of those concordats and protocols, that is one reason why the SDLP has decided to table this amendment. There has never been any dissent in the Committee from the idea that those matters should be raised with the British Government. The Committee has made many attempts to extract those protocols and concordats from the British Government, but, to date, it has not been successful.

We have a situation in which it has been agreed that there will be a number of concordats and protocols governing relevant matters such as the independence of the Public Prosecution Service (PPS) and the judiciary, the work of the Serious Organised Crime Agency (SOCA), and issues of national security, to which Mr Paisley Jnr referred.

The British Government said that documents are being prepared on those matters and that those should be shared with the Assembly and Executive Review Committee as well as the Office of the First Minister and deputy First Minister (OFMDFM). Members of that Committee know that a series of letters have been sent to the Northern Ireland Office and the Secretary of State since February requesting sight of those documents, and that, to date, the Committee has not had the benefit of seeing those documents, never mind considering them.

That is despite the Secretary of State saying on a number of occasions that the various documents will be shared with Assembly and Executive Review Committee within weeks. Those are not my words; they are the words of the Secretary of State. Yet, as we approach the end of November, none of the documents has come across —

**Mr Paisley Jnr:** On a point of order, Mr Deputy Speaker. Although some of us on the Assembly and

Executive Review Committee may be familiar with that issue, is it in order for the Member to try to introduce a debate on his failure to get documents from the Secretary of State, given that the Committee has not yet agreed to that issue being debated in the House? The Member is now moving away, quite dramatically, from the amendments, and he is using this debate as an opportunity to have a completely separate debate on matters that he has failed to achieve a resolution to in Committee. That is wrong, and you, Mr Deputy Speaker, should rule the Member to be out of order.

**Mr Deputy Speaker:** I remind the Member that he should be addressing amendment Nos 1 and 2.

**Mr A Maskey:** Further to that point of order, Mr Deputy Speaker. One of the issues of concern is that Mr Attwood is raising matters that are part of an ongoing deliberation in the Assembly and Executive Review Committee. Those are matters for that Committee, and the Member should not be selectively quoting from a deliberation that has not yet concluded.

**Mr Deputy Speaker:** Those are matters for the Committee to address. We are here to discuss the amendments.

**Mr Attwood:** I shall certainly comply with that ruling, Mr Deputy Speaker. However, given that we are debating a piece of primary legislation, it is entirely appropriate to have certainty about matters relating to that, regardless of what the Assembly and Executive Review Committee is discussing in its deliberations. I will come to the reasons why it is important to create such certainty shortly.

Given that there is a level of uncertainty on matters arising from the Committee's deliberations, which, for the fullest part, are held in public, are reported by Hansard and by the media, and which members of the public and representatives of the British and Irish Governments attend, I think that it is entirely appropriate and consistent with the nature of this debate to refer to, if not rely on, those matters.

**Mr Deputy Speaker:** Order. I accept that it is in order for the Member to paint a background to an issue that is relevant to the debate.

**Mr Attwood:** I appreciate that ruling, Mr Deputy Speaker. I will conclude my remarks on those matters, so that my colleagues on the Assembly and Executive Review Committee do not have further cause to be anxious.

The fact is that seven, eight or nine months after the Committee began asking for those documents, which it did further to a mandate that was given to it by an Assembly resolution, it is still not in a position to comment on them.

It is entirely appropriate to air that on the Floor of the Assembly. It is because of that background and of the wider need to create political certainty that —

**Mr Paisley Jnr:** On a point of order, Mr Deputy Speaker. I am interested in debating the amendments as they appear on the Marshalled List. The content of the amendments is clear, and in debating them, we will discuss issues of national security, the work of the Serious Organised Crime Agency, the independence of the judiciary, the independence of the Public Prosecution Service, and what will happen on the day that the powers are devolved.

It would be wrong, and be an abuse of our privileges in the House, to debate issues that we are discussing in Committee in confidence. If we do have such a debate, we may as well scrap the Committee. Trying to have such a debate today will do the members of the Committee and the Member no justice whatsoever.

Mr Deputy Speaker, I urge you to turn the Member back to speaking about amendment Nos 1 and 2, which are specific and clear. Those are what we have come to debate.

**Mr Deputy Speaker:** I have continually asked Mr Attwood to stay on the subject.

**Mr Attwood:** I have complied consistently with the Deputy Speaker's rulings. I will not pursue the matter, because, for various reasons, at least one Member is unhappy about me doing so. It is entirely appropriate when the Committee —

**Mr A Maskey:** On a point of order, Mr Deputy Speaker. Thank you for your indulgence. The Member has questioned the ruling that you made just a moment ago. You said that you have repeatedly reminded the Member to stick to the item of business. However, he says that he has been doing that, so he is contradicting you.

**Mr Deputy Speaker:** That is for me to decide. I have not picked up what you have.

Once again, I remind Mr Attwood that, although he can paint the background to amendment Nos 1 and 2, he must stay on the subject.

**Mr Attwood:** Thank you for that ruling, Mr Deputy Speaker. I will comply with that ruling, because I have outlined the background for those Members who were not fully aware of it.

I will address the four issues that amendment No 1 would make the First Minister and the deputy First Minister report on to the Assembly at the point of devolution. As Members can see, amendment No 1 calls for an explanation of concordats and protocols that are being prepared on national security, the Serious Organised Crime Agency, the independence of the Public Prosecution Service and the independence of the judiciary.

The matters that are subject to the preparation of concordats and protocols are areas of interface between the devolved and non-devolved aspects of the devolution of justice and between the Assembly and the criminal justice institutions in the North. Therefore, the fact that those concordats are being prepared indicates that they are deemed to be of significance over and above or in parallel to all the other areas of policing and justice that will arise. Those matters are the subject of particular attention and of particular concordats and protocols. For the SDLP, that is a good reason to bring those matters to the Floor at the point of devolution in the form of a report.

In addition to creating certainty on how the matters will be handled, reporting to the Assembly will create confidence, because the protocols address important issues about the character of policing and justice when the powers are devolved. The independence of the Public Prosecution Service and of the judiciary is a fundamental principle. Given that the independence of those bodies is of such importance, and that reporting on the issue can contribute to the creation of certainty and confidence, it should be brought to the Floor of the Assembly for consideration.

12.45 pm

I will deal briefly with the four specific areas, starting with the Serious Organised Crime Agency. Recent comments in the media have suggested that one or other members of a political party want to cross the line of the independence of the Police Service, the operational responsibility of the Chief Constable or the operational responsibility of SOCA. In those circumstances — when people have gone close to a line that is best not crossed — it is important that, when devolution comes, clear lines of demarcation are laid down and understood about the work and role of the Serious Organised Crime Agency. We trust that, although we have not had sight of it yet, that will be the content of the concordat on the Serious Organised Crime Agency, along with any other relevant aspect of its operations in the North after the devolution of justice.

Last week, the House of Commons Home Affairs Committee issued a report that looked, in a preliminary way, at the work of the Serious Organised Crime Agency. It is important that we have sight of that protocol to determine whether it is fit for purpose and rigorous enough in the event of the devolution of justice. As an indicator of that, the House of Commons Committee's report recommended:

“the establishment of some form of police authority for SOCA.”

That gives rise to issues around the accountability of SOCA. Given that SOCA will, in the event of the devolution of justice and policing, be part of the non-devolved side, we want to know the issues of accountability for SOCA and, if appropriate, its



responsibility to liaise with a justice Minister and a justice Committee in the future.

Issues of serious and organised crime are of grave concern to the people of Northern Ireland, not only because of ongoing criminality but because of criminal assets from the past. SOCA has a significant role in the North, which has been apparent in recent days. We should have sight of the protocol, and the First Minister and deputy First Minister should give their view on it to the Assembly at the point of devolution, in order to recognise the importance of the agency and to create certainty and confidence in its work in the North. If gaps need to be filled in and issues of concern need to be worked further, consistent with the House of Commons Select Committee's report last week, those matters should be attended to.

However, first base is to gain knowledge of the document. The First Minister and the deputy First Minister should come to the Floor of the Assembly to give the Assembly and the wider public insight into the work of SOCA in the North and to create confidence in it.

**Mr Paisley Jnr:** I am not aware of whether there is a document on the SOCA relationship. The Member thinks that there is; he has yet to prove that. In the past, the Member, who is also a member of the Northern Ireland Policing Board, has sat with me on a panel and met SOCA to discuss important matters. There is a level of accountability that falls within the standards that even the Member accepts are sovereign matters for the United Kingdom Government. Is the Member suggesting that, as well as the Policing Board and the special accountability mechanism that it has with SOCA, we need another board to hold SOCA to account?

**Mt Attwood:** The Member is absolutely correct. SOCA has at times, including recently, provided briefings to the Policing Board in confidence. As I understand — and as I am sure that Mr Paisley Jnr understands — the relationship between SOCA and the Policing Board may deepen in the future. However, that is not the only place where SOCA has a responsibility to share relevant information with political representatives and other representatives in the North.

The mere fact that the British Government have agreed that there is a need for a concordat and a protocol governing the work of SOCA in the event of the devolution of justice powers is proof that they recognise the need for a relationship between SOCA and the justice Minister. Indeed, in correspondence to the Assembly and Executive Review Committee — without breaching the confidence of that correspondence — the Secretary of State has indicated the terms under which information might be shared with the justice Minister. He has gone even further by saying that it might be for the justice Minister to

decide whether any such information is to be shared with the justice Committee.

I disagree with the Member if he is saying that SOCA or some other agency is neither obliged nor required to share information with the justice Minister or even the justice Committee, and I am not alone in that. The Secretary of State has accepted that principle, which suggests that there are good grounds for so doing.

The Member's final point concerned SOCA's overall accountability. Again, I refer to what the House of Commons Home Affairs Committee said. Based on the experience of the past 18 months, during which SOCA's role was broadened, its having taken over the responsibilities of the Assets Recovery Agency here and in Britain, the Home Affairs Committee concluded that the accountability of SOCA is something that should be looked into. It did not go into any great detail but merely established the principle of some form of accountability for the overall work of SOCA, which, it described, would take the form of a police authority.

I tend to agree with that. I will not push that point today, but I am pushing the point that although SOCA has a relationship with the Policing Board and the PSNI, it must also have a relationship with the justice Minister. That is the purpose of amendment No 1, which deals with the content of a proposed protocol's being drafted by the British Government about what the relationship will be and what will be shared, and how and when it will be shared, with the future justice Minister. All of that is sensible and forms the minimum requirements for democracy to work effectively in the North.

I will now speak about the issues surrounding the independence of the Public Prosecution Service and the judiciary. At this stage, we have not had the benefit of seeing what those protocols and concordats might entail. I understand that they may be modelled on similar protocols and concordats that exist for the devolved Administrations in Scotland and Wales, but we do not know that for certain, because we have not had sight of the documents to date.

I do not deny that there is a need to assert the independence of the Public Prosecution Service and the judiciary. The prosecution decisions that the Public Prosecution Service makes and the penalties that the judiciary imposes after prosecution are based on important principles. As I said earlier, there have been indications that one or two Members see a blurring of the lines around some of those issues. The SDLP does not, and just as we accept the operational responsibility of the Chief Constable on policing matters, we accept that it is the responsibility of the Public Prosecution Service and the judiciary to make prosecution decisions and impose sentences. Nobody should doubt any of that.



It is important to see those documents in order to confirm the precise nature of what is being proposed for the protocols that govern the independence of the Public Prosecution Service and the judiciary. It is important to ensure that those protocols do not create an imbalance between the appropriate input of a legislature and others into the work of the Public Prosecution Service and the business of the judiciary.

I will give two brief examples of that. The SDLP believes that it is not inconsistent with the independence of the judiciary for Northern Ireland to have, as is the case in England, a sentencing guidelines council, whereby appropriately qualified people examine sentencing guidelines and give their views. The SDLP is anxious to ensure that, consistent with a protocol — as outlined in amendment No 1 — for the independence of the judiciary, any future wish of the Assembly to have appropriate input into the thinking of the judiciary by way of, for example, an appropriately established and representative sentencing guidelines council is not foreclosed or frustrated.

Without rehearsing any particular public prosecutions, we are all aware of some high-profile instances, even a pattern of instances, where issues have been raised about how the Public Prosecution Service has reached decisions on prosecutions and on the withdrawal or reduction of charges.

We are anxious to ensure that, consistent with a protocol governing the independence of the service, which we have yet to see, the Assembly, the Minister or the Committee are not foreclosed from having appropriate input into the governance and management of the Public Prosecution Service and on relevant issues of public concern. Amendment No 1 would help to ensure that. It would enable the Assembly to know the principles behind the independence of the prosecution service and to consider how it would progress a prosecution policy or strategy. We do not believe that the amendment is a threat to anybody. It is a mechanism to protect the public good and to fulfil our political obligation with respect to the public interest.

The fourth element of amendment No 1 relates to the protocol governing national security. I anticipate some interventions from colleagues on the other side of the Chamber. Members are fully aware of the issues that the SDLP has raised around national security being handed to MI5 and the relevant safeguards and protections. As with the other concordats and protocols, it is important that we know what that protocol will say, how it will be managed, how it will operate and what the appropriate role for a justice Minister will be.

Whatever our view on MI5 and national security, there have been recent cases in the North where the role of MI5 has raised concern. For example, senior

police officers from the RUC have said that strategic intelligence direction in the years of the conflict was set by Whitehall and MI5, not by the RUC. We do not know the truth of that, but it indicates that MI5's historical influence in the North and the question of whether it set overall strategic intelligence requirements need to be considered.

The recent prosecution of an individual in north Belfast, who is alleged to have been involved in a number of murders, has brought to light details about payments made in respect of that individual that, although approved by the police, were issued by MI5. The ongoing House of Commons investigation into the Omagh bombing has highlighted questions around how intelligence was managed and shared at critical times. The recent conduct of MI5 in the North has given rise to public concern and debate. In the SDLP's view, those concerns have proven to be substantial.

The way in which the interface between the justice Minister and the national security agency is managed will be critical.

Amendment No 1 does not suggest that the Assembly, the Committee, the Policing Board or a justice Minister can cross lines in respect of national security and the primacy of national security intelligence. Amendment No 1 says that the protocols and concordats, which I and others have yet to see, will, presumably, define and manage the relationship between the Security Service and a justice Minister as regards what will be shared, how it will be shared and when it will be shared. It is an attempt to create certainty around that relationship without prejudicing the SDLP's concerns about how primacy for national security has passed to MI5 and about annex E of the St Andrews Agreement.

*1.00 pm*

As I said at the commencement of my speech, the amendments are an attempt to reframe the debate on the devolution of justice and move it beyond where it has been in recent times. We would have liked the Assembly and the Assembly and Executive Review Committee to have explored and probed many other issues, and the amendments are of a minimum nature. In amendment No 1, we are, essentially, stating that it would be timely, appropriate, necessary and balanced for the First Minister and deputy First Minister to report on certain matters at the point of devolution of justice and policing, when a Minister is in place, given all the turbulence, toing and froing and difficulties that there have been in past, and more recent, negotiations regarding the nature and timing of the devolution of justice.

Amendment No 2 suggests that the First Minister and deputy First Minister should report on the nature of the arrangements that will be in place to continue

the North/South justice agreement in respect of matters that fall under the competence of Dublin and Belfast. The First Minister and deputy First Minister should report on how the protocols and concordats, the preparation of which indicates their importance, will affect national security, SOCA and the independence of the judiciary and the Public Prosecution Service.

**Dr Farry:** The Member argues that he wants those statements to be made at the point of devolution of policing and justice, but the amendments refer to the commencement of the Act. The Act in itself will not bring about the devolution of policing and justice. It will simply create the Department of justice and put in place the necessary measures for the appointment of a Minister of justice. What guarantee is there that the concordats will be in place on the commencement of the Act and that we will get the reports that the Member seeks?

**Mr Attwood:** I anticipated that someone would raise that matter sooner or later. The wording of the amendments could have been a little bit more precise, but they have, nonetheless, been deemed competent by the relevant authorities. We are quite clear that there should be a report to the Assembly at the time that a Minister is appointed and a Department is created, which sections 1 and 2 of the Act will legislate for.

The protocols and concordats have long been ready. In the run-up to May 2008, officials advised the relevant Assembly Committee that the British Government would be in a position to devolve justice and policing by May 2008. I suggest to the Member that if, in the run-up to May 2008, British Government officials were saying that the British Government were ready for the devolution of justice and policing, it follows that they would also have been in a position to confirm the nature of the various protocols and concordats at that time. It is regrettable that, 18 months later, the Assembly and its relevant Committee is still not aware of the nature of those protocols and concordats. It is quite clear that matters on the British side are all but concluded if, indeed, not concluded already.

That is my final point. The Committee has had discussions about all those matters, but we have not been able to move the issue over the line. I trust that the Committee will conclude and attend to the matters in question, subject to the British Government's input to and participation in sharing them. Independent of that, however, the issues have their own relevance, authority and standing. At the point of the creation of the Ministry and the appointment of the Minister, it seems entirely appropriate and reasonable, but not threatening, to ask all Members and parties to endorse the provisions that amendment Nos 1 and 2 propose. Therefore, amendment Nos 1 and 2 should be endorsed.

**Mr Moutray:** I welcome the opportunity to speak in the Further Consideration Stage debate of the Department of Justice Bill. This is an important issue, and, therefore, I welcome this Stage. I intend to keep my remarks brief, owing to the fact that the Bill has been debated previously at great length. I am satisfied with its current content. However, I state my opposition to both amendments.

Amendment No 1 notes the duty on the First Minister and deputy First Minister to report on certain matters both orally and in writing. The amendment is uncalled for and most unnecessary, because it would double the mechanisms that are in place already in the form of the Assembly and Executive Review Committee and the Executive. Mr Attwood and his colleagues will know that Westminster and the Executive have agreed that a number of documents need agreement in areas such as the Public Prosecution Service, the independence of the judiciary, and the interface between the devolved policing responsibilities and national security. That process has commenced already, and the Assembly and Executive Review Committee has been involved in requesting that information from the Secretary of State.

Ultimately, the Assembly and Executive Review Committee will be best placed to consider and judge the implications that the provisions of protocols and concordats will have on all those areas. I oppose the amendment simply because the proposed mechanism exists already in the Assembly and Executive Review Committee for Assembly scrutiny and for the preparation of those documents. The Assembly and Executive Review Committee has requested the relevant information already.

Likewise, I oppose amendment No 2. It covers an issue that the Assembly and Executive Review Committee considered previously. In fact, a report that was published in March 2008 recommended that the Northern Ireland Office and the Office of the First Minister and deputy First Minister should take forward work to ensure that the current agreements will remain in place at the point of devolution and that they should be reviewed by the Department and the Statutory Committee.

Members will be aware that there are a number of agreements dealing with crime between the PSNI and the Garda Síochána. For example, such an agreement was demonstrated at the weekend following the attempt on the life of the officer in Fermanagh.

Additionally, I welcome east-west arrangements between the jurisdictions in the United Kingdom and the Republic of Ireland, particularly those that deal with the exchange of information about sex offenders. That is a very important agreement.

I accept that the agreement on criminal justice co-operation between the Northern Ireland Office and the Irish Department of Justice, Equality and Law Reform will ultimately need to be amended. However, it is clear that those relationships will remain unaffected in the interim. Indeed, the approach to cross-border criminal justice co-operation will very much be an issue for the new justice Minister when devolution occurs.

In conclusion, the Members who tabled the amendments will know that the First Minister and deputy First Minister have been, and continue to be, very vocal. In fact, they attended the Assembly and Executive Review Committee twice to answer questions, and they briefed the House in detail more than once. This issue will not be, and has not been, a closed book, and Members well know that. I believe that both the First Minister and deputy First Minister have no problem with reporting on certain matters. Therefore, both amendments are unnecessary because the mechanisms that they propose to introduce are in place already.

There has been a great deal of scrutiny of this process already, and, should devolution happen, there will be much more at every stage. Furthermore, the Minister's appointment will be discussed on the Floor of the House, and the Minister will be answerable to the House. I support the Bill and oppose amendment Nos 1 and 2.

**Mr A Maskey:** Go raibh maith agat, a LeasCheann Comhairle. On behalf of Sinn Féin, I oppose both amendments, and I commend the Bill as tabled. I do not intend to engage in the sham debate that the Member's amendments have triggered, because, no later than a week ago, we had a lengthy debate on the matter, and I am not sure how much we were illuminated by it. That time could have been usefully spent doing many other things. However, individuals and parties felt that it was more important to grandstand and score political points in order, perhaps, to make themselves more relevant than they would otherwise be. I say that advisedly, because —

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

**Mr A Maskey:** Not at the moment. Given that Standing Orders have been suspended, the Member will have plenty of hours in which to make her points.

The Bill has been subjected to substantial and ongoing debate on the airwaves, in the Assembly and Executive Review Committee and, not least, in the Chamber. Although the matters that are referred to in the amendments are important in their own right, it is interesting that the proposer has acknowledged a number of them. In the Member's terminology, he trusts that the appropriate concordats will be arrived at and tabled. In fact, he understands that a lot of that

process is already well under way. For example, referring to amendment No 2, he said that he has no doubt and has been assured that provisions will be made to ensure that there will be no gap between the current situation and what will be in place when powers are transferred.

The Member accepts, and he has been given assurances in the Assembly and Executive Review Committee and elsewhere, that provisions will be in place at the appropriate time. Nevertheless, just to make sure, next week there will be a further debate on the justice sector. That is fine; however, to make extra sure that there is yet another opportunity to raise the subject, the Member's colleague Mr Durkan has tabled question 12 for oral answer this afternoon. We have had and will have plenty of opportunities in the House and elsewhere to raise those issues.

To some extent, every matter in the amendments is important. Commentators have made great play of operational independence, and we have said repeatedly that the devolution of policing and justice powers into the hands of locally elected representatives will be underpinned by two important pillars: on the one hand, accountability, and how that is defined and, on the other, the appropriate operational independence of every aspect of the criminal justice system, whether in respect of the PSNI, the judiciary or the Public Prosecution Service. The transfer of powers will be underpinned by these very necessary components: accountability and necessary and appropriate operational independence.

Of course, from time to time, we will all disagree about one or two issues and definitions. For example, the Member's party colleagues on the Policing Board argued that the deployment of Tasers is not an operational issue. I share that view, and Sinn Féin made the same argument. Nevertheless, there was public debate within the Policing Board. Some members disputed whether their deployment was a policy issue and others said that it was an operational decision for the Chief Constable. Those of us, including the SDLP, who argued that the deployment of Tasers was a policy matter, and a very important one at that, lost the argument, so their deployment is now an operationally independent decision for the PSNI. Of course, the PSNI's role in the matter will, appropriately, be held to account by the Policing Board, and I expect it to do that robustly. We know that a number of weapons and Tasers have been fired, and such incidents will be dealt with in due course by the Policing Board working within its statutory remit.

*1.15 pm*

The Bill is enabling legislation, and none of the amendments that were proposed today will accelerate the discussions that are under way among both



Governments, the Assembly and Executive Review Committee, OFMDFM, the DUP, Sinn Féin and others. None of the amendments is necessary to provide the enabling legislation. The amendments do not impact on that one iota nor will they accelerate the ongoing discussions and deliberations, which may or may not be regrettable. The Member who proposed the amendments acknowledged that a range of discussions about the matters that are referred to in both amendments are under way already and that they will all be in place. Therefore, I fail to see why the amendments are needed, when the Member who proposed them said that he understands that those things will happen but wants to know the precise detail.

At least one of the examples that the Member referred to when talking about amendment No 2 is flawed. The Member said that we need to have discussion or some clarity on a sentencing framework. The Members who want to see the transfer of powers and, I suspect, a lot of people in the community, want to debate the type of sentencing framework that is considered appropriate for repeat offenders or particular types of crime. However, we do not want those matters to be dealt with by way of a joint statement from the First Minister and deputy First Minister, both of whom I respect highly. We want to have such debates in the context of the transfer of powers having been delivered to a Department that is held by a Minister who will be held to account by a justice Committee. It is appropriate that that is where considered and informed debates will be had on all important wider criminal justice issues. Therefore, for someone to argue that we need all this to happen but then to say that we want a tablet of stone to be handed down by the First Minister and deputy First Minister is fundamentally flawed. That is one reason why we will reject that particular amendment.

The Member who proposed the amendments started off by saying that he wanted to paint a particular backdrop, and he went the long way round the houses to do so, making a number of totally disconnected political observations and platform pieces away from the particular amendments and repeating and rehearsing some of the arguments that he made elsewhere and continues to try to bring into this debate. Today, we want to focus on the processing and progress of the legislation, which will be a very important piece of enabling legislation. The amendments add absolutely nothing to it. Most of the matters referred to by the Member are for wider political debate in the longer term; they are certainly beyond the establishment of the Department, which is the point at which more considered and informed debate can be had.

About an hour ago, various Members commented on the weekend's events. For Sinn Féin and me, that is the important backdrop, which is why I do not

intend to grace this debate any further. The important backdrop is that the Member's party colleague, outgoing leader Mark Durkan, made the point in his commentary that we want to see, sooner rather than later, "our own justice Minister" in place so that we can send a clear message to the rejectionists. The real and only important backdrop this afternoon is the fact that Members addressed the issues of the weekend, and those issues are on two fronts.

First, a number of people in the TUV and, unfortunately, in other parties are rejectionists. I have heard some of them referred to as cavemen. Certainly, those people are rejectionist and want the institutions to collapse around our feet.

On the other hand, there are people who are almost the mirror image. They want the institutions, which people voted for in big numbers, to collapse around us, and they want to bring us back to a position, to which, as my colleague Michelle Gildernew said, people do not want to return. The Member who proposed the amendments said that it is important to send out a message about having a justice Minister in place. However, he and his party leader have come here and, in gilded words, at every opportunity —

**Mr Deputy Speaker:** Order: you are well off the subject.

**Mr A Maskey:** I am taking a certain similar latitude —

**Mr Deputy Speaker:** I have given you a lot of latitude.

**Mr A Maskey:** I am concluding. Thank you for your guidance and direction, Mr Deputy Speaker. The tabling of the amendments, when joined with the comments that the SDLP leader made less than a hour ago, show that the SDLP is telling the people that it is not serious about delivering on what it says that it wants to see delivered: a justice Bill, and a Department of justice that will be in the hands of locally elected people. The SDLP's behaviour in this matter is nothing short of disgraceful; it is completely and utterly against any notion of the provision of political leadership.

Yet again, the public will hear an attempt by a party to introduce spurious arguments to make itself sound relevant or concerned about some of these matters. It is disgraceful that there is a likelihood that, once again, we will be treated to hearing people say that we need to get the job done and that we need to send out a clear message. However, what do they want to do here? They want to twiddle their thumbs, and they want everyone else to do likewise. To do so against a backdrop of rejectionism is shameful. The SDLP simply wants to have another six- or seven-hour debate.

**Mr McFarland:** I declare an interest as a member of the Assembly and Executive Review Committee. I

pay tribute to Alex Attwood, who has managed to get on his soapbox, again. I hope that today's debate will not be another 12-hour marathon, because I think that we did fairly well when the Bill received its Consideration Stage. I will attempt to keep my contribution short.

The Assembly and Executive Review Committee is, as colleagues said, still discussing these matters. Therefore, to use a cockney expression, it is somewhat previous to be discussing them here. However, it is an opportunity for parties to set out their position on the issues. These are important issues. There are a number of protocols and memorandums of understanding between various agencies and the Policing Board. I think that the Policing Board works fairly well; I was on it for five years, and it seems to be working for my colleagues who are on it now. Some form of interaction between a future justice Minister, the justice Committee and such agencies is needed. It is understood that those are ready and have been available for some time: it is a pity that they have not been shared with the Assembly and Executive Review Committee, because the issue would probably be progressed if they were made available to the Committee. Hopefully, they will be shared in due course.

It is worth recalling that national security sits with our national Parliament at Westminster. It is a national issue; it will not come here, but there can be some links. I know that the SDLP and Sinn Féin want to get their hands on it, but they will not, because it is a national issue. SOCA has been left in the same area. However, that organisation is slightly different, because part of its remit relates to organised crime, which affects Northern Ireland, and part of it relates to the legacy of terrorism, which does not. SOCA is a more hybrid animal than the Security Service. However, there needs to be some links between them.

Last week, I was particularly dismayed by the reaction to SOCA's legitimate actions in south Armagh. It is worrying when members of Sinn Féin are straight out of the traps to say how dreadful and appalling it is that the Serious Organised Crime Agency, which we tasked with dealing with such issues, does its job. The immediate reaction of Sinn Féin was wailing and gnashing of teeth about SOCA interfering with someone who, I think, was a senior member of the Provisional IRA. That does not bode well for the future; the only saving grace is that security remains a national issue, which prevents Sinn Féin from getting its hands on it.

The independence of the judiciary and the PPS are also key issues, and we politicians must not be allowed to interfere with the operational remit of the judiciary or with the Public Prosecution Service. However, it is perfectly valid for the Assembly, the future justice Minister and the Committee to be interested in broad

justice policy, because such policy will eventually pass through the House.

It is also legitimate for the Assembly to be interested in those areas, because when policing and justice powers are eventually devolved, justice will be paid for from the Budget that is voted for in the House. Therefore, it is perfectly legitimate for us to have an interest in how that money will be spent and how justice will be administered.

Such administration will, however, require protocols. The policing protocols are in place at the moment, but protocols dealing with the links between the justice agencies and the Assembly are also required. The nature of those protocols has still not been decided by the Assembly and Executive Review Committee, and if policing and justice powers are to be devolved in any reasonable time, someone at some stage in the DUP and Sinn Féin — the parties that are leading on the issue — must turn their mind to those issues.

I will talk briefly about amendment No 2. It is a fact, as has been said already during today's debate, that the Agreement on Co-operation on Criminal Justice Matters between Britain and Ireland is to be renewed and will remain in place. It is also a fact that policing agreements between the Garda Síochána and the Police Service of Northern Ireland are, and will remain, in place. The SDLP is terribly keen for justice powers to be put into a cross-border body, but, because the current system works perfectly well, the Ulster Unionist Party does not believe that that is necessary. It will not support any extension of "North/Southery".

I said that I would keep my contribution short, and I will. The Ulster Unionist Party is minded to support amendment No 1, because it might be quite useful for things to be explained in more detail when policing and justice powers are devolved. However, it will not support amendment No 2.

**Dr Farry:** Like others, the Alliance Party is somewhat confused and bewildered as to why another detailed debate is taking place on the Department of Justice Bill; neither is the party sure how the debate will advance the devolution of policing and justice powers. At best, the debate will be neutral to the process, but it could further undermine the process by creating more barriers and issues and by elevating them to an unnecessary degree of controversy.

At its heart, this debate is about the battle in nationalism. It is also an attempt by the SDLP to tell Sinn Féin that it has come up short in delivering an ideal approach to the devolution of policing and justice and that certain issues have not been resolved to its satisfaction.

Such issues include how quickly the devolution of policing and justice occurs. We must deal with the

practicalities of compromise and of trying to find agreement between parties, and in doing so we must also recognise the political and legal environment in which we operate. We are a regional Assembly and part of a wider national framework, and it is perfectly logical that responsibility for criminal justice and enforcement issues is handled at different tiers of government. That is the situation elsewhere in the world.

The SDLP's amendments raise important practicalities, and I agree with Alex Maskey in that respect. They are issues where understandings have to be reached. However, I make the point that other Members have made: a process has already been established for airing the issues through the Assembly and Executive Review Committee and, in due course, there will have to be procedures for trying to agree on the contents of those documents.

*1.30 pm*

Indeed, I suggest that there will be a range of ways in which final conclusions will be drawn, given that each of the protocols that have been suggested by the SDLP is of a different nature and involves different criminal justice agencies. It will also require agreements to be found between different levels of government, whether that is between the Assembly and our national Government or between the Assembly and other Northern Ireland institutions. We are talking about a range of different types of agreements, the timing of which is still to be determined.

The list set out in amendment No 1 is far from being inclusive of all the issues of that nature that need to be discussed. I am not sure about the logic of pulling out four of those issues at the expense of others. For example, there is the clear issue, to which Mr McFarland referred, about the way in which a statutory justice Committee of the Assembly would relate to the Policing Board and how questions relating to operational issues of the criminal justice agencies, most notably the Police Service, will be handled in the Assembly. Those, in themselves, are important issues.

The amendments do not alter the actual facts relating to those documents one bit. They simply call for a statement to be made in writing and orally by the First Minister and the deputy First Minister on the commencement of the Act, and I stress that it says "the Act". During his comments, Mr Attwood referred to that happening at the point of the devolution of policing and justice, but he corrected himself to clarify that it was at the point of commencement of the Act. Although I appreciate his party's desire to see that happen as early as possible, we need to be aware of some of the pitfalls.

First, the timing of the commencement of the Act may not be entirely within our hands. We hope to have the Final Stage next week and, hopefully, that debate

will be as brief as this one. However, the commencement of the Act and Royal Assent are out of our hands. It is likely that commencement might happen outside the sittings of the Assembly. It may happen during recess, and that would create a needless issue of timing where no sense of urgency would be required whatsoever. We could find ourselves creating a legal hoop to jump through, such as a formal obligation on the First Minister and the deputy First Minister to do something that would not be necessary.

Secondly, although I appreciate Mr Attwood's point that the documents may be finished, I stress that it is more important that we look at those documents as drafts. Nothing is ever finished until it is formally finished, agreed and set in stone. Although the principles as to how different agencies and different tiers of government should relate to one another may be clear, there may be scope for revision of the subtle details right up to the point at which they are finally agreed, in particular details that relate to matters of national security and organised crime. As we are well aware, circumstances can change dramatically. It is important that we give ourselves that flexibility and respect the fact that there may be the need for some flexibility.

It is important to put what we are talking about into context and to de-dramatise its importance. There are, essentially, two levels where decisions on policy and operations are to be taken. First, there is the issue of the powers and responsibilities that are to be devolved to the Assembly, and that has been dealt with already through the recommendations of the first report of the Assembly and Executive Review Committee and, subsequently, through Westminster legislation. That is a closed debate. Although individual Members may not be completely happy with the exact outworking of that, it is not a debate that we want to reopen.

The second issue relates to the policies and programme that would be pursued by any Minister, Department and, indeed, the Executive with the support of the Assembly. That is the detail that flows at the point of devolution, preferably through an addendum to the Programme for Government, and the decisions will happen afterwards. Some of the issues that have been outlined in the amendments would, perhaps, be better addressed in that context, particularly some of the policy matters that have been mentioned, such as the establishment of a sentencing guidelines council, which is a model that has been tested elsewhere in these islands. It is at that point that those kinds of decisions can be made.

I will make a couple of points about the issues regarding operational independence. We in the Assembly need to be very careful about throwing brickbats on that issue at one another. There has been a lot of abuse relating to that from all quarters. Notably,



Mr McFarland raised the issue of comments about SOCA that were made by a Sinn Féin Member. I concur with the importance of respecting the operational independence of all the agencies that we are talking about, but that works both ways. It is important that Members from the Ulster Unionist Party and other parties reflect on comments that they have made in the past. In particular, given that it was an Ulster Unionist Party Member who raised the issue, members of that party have made comments criticising the police on operational grounds for engaging in particular raids on people's homes when it did not suit their political agenda. They have also made comments in respect of the way in which particular parades have been policed or not policed in their eyes. If we are to talk about operational independence, let us respect that and do it consistently, rather than pointing the finger at one party while ignoring the massive inconsistencies of one's own position.

We on these Benches do not intend to prolong today's debate for too long. We respect that the matter is a work in progress. Although a lot of work may have been done already, it is important that that work continues. It is also important to respect the fact that there is a Committee in place. I say that as a member of a party that, ironically, does not have any representation on the Assembly and Executive Review Committee, but it is a process that has worked until this stage, and we wish it well in its further important deliberations. We would like to see speedy conclusions from the Committee in the weeks to come.

It is important that we move ahead with the practical issues of addressing the devolution of policing and justice. It is not because people out there are demanding that it is dealt with as a number one issue, but because, quite frankly, the issue is poisoning the atmosphere in this Chamber and between parties, and the sooner we address that issue, along with the other issues that are causing political deadlock, the better it will be for the credibility of this institution and for the people of Northern Ireland.

**Mr Spratt:** I am pleased to be able to speak in the debate. I declare an interest as the Chairperson of the Assembly and Executive Review Committee and as a member of the Northern Ireland Policing Board. I am not speaking as Chairperson of the Committee today.

In relation to amendment No 1, it has always been, in my view, the intention of the Government to agree protocols and memoranda of understanding in advance of devolution. Those documents refer to judicial independence and the independence of the prosecution service and have been in the public domain for some time; since the report of the Transitional Assembly, in fact. As Members are aware, issues of national security will and should remain with the UK Government and

will not be a devolved matter. I am not aware that there is, as yet, a document on SOCA.

Mr Attwood has been talking about boards to look after SOCA, and the other day he was proposing a board similar to the Policing Board to look after the Public Prosecution Service. All of a sudden he is proposing two boards. The Policing Board costs around £8 million a year. I do not know where the money will come from for the boards that Mr Attwood and the SDLP are proposing in relation to justice. It is just not possible; it cannot be possible, and, instead of us calling for unnecessary quangos to be appointed to deal with those issues, that sort of money should, first and foremost, be spent on front line policing.

As the First Minister has said on a number of occasions, it should be the will of all parties in the Assembly that decisions on prosecutions and the role of the judiciary should always remain free from political interference. The Assembly and Executive Review Committee is awaiting draft documents from the Secretary of State on those matters, and it is, ultimately, his decision when to provide the documents. The Secretary of State, during his oral evidence to the Committee, said that he would share the protocols and memoranda with the Committee in due course. That is a matter of public record. Since then, he has said a number of times that he will do that. I am sure that the Committee will have the chance to scrutinise those documents, and it will then send its views to the First Minister and deputy First Minister.

I oppose amendment No 1, because it would, effectively, create a situation where the work of the Assembly and Executive Review Committee and OFMDFM would be duplicated. The First and deputy First Minister have indicated clearly the process, and the Assembly and Executive Review Committee will play its role. As other Members said, there is no need for unnecessary duplication.

With reference to amendment No 2, Members will be aware that co-operation agreements already exist between the gardaí and the PSNI. As someone who served in the Police Service for 30 years, I know that there have always been agreements and co-operation between the gardaí and the RUC and now between the gardaí and the PSNI. Thankfully, co-operation takes place with European police services and with police services worldwide. As the demands of policing change, those protocols change; the process is always evolving. Such co-operation has been demonstrated in many areas in the past, and, thankfully, the devolution of policing and justice to Northern Ireland, when it eventually happens, will not change that.

There are also agreements between the gardaí and the PSNI as a result of the agreements by the devolved Assemblies of the United Kingdom on issues to do with

sex offenders. I have no doubt that those agreements will continue. I understand that any such agreements would not be affected by devolution or by the amendments. Formal agreement between the Secretary of State and the Irish Minister for Justice, Equality and Law Reform already takes place on criminal justice co-operation matters, and that arrangement has existed for years.

Much debate has taken place in the House and other places about the amendments. Unlike other Members, I do not intend to dwell on the amendments for too long, because they are totally unnecessary. Let us get on with enacting the Bill. The DUP opposes amendment Nos 1 and 2.

**Ms Anderson:** Go raibh maith agat, a LeasCheann Comhairle. I declare an interest as a member of the Policing Board and an unrepentant republican member at that. I oppose both amendments. The events of the weekend strengthen the determination of everyone to ensure that the political process, through which this debate is taking place, is strengthened and defended.

Although the process is not perfect and, at times, has difficulties, against the backdrop of the debate it is incumbent on all Members to unite in order to ensure that politics work and that we make a very good contribution to try to set aside old differences in an ongoing process to build peace, stability, justice and equality on this island.

1.45 pm

The Further Consideration Stage of the Bill today and the consequences of the two amendments before us, show that the process is moving ahead, even though there are difficulties along the way, and that we are on our way to delivering policing and justice into the hands of locally elected politicians. That is what the vast majority of people out there want, and soon.

Key stages in the transfer process have already been implemented. Those include the Assembly and Executive Review Committee's report, and legislation passing through the Executive to the Assembly. The SDLP has been party to all that, so I do not believe that the amendments are truly about scrutiny. Nor are they about enhancing North/South co-operation. Sinn Féin approaches all the challenges that face us with a can-do attitude, as do other parties in trying to ensure that we are all depicted as problem solvers. By contrast, the amendments show the SDLP's continuing doom-and-gloom politics.

It is not necessary to rehearse everything that Members have said about amendment No 1, other than to say that I agree with some of it. The SDLP's latest attempt to hijack the Bill, in the shape of amendment No 1, is yet another pointless intervention. As I have said in previous debates, there is ample opportunity for the Assembly to scrutinise all aspects of the transfer of

policing and justice. The resolution requesting transfer powers will be debated and will require cross-community support. The determination of the ministerial offices will be brought to the Chamber, and the new justice Minister will be elected by the Assembly with cross-community support.

Amendment No 1 refers to provisions of protocols and concordats. The Assembly and Executive Review Committee is the appropriate arena in which to scrutinise those documents, and we have heard from the Chairperson of that Committee. The SDLP and others are well aware that the mechanism for that is in place. The SDLP is equally aware that earlier drafts of the document about judicial independence and the independence of the Public Prosecution Service are already in the public domain, and the Assembly and Executive Review Committee is actively pursuing the other documents to which amendment No 1 refers.

The SDLP and other Committee members will have an opportunity to examine and scrutinise those documents when they are received. Unfortunately, the SDLP seems determined to ignore political reality, about which we heard a lot in last week's debate, and would rather table redundant amendments than become truly involved in the process and give the sort of leadership that the people expect from all political parties across the Chamber and especially from their leaders, even if they are soon to be made redundant.

With regard to amendment No 2, all of us recognise the importance of North/South co-operation in policing. Indeed, the Committee for the Office of the First Minister and deputy First Minister, of which I am a member, was updated recently on the latest measures to intensify co-operation on child protection. As a Policing Board member, I am very aware of the arrangements between the PSNI and the gardaí, which result in intense co-operation on a range of issues — for example, the pursuit of drug dealers. I am confident that the current arrangements between the Irish Justice Department and the NIO will, no doubt, be considered by an Assembly justice Minister and a scrutiny Committee when transfer happens.

Therefore, the reports sought and proposed in the amendments will, as I understand, be available before transfer, which has been, I believe, mentioned earlier, given that I doubt the commencement Order would take effect immediately on the day that it is made.

I understand that the proposer of the amendment said that the wording of the amendments could, perhaps, have been sharper and more precise. That said, the Assembly must deal with the amendments that are before it. It would be somewhat premature to endorse them, and I urge the House not to do so.

The matters of concern that the SDLP has raised in its amendments were dealt with by the Assembly and



Executive Review Committee in March 2008, when it recommended that OFMDFM and NIO should work to ensure that the current arrangements remain and that those arrangements should be reviewed by the Minister of justice and the statutory Committee following transfer. That was over a year and a half ago.

Therefore, the requirement for the First Minister and the deputy First Minister to report orally and in writing to the Assembly on the day of the commencement of the Act is not only an unrealistic time frame, as was mentioned earlier, but would predetermine the work of the new justice Minister. Examining the effectiveness of existing arrangements and identifying new avenues for North/South co-operation will be important aspects of the justice Minister's work under the scrutiny of the Assembly, the Executive and the Committee that is established. Any attempt to predetermine that work on the day of commencement would be an unnecessary exercise. The current arrangements and practices are welcome and need to be expanded and built upon.

I look forward to the day when there is one policing and justice system on the island of Ireland. If it were left to the SDLP, that day would never come. Thankfully, the people of Ireland do not have to depend on the SDLP to negotiate that outcome. However, I will not dwell on that too much.

There is no prospect of the transfer of policing and justice adversely impacting on the arrangements that are in place; in fact, it is likely only to build on them. A locally accountable Department can build a system that is best suited to the needs of local people, whom it will be established to serve. Therefore, amendment No 2, in common with amendment No 1, is redundant.

No matter how much the SDLP tries to frustrate the process, the transfer of policing and justice powers away from London and into the hands of locally elected politicians is what people want. People demand a justice system that delivers. All Members know many people who are absolutely disgusted and fed up with the revolving-door justice system, which allows criminals back onto the streets just hours after they have been arrested.

The process is moving ahead, despite events at the weekend and the doom and gloom merchants both inside and outside the Chamber. Most Members in the Chamber have given society hope. We have raised people's confidence in the Assembly's ability to govern, lead and play a constructive and meaningful role in building the justice system and the society that they want.

Let us give leadership, look forward and work over the heads of those who seek to frustrate the progress of change. Let us reject those redundant amendments.

**Mr Shannon:** Here we are again: debating the Department of Justice Bill. It reminds me of 'Groundhog

Day', in which Bill Murray's character wakes up to the alarm going off and the same music playing day after day.

**Mr Paisley Jnr:** It is good music.

**Mr Shannon:** I agree; I do not mind listening to it. I used to listen to it fairly regularly. However, I do not want to hear it at 6.00 am every day.

It is vital that we state clearly that the amendments are unnecessary. Although we accept the democratic process and the need for views to be expressed, we wonder why, exactly, amendment Nos 1 and 2 are before the House.

The Bill is intended to set up a Department of justice to ensure that, when the Assembly makes a decision to appoint a Minister and set up a Department, that will take place without undue and avoidable delay. The amendments do not embrace or enhance the Bill in any respect. They do not tighten security. They do not provide any new controls. They simply address issues that have already been addressed and, I must say, waste the Assembly's time and resources in the process. I oppose amendment Nos 1 and 2 entirely. Due to their nature, they have been grouped. I will, therefore, address them together.

The proposals would mean that the First Minister and the deputy First Minister, acting jointly, would be required to report, orally and in writing, to the Assembly on the day of the commencement of sections 1 and 2 of the Act, explaining the provisions of protocols and concordats and effectively publishing those documents. The day of commencement will be the operational date for relevant provisions, as specified in the commencement Order by OFMDFM.

The first issue is that the amendment, if successful, would limit the timing of the commencement to the day of an Assembly sitting; either that or it would put the taxpayer to additional expense by necessitating the calling of a special sitting. That would not be an issue if the amendments were to bring about something beneficial to the whole of the Province and justify the expense, but that is not the case. They do not provide any extra report or mechanism for release of information pertinent to the Assembly which is not already in place. It has been known for several years that the UK Government intend to conclude concordats, protocols and memoranda of understanding with OFMDFM, on behalf of the Executive, in advance of devolution. Early drafts of the documents on judicial independence and the independence of the Public Prosecution Service have been in the public domain since the report of the Transitional Assembly in 2008. Therefore, the procedure is already in place for those who take the time to find it.

Other Members have mentioned national security. Once again, I emphasise that that is not and never can be a devolved matter. We rely on the Secretary of State

to provide us with the information needed for the Province on such issues.

The Assembly and Executive Review Committee has been seeking from the Secretary of State drafts of protocols and concordats. Although those have not yet been provided, I understand that that they are on their way. I have every confidence in the ability of the Assembly and Executive Review Committee to secure the information needed and to process that within the current procedural controls in a report submitted to the Assembly and subsequently debated. Therefore, I see no need for further legislation.

The second amendment is familiar to members of the Assembly and Executive Review Committee. They have already debated it, and the proposal was voted on, bringing the issue to a democratic conclusion. A report was made in March 2008 recommending that the Northern Ireland Office and OFMDFM should ensure that current agreements remain in place at the point of devolution and that those agreements should be reviewed by the Department of justice and the statutory Committee after devolution.

Let me be clear: there are already in place agreements to ensure that cross-border co-operation on matters such as sex offenders and co-operation between the PSNI and the Garda Síochána carry on through the transition and the establishment of the new justice Department, when it is decided that the time is right for that to take place. Anything said to the contrary is scaremongering. There will be no free-for-all allowing sex offenders to get across the border without the gardai informing the PSNI and vice versa. Things will remain as per the status quo and with the protocol in place.

There is agreement between the Northern Ireland Office and the Irish Justice Department that agreements should remain in place until the justice Minister begins a review of them. They are working out a way to ensure that this continues until the Minister of justice is in place and able to carry out his review. That review will be an intrinsic and vital part of the role of the Department of justice and the justice Committee, and I do not believe that the Assembly needs to undertake it now. It will be brought before the justice Committee and debated across this Floor at each stage, through the mechanisms already in place. That process offers sufficient security, and there is no need to implement a costly and unnecessary review. The Northern Ireland Office will conclude its discussions with the Irish Justice Department and enable the justice Minister and the Committee to do their jobs and ensure that all concerns and questions are addressed.

The report proposed in the amendment, at this pre-devolution stage, would effectively be a historical document, or else it would pre-empt the new Minister's

consideration of how to approach cross-border criminal justice co-operation. Neither would justify the expense.

It seems clear that the amendments do nothing to aid or protect. They are unhelpful and create division. As Stephen Farry mentioned, it is time to move on and to get the work done that we were elected to do. I agree with that. In a democracy, we must ensure that all voices are heard, and that is why it is important that those who have other ideas and opinions are heard on the Floor of the Chamber.

We heard those voices today: we heard from the SDLP, and perhaps we will also hear from other parties. However, what the SDLP seeks is unnecessary, and its amendments are unhelpful. I reject amendment Nos 1 and 2 and support the Bill as it stands.

2.00 pm

**Mr Durkan:** I support amendment Nos 1 and 2.

I remind Members that, in a legislature, it is entirely legitimate and, indeed, proper for Members and parties to ensure that there is due scrutiny and consideration of its legislative process. If issues are being discussed and channelled in various forums such as Committees and in exchanges and conversations between Committees and others, that does not delegitimise the right and propriety of legislation's addressing the issues.

I totally reject the suggestion that anyone is trying to delay or frustrate anything by tabling the amendments. Martina Anderson and others suggested that the amendments frustrate the Bill. The amendments will ensure that, when justice and policing powers are devolved — no party wants those powers devolved more quickly than the SDLP — we will know that we have properly concluded all the business and that there are firm, clear and secure understandings in place. That is what the amendments are about.

Many Members have spoken outside the Chamber about the need to ensure that there is public confidence before the devolution of justice and policing can take place, and they have placed great emphasis on that. However, some of us want the public to have confidence in the House so that, when devolution takes place, the public will know that we, as a legislature and as a Chamber of accountability, will conduct due and proper oversight of those matters.

A good way to show that would be for the First Minister and deputy First Minister, in response to the debate, to tell us that they intend to make a statement to the Assembly on the points that are outlined in amendment Nos 1 and 2 on the day of the commencement of the Act or on the first day of devolution. If that were to be the case, these are probing amendments.

It is important for public confidence that there be that act of transparency and accountability in the

Chamber at the start of devolution. A good starting standard would be for the First Minister and deputy First Minister to set out for the record the types of concordats and protocols that we know are being prepared and are subject to discussions, and which the Assembly and Executive Review Committee have been seeking.

We all assume and hope that those protocols and concordats will be fully in place. However, it would be appropriate for those to be stated in the House as a matter of record. All that we are asking for is that the First Minister and deputy First Minister report orally and in writing to the Assembly, as they already do for meetings of the British-Irish Council and the North/South Ministerial Council. That is not a huge ask, given that the First Minister and deputy First Minister already make many statements orally and in writing to the House.

It is not big ask to require the First Minister and deputy First Minister to make a statement to the Assembly on the commencement of the two key sections of the Act or on the first day of devolution that covers the points that are set out in amendment Nos 1 and 2. That does not create a barrier. How can Members accuse the SDLP of trying to raise difficult and contentious issues when they then say that those issues are relatively straightforward and will be taken care of anyway? Members cannot have it both ways; they cannot say that the SDLP is raising difficult and divisive issues to try to create barriers while saying that the amendments do not mean anything because the issues will be taken care of.

The amendments place a burden on us, as a legislature, to ensure that the issues are taken care of and that we do not simply rely on the Assembly and Executive Review Committee or members of the justice Committee or the justice Minister, whoever they might be.

We are attempting to ensure that we, as an Assembly, will be satisfied from day one that the concordats and protocols are in place. A statement that those are in place is important not just for the Assembly but for the wider public, if they are to know that the Assembly and the Executive have made the issue a matter of record in the Chamber, which is the appropriate arena.

It is also important that we, as individual MLAs and as an Assembly, honour, reflect and respect the terms of the protocols. For instance, amendment No 1 refers to protocols and concordats on the judiciary and the Public Prosecution Service. As public representatives, we all find ourselves dealing with situations in which people are aggrieved at very low sentences being passed for grievous crimes. We all find ourselves confronted by very concerned constituents and

contending with members of the media who are asking questions on what will be done.

For the independence of both the Public Prosecution Service and the judiciary, it is very important that the relevant protocols have been the subject of a clear statement in the House. If a statement has been made in the House, the conduct of everybody in the Chamber will be a matter of record, which will be important for any further statements that we make inside or outside the Chamber. Therefore, we are trying to establish an important discipline through our amendments. A statement in the House as we approach the commencement of the devolution of policing and justice powers, or on the day of commencement, would be good practice. I cannot see how any Member could seriously argue against that sort of provision.

Amendment No 1 also refers to protocols and concordats on national security and the work of the Serious Organised Crime Agency. We know that there will be a protocol and concordat on national security, so how are we being divisive or difficult by saying that they should be the subject of a report in the House? We are not saying that the protocols and concordats must be subject to a vote in the House but have simply asked for a report, both orally and in writing, that will, I imagine, be followed by a round of questions in the same way as ordinary ministerial statements are.

**Mr Paisley Jnr:** The Member's colleague who tabled the motion received a letter in May this year from no less an authority than the Secretary of State, telling him:

"The intention is to share them with your Committee in parallel with the First and deputy First Ministers and nothing has changed in that regard."

Therefore, the Member and his party are going to get sight of the protocols and concordats. I do not understand why the Member's party tabled amendments for debate in the House to ask for a statement on the protocols and concordats when it heard from the horse's mouth that it will see them. What is the point? Are SDLP Members putting us through this for any reason other than hearing their own voices?

**Mr Durkan:** The honourable Member is saying that we will receive the protocols and concordats. He said that they will be passed to the Office of the First Minister and deputy First Minister and to the Assembly and Executive Review Committee. We are simply saying that, as a matter of good form and practice, particularly as we start the very important business of devolving justice and policing powers, the protocols and concordats should be clearly stated in the House. There should be a point at which they are properly marked and stated in the Chamber. We cannot just rely on protocols and concordats going through individual Committees. Important as the work of the Assembly



and Executive Review Committee is, it is not a substitute for the Chamber.

If we were to follow the Member's logic, there would never be any statements in the House from any Ministers. All Ministers have departmental Committees to which they can make statements on important issues or refer important matters.

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

However, it is well established and recognised that there are occasions when the Chamber is the appropriate place to make a significant statement as a matter of record and substance.

**Mr Hamilton:** The Member spoke about centrality and the importance of debating issues in the Chamber. Does he not accept that the amendments that he and his colleagues have tabled would, if passed, result in there being no debate or decisions taken in the Chamber? Rather, the Assembly and Executive Review Committee's work, which he denigrated, will result in a report on all the issues contained in both amendments, and the Chamber will debate and vote on that report. Therefore, using the Member's barometer, that is of greater consequence and weight than the First Minister and deputy First Minister making an oral statement to the House.

**Mr Durkan:** I do not accept that point, because, as other critics of our amendment have pointed out, things can change, not least in areas of national security and serious organised crime. Things can change, and things will change. Even after the first concordats are in place, there will be subsequent changes, and we will have to decide what happens to those concordats in the future when there are changes to the scope of national security. One does not have to be a fan or watcher of programmes such as 'Spooks' to know that, in the past number of years, the concept of national security has widened in response to the development of serious threats, not only those of a terrorist nature but those involving an ever more sinister level of organised crime with increasing international dimensions.

**Dr Farry:** Will the Member give way?

**Mr Durkan:** I will give way shortly. If things are to change in the future, we must determine the appropriate point to register those significant differences. We are talking about transparency and accountability. We want to create strong public confidence that the devolution of justice and policing is not about simply transferring powers from the NIO to a new Department of justice here and continuing to work as we have in the past. We must create a new, more accountable and more transparent character to the operation and conduct of those areas in the Assembly. That is why we have tabled the amendments.

**Dr Farry:** Will the Member clarify that the SDLP's approach to the Security Service is based on a wider range of empirical evidence than a TV programme?

**Mr Durkan:** Of course it is. I said that one does not have to be a watcher or fan of that programme to know that the concept of national security has widened. If the Member does not believe that that concept has widened and been employed by government, he is not listening to his sister party the Liberal Democrats. I said that one does not have to watch 'Spooks' to know that that is the case.

National security is a term that has been employed in a number of recent Westminster Bills, some of which would have interfered directly or indirectly with the conduct of devolved justice arrangements. In the past two years, the Labour Government have made several attempts to make provisions, on the grounds of national security, for secret inquests in Northern Ireland that apply on the say-so of the Secretary of State. A Secretary of State for Northern Ireland, even in the event of the devolution of justice and policing, could have intervened and, at any stage, said that matters in front of an inquest would be dealt with in secret or could have stopped that inquest. That provision was made even while that Government said that they planned to devolve justice and policing. Some of us asked questions about that here and in the House of Commons. Of course, we were told that we were the only ones who raised those concerns.

2.15 pm

Sadly, the Coroners and Justice Bill, which was going through the Westminster Parliament in recent weeks, makes provision for secret inquests. The powers in that Bill do not extend to Northern Ireland, so we are glad to claim that victory. However, the question arises: will a future British Government revert to the current position, which is that it could and should introduce such powers? That is why the SDLP has a serious interest, not just in the protocol that affects national security now, and how those matters are treated, but how that protocol may be treated and amended in future.

I assume that any devolved justice Minister, of whatever party, would not want, in a year or two's time, having tried to pass the legislation three or four times in three or four different ways, to be in a situation in which a future British Government tries to do so again in Northern Ireland. The integrity of devolution would be affected if inquests carried out by the devolved Assembly, with a devolved justice Minister and a justice scrutiny Committee, were to be subject to the overriding editorial control of a non-devolved Secretary of State. There are real issues of principle and practice that we want to protect. I do not believe that all those issues will be nailed down in a

protocol that deals with things as they are. The creation of a standard of accountability that will protect Ministers and that will ensure that any new protocols have, by a point of reference and record, to be disclosed in this Chamber, will be something that Ministers will be glad to rely on.

**Mr Paisley Jnr:** If that is the Member's intention, the SDLP amendment clearly fails. It asks for a statement to be made on the day of devolution. That is ex post facto: it deals with things that have happened up to that point. It does not deal at all with anything that might happen subsequent to the day of devolution. The Member should have tabled another amendment, because we are no longer debating the proposed new clause 2A; we are debating an amendment that does not exist. Mr Deputy Speaker, you should rule the Member's comments out of order.

**Mr Durkan:** My comments are not out of order, Mr Deputy Speaker. Unlike many of the Members who have contributed to the debate, I am addressing the subjects of the amendment; I am not straying into wider party-political issues.

In seeking statements on the protocols, both amendments would create the point of principle and precedence that any subsequent changed protocols that might well come into being would similarly have to be a matter of stated record before the House. It is the SDLP's belief that that is the logical implication when the precedent for a protocol is created at the start. In the wake of a statement to the House, a Minister could well be asked what would happen if the protocols changed and whether there would be a subsequent statement to the Assembly. I hope that the answer to such a question would be yes — *[Interruption.]*

**Mr Deputy Speaker:** I remind Members —

**Mr Durkan:** Mr Deputy Speaker, we are using the debate to say that we want certain things to be said in the protocols.

**Mr Deputy Speaker:** I remind Members that Mr Durkan has the Floor. Members should not speak from a sedentary position. If Members wish to make an intervention, they should ask the Member who is speaking to give way, and that Member will give way if he or she chooses.

**Mr Paisley Jnr:** Does the Member not accept that his amendment fails to do what he now tells us he wants it to do, and that the protocol must contain the mechanism for explaining future changes to protocols and arrangements that may or may not exist? If that is the case, the amendment fails to achieve what the Member intends. On that basis, he should withdraw the amendment and table a new one.

**Mr Durkan:** That is a typically nonsensical argument from the Member. The point is that the SDLP

has tabled the amendment in order to establish a principle. Other parties seem to be content that concordats or protocols do not have to come to the Chamber at all, and can be washed through a Committee, given to Ministers and left at that level.

We are saying that we want reports on such protocols and concordats to be available through a statement to the House as a matter of principle.

**The First Minister (Mr P Robinson):** I had assumed that amendment No 1 was a probing amendment and that the Members would hopefully withdraw it when they heard what the likely course of action would be. However, we should be very clear that this SDLP amendment lays only one requirement, which is the requirement to report at the time of the commencement of the Bill. That would create a legal responsibility for a report to be made at that time and at that time only.

The message was clearly given earlier that the full protocols and concordats would be given to the Assembly and Executive Review Committee, which would then have the chance to examine them. I am not sure, but I suspect that those documents will be 20, 30 or 40 pages long; they will certainly be nothing that could be dealt with by a statement. The way to deal with them is for the Committee to produce a full report that could be presented to the Assembly, which could then have a full debate on it. Again, when any changes are to be made to the protocols and concordats, the same mechanisms could be used.

**Mr Durkan:** I thank the First Minister for his intervention. I said that if, when Ministers are responding to the debate, they could say how certain matters will be reported for the benefit of the House, we would treat the amendments as probing. We want to be satisfied that these matters will be reported to the House properly.

Contrary to the allegation that other Members made, we have not said that we want the statement to be subject to a vote or anything else. We are not trying to trip people up or to set traps. We are trying to ensure that we, as a responsible legislature, have taken care of those issues properly and have been seen collectively to have done so as a matter of clear and transparent record. However, that is not to denigrate the important work that can and will be done by the Assembly and Executive Review Committee; it is recognition that it is important that certain issues be a matter of Chamber record.

The First Minister seems to be saying that changes to protocols and concordats in the future, for whatever reason they are made, would go to the Assembly and Executive Review Committee or that the justice Committee may have a view on them. Our party view is that, given the seriousness of the issues, it would be

better if the precedent that our amendment would establish were followed. The UK Government will, undoubtedly, change their idea of what does or does not amount to national security, and the remit of the Serious Organised Crime Agency could also change and develop in the future.

**The First Minister:** I am grateful to the Member for giving way again; he has been generous with his time. I think that he has missed the point. If he places in the legislation a legal duty on the First Minister and deputy First Minister to make a statement on protocols and concordats on one occasion alone, he is not setting a precedent, he is saying that the occasion on which the statement is required to be made is special. I suspect that the Members have been negligent by not adding to the amendment a reference to a statement being made on any future changes to a protocol. If that is the case, I am giving him the benefit of the doubt, but far from setting a precedent, he is saying that this one-time only, special set of circumstances requires that a statement be made. That is not a precedent.

**Mr Durkan:** I will clarify for the First Minister that it would not have been competent, proper or acceptable for us to have suggested that all future changes would necessitate statements to the House. The First Minister says that the problem with our amendment is its one-off nature. However, the problem is the one-off nature of the Bill. That is what confines us and limits and tethers the focus of our amendment.

We are simply saying that, if accepted, the amendment would establish what I believe to be an important precedent. Such a precedent would be established if the First Minister and deputy First Minister would commit themselves to that principle.

Instead, there seems to be a suggestion that everything can be done via Committees and exchanges between Ministers. People may be content with that arrangement for now, given the Assembly and Executive Review Committee's experience and the attention that it has given the matter in the run-up to devolution. However, people may not be satisfied that that arrangement will work for any subsequent changes to those protocols or for any new protocols.

There must be a clear protocol for the work of the Serious Organised Crime Agency, not least because of the different views on, and attitudes to, that agency. Some of us have legitimate concerns about whether that agency would be as competent or active in matters in this region as the Assets Recovery Agency has been, notwithstanding the high-profile activity of the past year and more. Some of us have also argued the need for a strong North/South approach to the issue of criminal assets.

Notwithstanding the criticisms that we, and other parties, have expressed recently about the political-

policing agendas of the Serious Organised Crime Agency, it is important that the public know where everyone stands on the interface between the Serious Organised Crime Agency, other policing agencies, the Assembly, the Department and the Minister in their Executive capacity. That would aid people's understanding. It is not a difficult or unnecessary barrier; it is a basic standard that would set out clear public assurances in the interests of public confidence.

**Mr Deputy Speaker:** As Question Time is approaching, I ask the Member whether his speech will be finished before 2.30pm. If the Member wishes, I will recall him after Question Time.

**Mr Durkan:** I hope to conclude my remarks before Question Time.

Amendment No 2 relates to North/South matters. As Alex Attwood said when proposing the amendments, there is a criminal justice agreement between the British and Irish Governments. As things stand, that agreement will lapse on the day that policing and justice is devolved. Matters that are the subject of criminal justice co-operation will then have to be the subject of an agreement that makes proper reference to the Northern Ireland Minister of justice or the Executive. As Alex Attwood also said, advisory groups on criminal justice matters are covered by that agreement, including forensic science, public protection, registered offenders, support for victims and youth justice. We have also been told that there are arrangements for another project advisory group to be set up, namely criminal justice and social diversity.

The important point of the amendments is that they mean that we, as a legislature, are taking care to ensure that the important work that has been done is not lost. We must not work on the general assumption that everything will be OK and that everything will be taken care of. The amendments are a matter of due diligence. They provide the basic assurance that the First Minister and the deputy First Minister will make a statement to tell the House that everything is OK and that everything has been taken care of. That request should not be too big a barrier for anyone.

Alex Attwood referred to the fact that we advocate a justice sector for North/South matters, but amendment No 2 in itself will not create a justice sector. We want such a justice sector to be created, and, for all sorts of good reasons, we will pursue that at every opportunity. Amendment No 2 simply builds a standard of accountability into North/South matters, and key North/South understandings and agreements should be the subject of statements in the House. I am at a loss to understand why the UUP says that it cannot support amendment No 2. When we were negotiating the Good Friday Agreement, the UUP was insistent that any North/South agreements between Ministers, or anyone

else, should be the subject of statements in the House and placed on the record to facilitate accountability. That is what we seek in amendment No 2.

**Mr Deputy Speaker:** As Question Time begins at 2.30 pm, I suggest that the House take its ease until that time. Mr Daithí McKay will be the first Member to speak on the resumption of the debate.

*The debate stood suspended.*

2.30 pm

## Oral Answers to Questions

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

#### Good Relations

1. **Mr W Clarke** asked the First Minister and deputy First Minister whether equality, respect, diversity and tolerance are the key components of good relations. (AQO 406/10)

**The First Minister (Mr P Robinson):** The Executive are fully committed to a peaceful, fair and prosperous society in Northern Ireland with respect for the rule of law. We want to ensure that we make a real and positive difference to the lives of all our people. There can be no room for sectarianism, racism or any form of hate crime. Attacks or violence that are motivated by any of those are unacceptable and must be condemned.

Equality, respect, diversity and tolerance are some of the key components of good relations. The reasons for bad community relations are complex, and, therefore, the solution to the problem will also be complex. Bad community relations are not caused by any single issue; it is often a combination of differing factors. It is not only words of condemnation that are required but an identification of the causes of bad relations and actions to tackle the problem. That is why, in the Office of the First Minister and deputy First Minister (OFMDFM), we have allocated unprecedented levels of funding for good relations. We are working hard on a wide range of areas with partners such as local councils, the Community Relations Council and a range of others. Much has already been achieved, and we are committed to working towards building a shared and better future for all.

**Mr W Clarke:** Go raibh maith agat, a LeasCheann Comhairle. I thank the First Minister for his words. Given that equality, respect, diversity and tolerance are key components of good relations, does the First Minister reject the idea that a visit by the Pope would have a detrimental effect on community relations? Furthermore, would he welcome a visit by the Pope to the North of Ireland?

**The First Minister:** I am not quite sure how the question has been stretched to bring the pontiff into good relations in Northern Ireland. Many issues would have to be taken into account, not least those relating



to security. Although I have no doubt that many people in Northern Ireland would welcome the Pope, the reality is that there would be considerable disruption. We would be fooling ourselves to believe otherwise. In any advice that we might give, we would have to take into account the overall consequences of such a visit.

**Mr Hamilton:** Does the First Minister agree that an urgent resolution to the mechanisms that are required for resolving parading disputes is a key element in ensuring good community relations and the diminishing of tensions across our community?

**The First Minister:** Everybody recognises the difficulties that there have been around a small number of parades. There is a mood in the community that people who have been marching or protesting should make a real contribution towards trying to resolve those issues. The deputy First Minister and I are willing to play our part in attempting to have those matters resolved. It is a critical issue, particularly in the context of the potential devolution of policing and justice.

**Mr Ford:** The First Minister was asked to give some definition of the key components of community relations. Does he agree that it would be much easier to do that job if the cohesion, sharing and integration strategy were published? Will he give a commitment that he and the deputy First Minister will expedite that urgently?

**The First Minister:** The Member has two documents that indicate how we could move forward. Officials in our Department have looked at the two documents and attempted to draw them together. The officials have produced a draft, which is now with our special advisers and will come to the deputy First Minister and me. When I see it, I hope that it will have been endorsed by the special advisers on both sides and that the deputy First Minister and I will be able to move forward.

We have indicated to other parties in the Executive, and I say it more widely in the House, that if Members want to make suggestions about the content of the strategy, we are very happy to look at whatever we receive.

**Mr K Robinson:** In light of the First Minister's replies, does he accept that provocative paramilitary actions at venues such as sports stadia by people who hold extreme views demonstrate a lack of tolerance, respect and diversity and that those stadia should automatically be disqualified from receiving any form of public funding?

**The First Minister:** It is essential that we move to a situation in Northern Ireland in which people recognise that there are different traditions, but those traditions should not be embedded through attempts to coerce people by using violence or the threat of violence, and no Department should encourage those who are involved in such activity. At the same time, all Members have a

responsibility to give leadership in this matter. I believe that the Executive have given it, and it is essential that people leave behind all the trappings of paramilitarism, which should not be celebrated in any set of circumstances. Let us move forward into a new era in Northern Ireland in which paramilitarism is a thing of the past.

## Community Empowerment

2. **Mr Spratt** asked the First Minister and deputy First Minister to outline work carried out by their Department in relation to empowering communities, with particular emphasis on experiences in areas such as north Belfast. (AQO 407/10)

**The First Minister:** I ask junior Minister Newton to respond to that question.

**The junior Minister (Office of the First Minister and deputy First Minister) (Mr Newton):** Since 2003, the Office of the First Minister and deputy First Minister has provided just under £14 million to the North Belfast Community Action Unit for a community capacity-building programme in north Belfast. The purpose of the programme is to enable communities to build leadership and to better manage relations within and between neighbouring communities and to develop networks to enable people to better deal with issues that affect their lives.

In December 2008, an independent review of the programme identified a number of very effective practices and recommended that we build on those practices and make them available to other areas that are experiencing similar issues. Recently, junior Minister Kelly and I outlined a strategic direction for future funding of the programme, which will build on previous experience and will be delivered through the themes of leadership, citizenship and good relations. The new strategic programme will be operational in the new year.

**Mr Spratt:** I thank the junior Minister for his reply. There has been much focus on resolving community relation problems in north Belfast, and rightly so. However, does the junior Minister agree that there are many deprived communities in other constituencies throughout the Province that could benefit from help and support from groups and projects that have a proven record of success in those areas?

**The junior Minister (Mr Newton):** I agree with the sentiments of the Member's question. In my constituency, I have also had experience of those matters. In reply to a previous question, I think that I said that we had announced that funding for the community empowerment partnerships (CEPs) would end in 2008. However, in recognition of the fact that some problems remained in north Belfast, it was agreed that we would continue the good work in those areas with a new scheme for community empowerment.



Nevertheless, it is critical that we use the experience that has been gathered in the past number of years to take forward the work not only in north Belfast but in similar communities across Northern Ireland. In many ways, we are learning from the situation in north Belfast, and the good practice that we have seen there must be applied elsewhere. Therefore, we are examining ways in which we might maximise the sharing of that best practice with projects in other areas.

**Ms Ní Chuilín:** Go raibh maith agat, a LeasCheann Comhairle. I thank junior Minister Newton for his answer and Jimmy Spratt for asking the question. The junior Minister said that funding will continue in the new year. Will that be after the present funding cycle ends?

Furthermore, given that north Belfast is a deprived area — as are most interface areas, wherever they lie — will its good practice experiences be applied from early next year? Regrettably, areas must go down to the wire — pardon the pun — before they receive any indication of whether they are to receive continued funding.

**The junior Minister (Mr Newton):** I thank the Member for her question. I very much understand the point made. I have said already that the new programme — we are talking about a new programme — will be based on what we have learned. That could be described as best practice and it will be drawn from the experience that has been gained over the past number of years of the programme.

I also said that there will be three core themes to the programme. It will be a thematic programme rather than a geographical one. The three core themes are citizenship, leadership and good relations. Officials from OFMDFM are working closely with the groups in this transition phase of the programme funding.

Current CEP funding will continue until the new programme is operational. We are hoping to finalise the new scheme over the next few weeks. If that happens, we are aiming to have the application and evaluation processes over the next number of months, with funding going out to successful projects by the start of the new financial year.

**Mr Attwood:** I want to push the point slightly further.

I agree with the comments made by colleagues from north and south Belfast. Will the junior Minister confirm whether it is the intention of OFMDFM to create a new programme that invites applications from not only north Belfast but relevant parts of the North? Therefore, no matter what the transition and the programme may be in north Belfast, will there be a wider programme for Northern Ireland? If so, when will applications be invited from other communities in Northern Ireland? Over and above Belfast, Coleraine and Derry have very similar issues to face.

**The junior Minister (Mr Newton):** I thank the Member for his question. He will be aware that there is

a ministerial-led working group on north Belfast. In my previous two answers, I indicated strongly that we have learned a lot from the north Belfast experience. We have also learned a lot that we can apply to, for instance, the Coleraine experience. In identifying the thematic approach that I have spoken about, we need to look at other areas, as I indicated in my answer to Mr Spratt's question. Other areas should benefit from the experience that we have gained in the very sharply focused work that has been done in the north of the city.

**Mr Cobain:** Poverty and deprivation in north Belfast are growing. Despite all the money that has been spent, some of the most deprived wards in western Europe are in north Belfast. Therefore, we should not get carried away with the programmes that we are talking about.

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

**Mr Cobain:** Building capacity and empowering communities is probably the most important element, outside financial support, in bringing communities out of deprivation and poverty. Will the junior Minister explain what benchmarking is in place to evaluate the programmes in north Belfast?

**The junior Minister (Mr Newton):** I thank the Member for his question. He will be aware that a number of reports looked at the situation in north Belfast, made recommendations on good practice and benchmarked it. It is from those reports that the three thematic areas have been identified.

I agree with the Member that investing money in an area and walking away is not sufficient for the future. I want to see the continuation of funding, and we have said that that will happen. This time, funding will not be based on geographical areas but on taking up the three themes that I have talked about. Hopefully, having learned from the exercises and having seen best practice, we can take that experience into the three themes and bring benefit to the north Belfast area.

2.45 pm

## Programme for Government

3. **Mr Paisley Jnr** asked the First Minister and deputy First Minister for an update on monitoring of the Programme for Government framework.

(AQO 408/10)

**The First Minister:** The Programme for Government (PFG) promised that the Executive would monitor progress on the delivery of their key priorities. Our PFG reporting framework allocated clear delivery responsibilities to Ministers and Departments, and that allowed us to present to the Assembly and the public a delivery report showing the progress on performance at 31 March 2009.

As a result of that delivery report, we set up accountability meetings with ministerial colleagues to discuss progress in three areas: the promotion of science, technology, engineering and mathematics subjects; greenhouse gas emissions; and regeneration. We also completed a second delivery report showing the position at 30 June 2009. Additionally, we have commissioned a third delivery report detailing the half-year position at 30 September 2009. That half-year report will be made available to the Assembly when it has been considered by the Executive.

We are well under way to building a series of reports that will successively demonstrate our performance on the delivery of the promises in the Programme for Government. Each report is important in giving us a strategic overview on progress. However, the underlying process that generates the reports and engages Ministers and officials is one of proactive interventions that allow us not only to report performance, but to drive it.

**Mr Paisley Jnr:** I thank the First Minister for his response. In light of the political maxim that, if it is not measured, it is not done, and the First Minister's comments to the House today on monitoring performance, will he outline what actions will be taken if, for example, there is a failure to achieve targets? How will his Department encourage performance to ensure the delivery of the important targets that were set by the entire Executive?

**The First Minister:** The Member rightly draws attention to the fact that the targets are exacting. Any meaningful target must be one that is deemed to be just beyond reach, so that people will stretch to get there. The economic downturn has made meeting our targets all the more difficult. I do not want to give the impression that the process in which we are engaged is one that we can use to beat Ministers over the head if they have not met the necessary targets or are not on course to do so. The purpose of the process is to identify the targets that are on course, those on which we need to accelerate and those that seem to be vastly out of step with where they should be.

As meeting targets is a cross-cutting responsibility, the Executive will consider how they can assist any Minister who lags behind in meeting a target. Ministers may well be failing to meet targets because the economic circumstances have changed the environment in such a way that it is difficult, if not impossible, to do so. They may be failing because they need further resources to assist them, because they require support from another Department, or because they have not been considering a particular target as their greatest departmental priority. Regardless of the reason, the Executive will be on hand to encourage Departments to meet their targets.

It is the responsibility not only of the Executive to keep to the Programme for Government but of the

Assembly, because it endorsed the Programme for Government.

**Mr O'Loan:** I thank the First Minister for his comments. However, does he agree that there are serious concerns about the monitoring of the Programme for Government? Some of its targets are so loosely written that it would be hard for anyone to say that they had not been achieved. We have heard targets described as having been achieved when it is clear that they have not. Last week, the Committee for Finance and Personnel received expert evidence that Committees in some legislatures, not only in this one, habitually do not obtain the hard evidence that would allow them to assess performance. Does the First Minister agree that his Department has not put in place a structure for the Assembly properly to assess the performance of the Executive?

**The First Minister:** If the Member feels so strongly about those matters, I am surprised that his party colleague has not raised any of them at meetings of the Executive. Perhaps he should speak to her and find out why those are important to him but not to her. Let us be very clear, Assembly Committees have very considerable powers, and no Committee should have difficulty in obtaining information. Committees have the power to call for papers and people, and if Committees are having difficulties, they must use the powers that they have to obtain the information that they require.

**Mrs Long:** In his earlier answer, the First Minister referred to "meaningful" targets and outcomes. Does he agree that some of the targets that are being met are procedure- and process-driven, which often involves the setting up of meetings to arrange forums?

The targets that are the most difficult to achieve and the ones that are more "meaningful" are those that focus on outcomes. Does the First Minister agree that there is the potential in future Programme for Government rounds to have more outcome-driven rather than process-driven measures?

**The First Minister:** In the very early stages of examining the Programme for Government targets, I was much more driven by having clear outcomes and creating a programme that was identifiable of what we wanted to achieve during the time that we were to be in government. However, it must be recognised that some of the steps that have been taken have been much less precise. For example, issues such as good relations are difficult to measure and to create identifiable targets for. Therefore, we must have something less precise for those issues.

Nonetheless, we must meet all the aims and goals of the Programme for Government, and there must be some mechanism to allow us to gauge whether we are on course. We have made the best fist possible, and I

have not received any suggestions from Committees or Members on changes that could better measure the progress that is being made. However, the Executive are willing to look at any better suggestions.

### OFMDFM: Decision-Making

4. **Mr Savage** asked the First Minister and deputy First Minister to outline the steps being taken to speed up decision-making within their Department.  
(AQO 409/10)

**The First Minister:** The Office of the First Minister and deputy First Minister is jointly in the charge of the First Minister and deputy First Minister. Therefore, statutory and other prerogative and Executive powers of the Office of the First Minister and deputy First Minister are exercised by the First Minister and the deputy First Minister acting jointly.

In practice, that means that agreement must be reached on matters that require formal ministerial approval, and, contrary to what tends to be reported, the deputy First Minister and I do reach consensus on the vast majority of decisions that require our agreement. In 2009 alone we chaired 22 Executive meetings, at which around 165 papers were considered. We also answered in excess of 500 Assembly questions and responded to more than 800 other pieces of correspondence.

In the past few months, we have agreed the strategy for victims and survivors, which is due to be published; launched the consultations for the commissioner for older people and the new sustainable development strategy; strengthened legislation to address child poverty; brought the Department of Justice Bill to the Assembly; presented the proposed Order that would establish the Maze/Long Kesh development corporation; and issued the gender equality plan to the Committee for the Office of the First and deputy First Minister for consideration.

Rather than drawing attention to a handful of issues that remain under consideration, it is important that we focus on the many areas on which agreement has been made and move forward.

**Mr Savage:** I thank the First Minister for his detailed answer. Will he outline the number of times that major decisions have been taken in his Department rather than those that involve simple internal housekeeping? Will he also indicate what system exists for resolution when the First Minister and the deputy First Minister do not see eye to eye?

**The First Minister:** Perish the thought.

If I was to go around the Chamber and ask Members to divide the decisions that the Department must take into those that are major decisions and those that are

not, there would be dozens of different answers. We must treat all the decisions that come before us as important and vital, because they will be for someone.

I reported in an earlier debate that we have done considerably better at taking decisions than the previous SDLP/Ulster Unionist-led Administration, even though those parties had a longer time to make decisions. That shows that we have a process whereby decisions can be made. However, we must face the fact that, in a four-party mandatory coalition, it is inevitable that issues will arise when, for reasons of background, political ideology, or whatever, it will be hard for us to come to agreement. However, that does not stop us from continuing to try. If the processes lead to a situation where the deputy First Minister and I cannot agree, we will keep working at it.

**Mr I McCrea:** Will the First Minister indicate how decision-making in the Executive could be better dealt with?

**The First Minister:** The question almost tempts me to go slightly beyond the wording that the Member has used.

What we are doing under the system, as it stands, is the only way that decision-making can be treated. Issues come forward for decision, and our officials and special advisers look at them and try to resolve them. In most cases, the issues will be resolved, and we will simply have a decision to agree to. However, where issues cannot be agreed at that level, they come to the deputy First Minister and me, and we attempt to use our offices to reach agreement. If agreement cannot be reached, it is simply a matter of us continuing to work to see whether we can agree the matter or, if not, agree to manage the disagreement.

Of course, the deputy First Minister and I might differ on whether one could change the system to ensure a better level of delivery. I am strongly of the view that the longer the life of the Assembly, the more stable it becomes and the more we should be able to rely on normalising the systems of government to ensure that decisions can be taken without doing away with the need for cross-community support for those decisions that are of significance.

**Mrs D Kelly:** What steps are the First Minister and the deputy First Minister taking to resolve the impasse over the cohesion, sharing and integration (CSI) strategy?

**The First Minister:** I am not sure whether the Member was in the House when I answered that, tangentially, in reply to an earlier question.

The two documents that, one way or another, found their way into the public arena and gave the views of our two parties on the CSI issue have been pulled together by officials in the Department. The proposals are being considered by our special advisers and will



come to the deputy First Minister and me in due course. I hope that that process will allow us to move forward.

Both the deputy First Minister and I agree that it is necessary that we make efforts to build up good relations in Northern Ireland. However, I point out that the absence of the strategy, just as there was the absence of a strategy when the Ulster Unionist Party and the SDLP were the lead parties, does not stop us working on the issue of good relations. A lot of money and effort have gone in at ground level to ensure that we build up better relations in our society.

### Immigration: Earned Citizenship

5. **Mr Hilditch** asked the First Minister and deputy First Minister if they have had discussions with the UK Government regarding the new “earned citizenship” approach to immigration and whether account is being taken of different regional employment needs within the UK. (AQO 410/10)

**The First Minister:** The earned citizenship proposals are just one strand of the UK Government’s review and simplification of the immigration system.

We have written to the Minister of State for Borders and Immigration concerning the practical application of the proposals here. Officials will continue discussions through the UK Home Office’s earned citizenship strategic advisory group, and bilaterally. We will continue to work with the UK Border Agency and the Home Office to ensure that UK immigration policy shows a regional flexibility that can take full account of our needs and concerns. In particular, we will explore with Executive colleagues the desirability and practicality of a separate shortage occupation list for Northern Ireland, as already exists for Scotland, to take account of our regional employment needs.

Feedback received from businesses across Northern Ireland, particularly in areas such as Dungannon, indicates that we have a reliance on migrant labour in certain sectors. Therefore, it is important that those regional differentials are reflected in any UK-wide scheme.

3.00 pm

## AGRICULTURE AND RURAL DEVELOPMENT

### Crossnacreevy Site

1. **Mr Cobain** asked the Minister of Agriculture and Rural Development what discussions she has had with the Minister of Finance and Personnel regarding the

valuation and realisation of finance in respect of the Crossnacreevy site. (AQO 420/10)

#### The Minister of Agriculture and Rural

**Development (Ms Gildernew):** I have not yet had any discussions with the current Minister of Finance and Personnel regarding the proposed disposal of the site at Crossnacreevy. A business case has concluded that it would not be cost-effective at present to vacate the Crossnacreevy site and dispose of it. I will be having a bilateral discussion with the Minister of Finance and Personnel tomorrow, and the issue is likely to be discussed then.

**Mr Cobain:** Does the Minister agree that it was a foolish idea in the first place to sell that site?

#### The Minister of Agriculture and Rural

**Development:** I do not. Finding a solution to a huge problem as soon as we came into office was very difficult, and the Executive as a whole handled it very well. Obviously we can all learn from it, but we had to find a solution. I needed tanks built, and I needed money to do it. Obviously, realising an asset was something to be looked at to meet that need.

**Mr Ford:** The original plan for the sale of Crossnacreevy was to fund the farm nutrient management scheme (FNMS), which has been funded anyway. Can the Minister give an assurance to farmers that there will be no cutback in other programmes of her Department, given the failure to realise the anticipated price for the Crossnacreevy site?

#### The Minister of Agriculture and Rural

**Development:** As the Member has pointed out, the FNMS scheme has gone a long way toward completion. The Crossnacreevy relocation business case considered a number of options and concluded that, at present, the option that delivers best value for money for the location of the plant testing station work programme is the present site at Crossnacreevy. I am content that that is the case.

The business case showed that we would have to realise a sale price of around £14 million before the next best option would become the preferred option. Obviously, the plant testing work is very important, and we want that to continue. We also want to ensure that there is no diminution in other areas of work as a result of that.

**Mr P J Bradley:** I thank Mr Cobain for tabling the question, because the public have a right to know how a property worth £5 million could be valued at £200 million. Where does the Minister place the blame for that serious miscalculation and for the acceptance of it? Can she give the Assembly some indication of the financial consequences that followed, particularly within the Department of Agriculture and Rural Development (DARD), as a result of the £195 million mistake?

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

**Development:** I am not in a position to allocate blame, nor do I think I should. We approached the disposal issue carefully. We began with a valuation based on current use, then took advice from Land and Property Services, the Planning Service and a planning consultant about alternative use and potential value. An informal, provisional view suggested that, with appropriate planning permission, the Crossnacreevy site could yield up to £200 million. Obviously, there were a lot of factors that then had to be taken into consideration, notwithstanding the current economic downturn and the fact that development land is no longer as attractive as it was when Land and Property Services gave us the valuation.

## **Animal Transport**

2. **Miss McIlveen** asked the Minister of Agriculture and Rural Development to outline the process of certification for persons who transport animals and whether this complies with European legislation.  
(AQO 421/10)

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

**Development:** A person who wishes to transport vertebrate animals must comply with European Council regulation No 1/2005 on the protection of animals during transport and related operations. From 5 January 2007, all those who wish to transfer animals on journeys of over 65 km in connection with an economic activity — that is, activities that involve financial gain — must obtain a transporter authorisation from my Department.

There are two types of authorisation: one for short journeys of up to eight hours and one for all other journeys of more than eight hours. Transporters need to apply for only one authorisation. In addition, those transporting Equidae — horses, donkeys etc — cattle, sheep, goats or pigs on journeys of over eight hours must have the means of transport inspected and approved by my Department.

From 5 January 2008, drivers and attendants of Equidae, cattle, sheep, goats, pigs or poultry must also obtain certificates of competence. My Department has designated several bodies to examine for and award those certificates, including An Teagasc in the South of Ireland, the Road Haulage Association, the National Proficiency Training Council and the British Driving Society, which operates here and in Britain. Full details, forms and guidance notes are available on the Department's website.

**Miss McIlveen:** The question that I submitted is different to the one that appears on the Order Paper. My submitted question sought information on the

provision for testing in Northern Ireland. I am thankful that the Minister addressed that as well.

Does the Minister have any plans to review the current provision in Northern Ireland, and is there provision in Northern Ireland for training prior to testing?

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

**Development:** I have not found any need to reassess the current provision, and several bodies have been designated to examine for and award the certificates. Training can be provided on request, and short-journey transporters are assessed by the National Proficiency Training Council, using an online assessment at the Greenmount, Loughry and Enniskillen campuses of the College of Agriculture, Food and Rural Enterprise (CAFRE). Transporters who are not familiar with computers receive the necessary assistance, and an information pack covering the technical aspects of the legislation is provided. Training is not a prerequisite as such, and the assessment takes the form of a short multiple-choice theory test. As I said, training can be applied for when needed.

**Mr K Robinson:** I thank the Minister for her detailed response. How many people who were apprehended transporting animals for distances of more than 65 km had not completed the competence courses that have been required since January 2008? How many prosecutions have been or are in the process of being brought against such individuals?

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

**Development:** I do not have that information. I tried to find out how many hauliers had undertaken the training, but it was difficult to source that information. I have asked for further information and figures to create a better understanding of how many companies have completed the training.

## **Rural Poverty**

3. **Mr Brady** asked the Minister of Agriculture and Rural Development how she intends to address poverty in rural areas, particularly amongst people on benefits.  
(AQO 422/10)

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

**Development:** My Department is responsible for investing significant amounts of money in the rural economy each year to help to address rural poverty. In particular, one of DARD's targets in the Programme for Government is to bring forward a £10 million package to address rural poverty and social exclusion by March 2011. That funding addresses rural fuel poverty, rural community development, rural childcare, rural transport and a rural challenge fund.

Last winter, I supported the Department for Social Development's (DSD) warm homes scheme, thereby

ensuring that up to 670 rural homes of benefit recipients received improvements to their heating and insulation systems. Last week, along with Minister McGimpsey, I announced a major new and innovative project to maximise access to and uptake of grants, benefits and services in rural households by assisting approximately 4,200 vulnerable rural households. Also last week, alongside Minister Conor Murphy, I launched the assisted rural travel scheme, which will allow people over 60 and disabled rural SmartPass holders to access free transport on their local community transport partnership's vehicles.

Letters of offer have been issued to successful applicants to the £1.5 million rural childcare programme, and we received over 125 applications from the community and voluntary sector to the rural challenge programme. I also confirmed my support for continued rural community development and funding for rural support organisations.

All those initiatives will provide positive impacts for people who are on benefits and for those who suffer from poverty and exclusion in rural areas. Through my rural anti-poverty and social exclusion work and as a member of the ministerial subcommittee on poverty and social inclusion, I will continue to advocate for the rural poor and excluded.

**Mr Brady:** I thank the Minister for her detailed answer. I was going to ask about maximising the uptake and provision of benefits, but the Minister has adequately answered that. Go raibh maith agat.

**Dr W McCrea:** Does the Minister accept that many farmers and farming families in Northern Ireland live in poverty? That is because many farmers work for well below the minimum wage, and that forces many young people to leave farms. Does the Minister agree that young people are the lifeblood of the sustainability of rural areas and, in light of that, what more can be done to keep them on the farms?

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

**Development:** I agree, and I take the Member's point. My Department's intervention aims to help people who are hard to reach because they live in the 88 most deprived rural super output areas. That means targeting people who would not normally feel comfortable investigating or taking up the benefits, grants or services that are available to them by right.

The project, which harnesses a community development approach, was developed with the new Public Health Agency and other government and statutory partners, such as DSD, the Housing Executive, Access to Benefits, Advice NI and Citizens Advice.

The project is based on an extension to a pilot project that was carried out with great success in parts of County Fermanagh and County Tyrone, whereby, for every £1 invested, £6 was drawn down in benefits

and grants for vulnerable people who needed the support. That is a good way to quantify the work of that project and its benefit to rural communities. However, farmers are sometimes the last people to go looking for such benefits, and we want to go out, find them and help them with that sort of information.

**Mrs M Bradley:** Will the Minister confirm that she had £10 million for tackling rural poverty in her budget, and, if so, say what changes that money made to rural poverty?

**The Minister of Agriculture and Rural Development:** I am sometimes accused of being too long-winded in my answers, and I think that the Member will find the answer to her question in my answer to the lead question.

### **Single Farm Payments**

4. **Mr McQuillan** asked the Minister of Agriculture and Rural Development, with regard to the single farm payment scheme, why problems have occurred as a result of changes to the mapping system, and what action is being taken to resolve these problems.

(AQO 423/10)

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

**Development:** In line with EU requirements, as part of the controls for area-based schemes such as single farm payment, the Department is required to have a computerised mapping system to identify agricultural parcels or fields. Before my Department can pay a single farm payment or other subsidy, we have to check that the land area declared by the farmer is correct and eligible under the scheme. In order to do that, we cross-check the information received from the farmer against our mapping system.

If we find that a farmer has claimed for an incorrect area or for ineligible land, we have to adjust his claim for the current claim year and, in many cases, for previous years. Those changes fall into two categories. The first involves permanent features such as houses, lane ways or tanks; and the second involves semi-permanent features such as whins or scrub. Land under both categories is considered to be ineligible and should not be claimed for. However, such claims are still being made, and the message is not getting out.

Claims that have to be adjusted can be complex and take time to clear. The Department has no choice but to make those adjustments, and it faces about £30.5 million worth of disallowance at the current exchange rate, partly because of its approach in those cases and partly because farmers are not telling it about changes.

I cannot emphasise too much how important it is that farmers tell the Department about any changes to field areas. It is not in our interests to spend time adjusting



claims, nor is it in the farmers' interests to have their payments delayed and, in many cases, penalties applied. Therefore, I again urge farmers to come to us and let us check their maps before we find that there is a problem, at which stage it will be much more difficult to resolve.

**Mr McQuillan:** Does the Minister agree that the best solution would be a complete review of the single farm payment scheme?

**The Minister of Agriculture and Rural**

**Development:** We will not get a complete review of the single farm payment scheme. Elements of the scheme were examined in a health check earlier this year. However, it will be 2013 before we see an overall review of the common agricultural policy (CAP), under which the single farm payment falls. For now, therefore, we have to use the system that we have. The best way to alleviate problems is to get the message out that farmers must check their maps and let us put them right before we find a problem. We just have to deal with the present system and make it work better until 2013.

**Mr McCarthy:** The Minister will recognise that all her Department's clients are in rural areas. She also spoke about a mapping system. Will she assure the Assembly that, when she is replying to her clients, she will use the townland name in their address?

**The Minister of Agriculture and Rural**

**Development:** If someone writes to me using a townland name, I will always respond with the correct townland name. I recognise the importance of townlands and the good work that has been done to protect them. We could all do more.

**Mr McCarthy:** Will you give a lead, though?

**The Minister of Agriculture and Rural**

**Development:** If I know the townland name, Kieran, I will use it.

**Mr Brolly:** Go raibh míle maith agat. What, precisely, has the Department done to encourage farmers to notify it of changes to maps?

**The Minister of Agriculture and Rural**

**Development:** Since 2007, I have made at least 20 appeals to farmers — I am starting to feel like an owl, and I do not mean the four-legged variety — to check their maps and to tell my Department about changes. I have constantly encouraged them to take care when completing their applications and to make sure that their farm maps are correct. In order to make it easier for farmers to tell us about changes, we have included a form in all single farm payment application packs. Earlier in 2009, I invited farmers to call into their local offices to see their maps on screen alongside aerial photographs. I am disappointed that only 208 farmers took up my offer. I hope that, of the 208 farmers who

went to check out their maps, at least 11 were members of the Committee for Agriculture and Rural Development.

3.15 pm

During the recent European Commission audit, the auditors again expressed their concerns about the failure of farmers to report mapping changes. The auditors consider the Department to be too lenient in its handling of those cases. Given those concerns, the Department is considering what other steps it can take to ensure that farmers tell us about changes to their maps and its approach to applying penalties.

**Agri-Food and Biosciences Institute:  
Pensions**

5. **Mr Donaldson** asked the Minister of Agriculture and Rural Development what progress has been made in resolving issues relating to the transfer of pension rights for the Agri-Food and Biosciences Institute staff at Hillsborough. (AQO 424/10)

**The Minister of Agriculture and Rural**

**Development:** Employment issues, which include staff pensions — in this case, the transfer of pension rights — are a matter for the Agri-Food and Biosciences Institute (AFBI). Thirty-seven former Agricultural Research Institute (ARINI) staff chose to transfer their pension rights from the local government scheme to the principal Civil Service pension scheme.

My colleague will be aware from my letter to him dated 5 November 2009 that, on 26 October 2009, AFBI held a meeting with the Local Government Officers' Superannuation Committee (NILGOSC) to resolve outstanding issues. At that meeting, NILGOSC agreed to provide the value of assets that are to be transferred from it to the principal Civil Service pension scheme in respect of the 37 staff who opted to transfer their rights.

AFBI has pressed NILGOSC for that information, which has not yet been provided. The business case to seek approval for that expenditure to complete the bulk transfer cannot be finalised until NILGOSC provides AFBI with the total transfer value for the former members who opted to participate in the bulk transfer.

AFBI, supported by the Department, works with NILGOSC, the Government Actuary's Department (GAD) and the principal Civil Service pensions branch to resolve the outstanding issues so that AFBI can complete the business case and bring the matter to a satisfactory conclusion.

**Mr Donaldson:** I thank the Minister for her comprehensive reply. She and I have corresponded on the issue since devolution was restored.

Obviously, staff have transferred to the new institute. Since then, there has been uncertainty about their pension provision. I know that the Minister is conscious that some of those staff are approaching retirement age and want to consider the options that are available to them.

Will the Minister assure the House that every effort will now be made to persuade NILGOSC to get that information on transfer values and to bring it forward as soon as possible so that the business case can be completed and staff can, finally, have a clear idea of what pension entitlement they will have under the transfer arrangements?

**The Minister of Agriculture and Rural**

**Development:** It is important that NILGOSC does what it has to do as quickly as possible so that the matter can reach a satisfactory conclusion. It is fair to say that DARD and AFBI have pioneered that area of work. Since AFBI was established on 1 April 2006, 10 of those staff have retired. Since then, AFBI has worked with NILGOSC and the principal Civil Service pensions branch to ensure that that principle is applied.

**Mr Doherty:** Go raibh maith agat, a LeasCheann Comhairle. I also thank the Minister for her detailed answer. Will she assure the House that no former Agricultural Research Institute staff will suffer as a result of their pensions being transferred to the principal Civil Service pension scheme?

**The Minister of Agriculture and Rural**

**Development:** Former staff of the Agricultural Research Institute who work for AFBI have been provided with the option either to defer their pension rights with NILGOSC or to transfer their accrued service to the principal Civil Service scheme. Staff will, therefore, be offered the opportunity to receive their full pension entitlement in accordance with each individual's option decision. Staff will be provided with an update on progress by early December 2009.

## Rural Transport Services

6. **Mr O'Dowd** asked the Minister of Agriculture and Rural Development how she intends to work with the Department for Regional Development to improve transport provision in rural areas, particularly for isolated groups or people with disabilities.

(AQO 425/10)

**The Minister of Agriculture and Rural**

**Development:** In conjunction with the Department for Regional Development's (DRD) dial-a-lift scheme, I was delighted to announce the assisted rural transport scheme (ARTS) on 10 November 2009. The scheme, which will be supported by DARD, has been developed following work with DRD in response to the transport/access priority that has been identified as part of the

rural anti-poverty and social exclusion work. It will be rolled out from 1 December 2009. Under ARTS, SmartPass holders who are over 60 years of age and disabled people who live in rural areas can avail themselves of free and concessionary transport via the 16 rural community transport services.

As part of my work to develop a rural White Paper for the North, I have spoken to rural stakeholders, who have consistently identified transport as one of their biggest stumbling blocks. I have spoken to young people with disabilities and heard at first hand how lack of transport provision inhibits their ability to work and socialise. The lack of suitable, reliable rural transport has, for some time, been a concern to me because it compounds rural poverty and social exclusion.

I am pleased that, through working closely together, Minister Murphy and I were able to announce the introduction of the assisted rural travel scheme and the dial-a-lift scheme. Improving rural transport will make a real difference to the lives of rural dwellers, particularly the mainly elderly and disabled people who are entitled to SmartPasses.

**Mr O'Dowd:** Go raibh maith agat, a LeasCheann Comhairle. Will the Minister elaborate further on the dial-a-lift scheme and how exactly it works?

**The Minister of Agriculture and Rural**

**Development:** The dial-a-lift scheme has been piloted by DRD through three of its 16 rural community transport partnerships (RCTPs). The dial-a-lift scheme enabled the RCTPs to facilitate individual, unscheduled journeys, in that members could call up and arrange journeys specific to their needs. As that is rolled out to all RCTPs, the level of service will expand, and it will become more accessible to all users. Introducing the assisted rural transport scheme simultaneously with the dial-a-lift scheme will provide significant access provision, particularly for elderly and disabled people, as they will be able to arrange individual journeys and to avail themselves of the concessions.

DRD is funding the additional costs of introducing the dial-a-lift scheme, and that includes the non-passenger costs associated with ARTS. The Department of Agriculture and Rural Development will pay the cost of the concessionary journeys actually taken by passengers, and DRD will cover the other costs required to facilitate such journeys. Therefore, it is a real example of how joined-up government and partnership working can deliver for people.

**Mr Paisley Jnr:** While I welcome what the Minister has said, is it possible for her to outline how she intends to protect rural areas when prime agricultural land is being cut to pieces and new roads are being built through those areas? Does she agree that any new roads in the countryside ought to be built in parallel



with existing roads and that good agricultural land should not be used willy-nilly, destroying farms?

**The Minister of Agriculture and Rural**

**Development:** I could answer the Member now, but, with his indulgence, I will deal with it in my response to a later question. However, I agree that, working together with DRD, we want to maximise the benefits to rural people and minimise the difficulties.

**Mr Kennedy:** I am grateful to the Minister for her earlier replies. Has the Minister held any discussions with the Minister for Regional Development to address and improve areas where serious road flooding has occurred, especially in the many minor roads and rural roads of my constituency of Newry and Armagh?

**The Minister of Agriculture and Rural**

**Development:** The question was about how we are going to work with DRD to improve transport provision in rural areas, particularly for people who are isolated or have disabilities. Therefore, it is a bit of a creative stretch to get that in, but I am happy to respond to the Member in writing.

### Farm Nutrient Management Scheme

7. **Mr Campbell** asked the Minister of Agriculture and Rural Development when the outstanding farm nutrient management scheme payments will be made. (AQO 426/10)

**The Minister of Agriculture and Rural**

**Development:** I am pleased to report that good progress has been made with farm nutrient management scheme payments, and £116 million of grant aid has now been paid to farmers. That represents 95% of the total grant payable under the scheme, which closed in December 2008. All claimants have had a pre-payment inspection. My Department is aiming to make the remaining grant payments by the end of December. In a limited number of cases, there are minor issues that claimants must resolve before their final grant payment can be made.

The scheme is the largest capital grant scheme ever run by DARD. Through the farm nutrient management scheme, some £200 million has been invested in farm infrastructure. More than 3,900 projects have been completed, and farmers have demonstrated their commitment to the environment and to improving water quality. I congratulate farmers on their vision in investing that money and in getting their storage up to standard. It has been a very positive scheme that I am very proud to be associated with.

**Mr Campbell:** The Minister outlined the extent of the scheme. Can she elaborate on any appeal mechanism for the outstanding issues that she referred to in her initial reply? When does she expect the outstanding 5% of claimants to be paid?

**The Minister of Agriculture and Rural**

**Development:** On 13 November, 312 farmers still had to receive their 50% balance, and 11 still had to receive their full payment. I introduced the part-payment facility last year, and most farmers opted for it. That has enabled the Department to pay half of the grant before the prepayment inspection and so help the farmers' cash flow. The balance is paid after the final prepayment inspection has been cleared. However, we will wind up the scheme by 31 December 2009, as per EU Commission rules.

**Mr O'Loan:** I thank the Minister for what she said. Some £6 million must still be available for spending. Will she clarify whether that sum and the money paid out in this financial year was budgeted for? If not, what is the source of that money?

**The Minister of Agriculture and Rural**

**Development:** The farm nutrient management scheme has been budgeted for. It has long been a part of our budgetary roll-out. We have been planning for completion of the scheme.

**Mr Savage:** Will the Minister tell us what proportion of applicants was required to undergo a repeat inspection? Will that hold up their payments?

**The Minister of Agriculture and Rural**

**Development:** As I said, only a small number have still to be inspected. A few issues need to be tidied up, but they will not hold up the scheme. It closed on 31 December 2008, and it finishes entirely on 31 December 2009.

### Dangerous Dogs

8. **Mr G Robinson** asked the Minister of Agriculture and Rural Development for an update on her planned reform of the dangerous dogs legislation. (AQO 427/10)

10. **Mr A Maskey** asked the Minister of Agriculture and Rural Development how she will consult on the proposed Dog Control Bill. (AQO 429/10)

**The Minister of Agriculture and Rural**

**Development:** With your permission, a LeasCheann Comhairle, I will answer questions 8 and 10 together.

On 5 November, the Executive approved my plans to consult on new policy proposals for new dog control legislation. I thank my Executive colleagues for their support on that.

In 2008, some 8,000 stray dogs were impounded, 2,900 unwanted dogs were collected, and 3,500 dogs were put down. Almost 800 people were attacked by dogs, and 59 of them were admitted to hospital. To address those serious issues, I propose to introduce new dog control measures that are based on a more robust and effective dog licensing regime. The new measures will include compulsory microchipping and new powers for dog wardens to intervene at an early

stage and to add conditions to a dog licence if a dog's behaviour has given cause for concern. Those licence conditions could include, for example, requiring the dog to be leashed and muzzled when in public. I also propose to make it an offence to allow a dog attack another dog.

The dog licence fee has not changed since 1983, and, as a result, the cost of dog warden services is borne by all ratepayers, whether or not they own a dog. Therefore, I propose to increase the licence fee to £12.50 in line with inflation. As an incentive towards responsible ownership, the fee will be pegged at the current level of £5 for those who have their dogs neutered. I also propose that, for the first time, the dog licence will be free for dog owners who are aged 65 and over. If an older person has more than one dog, the fee for the second dog will also be paid at the current rate of £5. The dog licence for those on means-tested benefits will also be pegged at £5. I propose to increase the penalties for offences to enhance the effectiveness of the new measures.

I launched the formal consultation process on my proposals today, and that will run until Friday 1 February 2010. Details of my proposals and how to respond to them are available on the Department's website and, to enhance the consultation, arrangements are being put in place for public workshops that will help individuals and organisations formulate their responses. Details will be available on the DARD website shortly.

My proposals will address the key problems while protecting the elderly and those on benefits and will encourage neutering and provide additional resources to district councils to meet the costs of dog control. I believe that the proposals will be widely welcomed and look forward to hearing responses to my consultation. I will carefully consider all the comments made during consultation before finalising my legislative proposals, and I aim to introduce a new Bill to the Assembly before the summer recess.

**Mr G Robinson:** I ask the Minister for an answer to my question.

**Mr A Maskey:** I thank the Minister for her detailed response. Is she hopeful or confident that the measures that she has announced will prevent the type of instance that she referred to?

**The Minister of Agriculture and Rural Development:** I hope so, and that is why I took such steps. My proposals will result in the most robust and innovative legislation available, and they will help us to tackle this problem. Dangerous dogs are a problem not only here but elsewhere. Children have been killed by dogs that were out of control. I want to do my best to protect people, and I am grateful to the public for writing to me about issues and to the Committee for

Agriculture and Rural Development, with which I have worked closely to bring about the best legislation that we can.

**Mr K Robinson:** On a point of order, Mr Deputy Speaker. I congratulate the Minister on getting through 10 questions, and I hope that that habit spreads to some of her ministerial colleagues.

3.30 pm

## EXECUTIVE COMMITTEE BUSINESS

### Department of Justice Bill

#### Further Consideration Stage

*Debate resumed on amendment Nos 1 and 2, which amendments were:*

No 1: After clause 2, insert the following new clause:

***“Duty of First Minister and deputy First Minister to report on certain matters***

2A. The First Minister and deputy First Minister acting jointly shall make a report orally and in writing to the Assembly on the day of commencement of sections 1 and 2 of the Act, explaining the provisions of protocols and concordats on —

- (a) national security;
- (b) the work of the Serious Organised Crime Agency;
- (c) the independence of the Judiciary;
- (d) the independence of the Public Prosecution Service

and the consequences of the provisions on the exercise of the functions that the Department of Justice is to exercise.” — [*Mr Attwood.*]

No 2: After clause 2, insert the following new clause:

***“Duty of First Minister and deputy First Minister to report on co-operation on criminal justice***

2B. The First Minister and deputy First Minister acting jointly shall make a report orally and in writing to the Assembly on the day of commencement of sections 1 and 2 of the Act, explaining the provisions of any arrangements entered into with the Government of Ireland concerning co-operation in criminal justice matters.” — [*Mr Attwood.*]

**Mr McKay:** Go raibh maith agat, a LeasCheann Comhairle. I will not speak for half an hour, as did the previous Member who spoke for the SDLP. I will keep my remarks short and to the point.

I oppose amendment Nos 1 and 2. It is becoming clear to Members, if it was not already clear, that the SDLP is intent on holding up and frustrating the devolution of policing and justice, regardless of the consequences.

The issues outlined in amendment No 1 are currently under the remit of the Assembly and Executive Review Committee. Those matters are very important and must be addressed, as has been recognised. However, the amendment serves only to delay and complicate the transfer process, as the Members who proposed the amendment know fine well.

Practically speaking, a difficulty arises from the need for the First Minister and deputy First Minister to report to the Assembly on the day of commencement

of sections 1 and 2 of the Act. That would require the commencement to fall on a day on which the Assembly sits, which could conceivably cause further delay. That would be extremely unhelpful.

I will conclude at that. I commend the Bill as it stands and oppose both amendments. This sham debate serves only to hold up and delay the process of devolving policing and justice powers. That is irresponsible, given the events over the weekend and the fact that there are those who want to capitalise on a delay in devolving policing and justice — on the one hand, Jim Allister, and, on the other, the micro-groups. The Governments want to see policing and justice powers devolved, as do most politicians here and the Police Federation. Even police officers want to see the issue resolved, as does the public.

I commend the Bill to the House, and I oppose amendment Nos 1 and 2.

**Mr Hamilton:** I want to begin by trying to be at least a little charitable to the SDLP. I know that that is a difficult task for Members — [*Interruption.*] I am being criticised by my colleagues. If they would only let me progress, they would see that my charity does not run deep. It is but a few fleeting remarks as I start.

I want to be charitable to the SDLP in this respect: there has been some criticism of the SDLP today for tabling the amendments. As we sit here, well into our third or fourth hour of debate, with perhaps more to come, a lack of good spirit and generosity towards the SDLP can sometimes be justified. However, I would never seek to deny the SDLP its right to table amendments, no matter how silly or spurious the amendments might be. I accept, as Mr Durkan said, that, on this occasion, the amendments are not necessarily an attempt to frustrate things — unlike the previous raft of amendments tabled by the SDLP at Consideration Stage. It may be frustrating for the rest of us, but I do not believe that the amendments are an attempt to frustrate anything.

However, amendment Nos 1 and 2 do not advance anything in the debate. They certainly do not advance, in any respect, the SDLP’s ideal of having the devolution of policing and justice powers as rapidly as possible or straight away. Contrary to what the Member who spoke previously said, I do not think that the defeat of the amendments or the ultimate passage of the legislation will hasten the devolution of policing and justice because, as everyone knows, there are outstanding issues that have yet to be resolved. That said, amendment Nos 1 and 2 do not do anything to advance the devolution of policing and justice, although I accept that they are not in any way as frustrating as the amendments that the SDLP tabled at Consideration Stage.

I want to pick up on a couple of points and to state my opposition to the amendments. By its own argument, the SDLP has got this one wrong; when it comes to timing, the SDLP is badly wrong. If the issues are so important, why is the SDLP seeking to have a report on a host of issues — a fairly meaningless report, as I will come to later — come before the Assembly after commencement of the legislation?

I think that Dr Farry was wrong about the timing of the report when he referred to that in his contribution. He talked about the passage of the Bill, but on reading the amendment, it is clear that the report would have to be made after the commencement of sections 1 and 2, which would be a much more advanced stage in the process. When we get to that stage, we will effectively begin the countdown towards the devolution of policing and justice powers. Therefore, why do those Members want to wait to such a late stage in the process to get a report on the issues that they seem to value so highly?

The truth is that those issues are being discussed and debated regularly, although that is not what the SDLP seems to be inferring. The place in which they were, and still are, being discussed is the Assembly and Executive Review Committee. Some members of that Committee have endured lengthy discussions on those issues and no doubt they will have to endure many more discussions on those and other issues. I firmly believe that those issues will be explained fully and fulsomely in and to the Assembly and Executive Review Committee before the devolution of policing and justice powers and that they will be resolved, if, indeed, any resolution is required.

The issues may not be resolved to everyone's satisfaction, which is an important point that may have been a core reason for the amendments being proposed. The issues may not be resolved to the satisfaction of the SDLP, but they will be resolved. It is worth pointing out, as I tried to do earlier in my intervention to Mr Durkan's contribution, that the deliberations of the —

**Mr Durkan:** I thank Mr Hamilton for giving way. I wish to respond to the questions that he asked of the SDLP. It has been suggested to us, by the First Minister among others, that the issues that we are talking about will be washed through the Assembly and Executive Review Committee and that that report will be subject to a vote in the House. Whether we are dissatisfied or not, we will be voting one way or another on that report.

However, the point of the amendment is to make clear, beyond whatever some parties might contend, that there should be a clear status given to the protocols and that, as a matter of form, the First Minister and deputy First Minister should make a statement about what the protocols are on the day of the commencement of the Act.

People might regard that as a bit of political liturgy, but it would be a significant bit of political liturgy as part of the devolution of justice and policing. It is important that there is a report so that whatever contentions there were about those matters — matters that may have been the subject of votes — no one can dispute the status of the protocols as reflected in that statement, which, under the amendments, would be in the form of a report.

**Mr Hamilton:** From what the Member said, I presume that he is seeking some sort of imprimatur from the First Minister and deputy First Minister, and that seems to differ from what was said previously.

I do not accept the argument that the protocols and memorandums will be “washed through”. It is disrespectful to the House and the Committees to suggest that anything will be washed through them. Hours upon hours have been spent discussing these issues and after today's debate, further time will be spent debating them in those Committees in order to reach a conclusion. Whether they are resolved or are agreed to the Member's satisfaction is something that he will have to resolve in his mind.

**Mr Durkan:** I assure the Member that I regard “washed through” as a positive thing. I did not use the term “washed through” in a pejorative way. I was not talking about a whitewash in the Committees. To me, “washed through” means going through the proper scrutiny.

**Mr Hamilton:** The Member has helpfully made my point. If the protocols are going through the proper scrutiny in the Assembly and Executive Review Committee, why is there a need for a superfluous, meaningless report from the First Minister and deputy First Minister? Such a report will merely repeat what has been said in debates and in the Assembly and Executive Review Committee, which has had, and will have, time to scrutinise all the relevant documentation.

I firmly believe that the deliberations in the Assembly and Executive Review Committee, which will tease out all those subjects, come to conclusions on them and ensure that the issues are resolved, even perhaps if not to the Member's satisfaction, are sufficient scrutiny. The Committee will produce a report, which, if experience is anything to go by, will be fairly lengthy and contain a number of conclusions and recommendations. The report will then come to the House for a reasonably lengthy debate and will, ultimately, be voted on by Members. I consider that to be a much more appropriate way to examine the issues in the amendments than the Member's suggestion of a statement by the First Minister or the deputy First Minister in the House.

**Mr Durkan:** I thank Mr Hamilton for giving way again; he is very generous. Does he accept that the Assembly and Executive Review Committee report



will cover many issues, hopefully including the ones that the amendments seek to address? Whether the debate on the report adequately reflects all those issues is another matter.

Unlike the vote that may or may not take place on a report by the Assembly and Executive Review Committee, a statement by the First Minister or the deputy First Minister will have its own definitive standing of reference, because it is not subject to challenge and could not lead to a Division. Therefore, such a statement would provide assurance for the agencies that will be on the other side of those protocols. That assurance does not exist if protocols are subject to a Division, because they could become matters of controversy and the negotiations on them could become matters of controversy. There is more assurance and better protocol and form in the measure that we seek in the amendments.

**Mr Hamilton:** I am not entirely convinced that a statement in the House carries more weight than a debate in the House on a Committee report.

**The First Minister (Mr P Robinson):** Was there not something contradictory in the remarks by the Member for Foyle Mark Durkan? He said that the protocols and concordats might be one of a number of issues in the Assembly and Executive Review Committee's report to the Assembly, which could mean that other issues might be debated and that protocols and concordats might not get adequate cover. Does that not suggest that the protocols and concordats are not the all-important factors that others make them out to be? Why should they be given prominence if the natural inclination of Members is not to make them prominent in a debate on a report by the Assembly and Executive Review Committee?

**Mr Hamilton:** That is a fair point. I could make similar arguments to Mr Durkan about other issues that might be in an Assembly and Executive Review report and ask that they be taken out, highlighted and scrutinised. In many cases, particularly for our community, such issues would be of much greater importance than the ones that are highlighted by the SDLP amendments. We do not seek to do that, because we value the work that the Assembly and Executive Review Committee and all its members will do and the report that they will produce.

Given those points, I start to ask myself, as I always do when I see amendments, particularly from the SDLP, about the purpose. If the purpose is not to achieve the aims in the amendments, there must be other reasons behind proposing them. After having to endure lengthy discussions on the subjects in the Assembly and Executive Review Committee, I accept that the SDLP has taken a keen interest in all the matters. However, the SDLP has not taken a keen interest to merely have sight of the documents that we hope that the Committee, and,

therefore, the Assembly, will get sight of. The purpose of the SDLP amendments is not to simply see or scrutinise the protocols and concordats as has been suggested. The real motivation is a desire to interfere in the memoranda, protocols and the documentation. The SDLP is not happy with the way that many issues are going with regards to the Serious Organised Crime Agency (SOCA), the Public Prosecution Service (PPS) and the judiciary. The desire of the SDLP is not only to get sight of the documentation but to interfere with it and to try to bring about some changes to the protocols and the memoranda of understanding.

It must be made clear that in many, if not all, cases the SDLP will be unable to interfere. Most sensible people will not stand for any interference, particularly in issues of national security.

3.45 pm

After the Consideration Stage debate and the incident in south Armagh, where SOCA, justifiably and rightly, took back assets from a criminal and made arrests, some Members became jittery, jumped up and down and made inappropriate comments that they should not have made. I echo the words that I said during the Consideration Stage debate: people who think, when policing and justice powers are devolved, that anyone will have the right to interfere in individual cases should get that idea out of their heads now. That point needs to be stressed again.

I made this point during the Consideration Stage debate, and I will make it more broadly now. If the SDLP thinks that it will have the ability to interfere in such issues, it is barking up the wrong tree. National security issues will clearly remain non-devolved matters, and the ability of the Assembly, its Committees and its Members to interfere will be severely limited. We must get it absolutely straight that there is no question of interference. A future justice Minister and the Assembly at that time may show interest in, examine and scrutinise the operation of some of the other broad subject areas that are listed in the amendment, such as the Public Prosecution Service. However, we cannot interfere in such bodies' independence; that is absolutely out. Moreover, we cannot and should not become involved in the independence of judiciary.

I suggest that the SDLP's motivation for tabling the amendments is the same behind the tabling of its amendments at Consideration Stage; that is, an attempt to show up Sinn Féin.

**Mrs D Kelly:** Sinn Féin does that by itself.

**Mr Hamilton:** I will allow the Member's comment to sit for a minute. At times, it is entertaining and enjoyable for Members on these Benches to sit back and watch the squabble.

**Mr Paisley Jnr:** It is a family feud.

**Mr Hamilton:** Yes; the intra-nationalist spat is like a family feud. It is entertaining.

That is the motivation behind the amendments. Amendment No 1 lists areas such as SOCA, the PPS, North/South arrangements and the judiciary. That party wants to show that, although it tabled an amendment to seek better scrutiny and to make matters crystal clear, Sinn Féin rejected and opposed it.

If anything goes wrong in the future, the SDLP's mantra will be to trot out the assertion that it tried to do something during the debates on the Department of Justice Bill and that Sinn Féin opposed it and that, therefore, its hands are clean and Sinn Féin's are not. That is as much the motivation behind the amendments as anything else. I do not want to become involved in that family feud. There is a bit of a domestic going on; I do not do domestics, I am not getting involved, and I will let those parties fight it out among themselves. However, as much as we on these Benches enjoy that feud, it is holding us back from passing proper legislation in the House.

Amendment No 2 mentions a report on the North/South arrangements. I make it clear that my party has a record, through its membership of the Assembly and Executive Review Committee, of supporting practical cross-border co-operation where it is of mutual benefit. That does not differentiate between policy areas and does not rule out justice matters. North/South co-operation and, indeed, east-west co-operation, which is as essential, if not more so, is imperative to deal with sex offenders, who know no boundaries, and organised crime, which respects no borders. It is imperative that cross-border co-operation exists. Such co-operation has existed perfectly well for the past number of years. It has been lauded by many people on both sides for its effectiveness without having the constraints, strictures, cost, waste and inefficiency of the North/South Ministerial Council.

The Assembly and Executive Review Committee has already rejected an attempt to include a justice sector of the North/South Ministerial Council. Mr McFarland said that his party did not see the need for a justice sector at the moment, but the rest of us on this side of the House reject the need for such a sector of the North/South Ministerial Council at any time. Nonetheless, we respect the need for cross-border co-operation to exist and to continue.

Work is already well advanced to ensure that the current arrangements, which would collapse on devolution, do not do so and lead to a nightmarish scenario, but are replaced by other appropriate mechanisms. The Assembly and Executive Review Committee will deal with that issue: indeed, it will come before that Committee because its members have shown an interest in the subject, and it was put on the

Committee's agenda at the request of the SDLP. Therefore, it is clear that the Assembly and Executive Review Committee, in its deliberations, will examine the issue and ensure that the appropriate arrangements are in place, and it will report to the Assembly on that basis.

The amendments are completely and utterly pointless. Many of the issues mentioned are already documented and are in the public domain. We have had sight of quite a few of the documents that outline how the relevant agencies will work after the devolution of policing and justice powers.

It is worth touching on the point that Mr Durkan made earlier, which was that the amendment seeks a report from the First Minister and the deputy First Minister on the operation of the protocols and memorandums of understanding at one particular point, which would be the commencement of sections 1 and 2 of the Act.

We have been regaled with tales of how the Member for Foyle is scared witless every time he watches 'Spooks', and what those nasty men in the shadows might be doing and how they will change things. If the SDLP believes that that is so important, it would have ensured that the amendment provided for the publication of a similar report. If such a value is to be placed on the report at the commencement of the two sections, surely the same weight and importance should be given to such a report every time the protocols are changed. However, that is not provided for in the amendment.

We have been told that a precedent would be set, but that is clearly not the case. There is a legal requirement to report once, but there is no requirement to do it twice, three times or four times and so on for infinity. The SDLP Members who tabled the amendments should reflect on the error that they have made. They should ask themselves why, if that requirement is to be repeated for ever and a day, they did not make that clear, or if it is for now and forever, why is it not absolutely crystal clear in the amendment that that was to be the case? The SDLP has got it wrong.

The Member for Foyle Mr Durkan said that the ministerial statement would deliver due and proper oversight. Ministerial statements to the House are a valuable device for asking questions, but no one suggests that such statements, which outline the position as it is, which is clear because documents are in the public domain, offer due and proper scrutiny in comparison with the Committee's report, which will go to great length and will contain evidence from not just one moment in time or one meeting, but from several meetings in which the issues have been discussed, and other meetings to come. I suggest that that is by far the better way to achieve due and proper oversight of the issues. An Assembly and Executive Review Committee

report, with recommendations debated and ultimately voted on in the Assembly is better than a one-off, never-to-be-repeated statement by the First Minister and deputy First Minister.

For all those reasons, I believe that the amendments are pretty pointless. They do not achieve anything, nor do they make any advances. The frailties of the amendments have been proven, not by me or others, but by the bad arguments put forward by SDLP Members.

**Mr Paisley Jnr:** As has been said, it is unfortunate that the backdrop to today's debate has been set by others outside the Chamber who have dastardly intent. I, too, place on record my complete condemnation of those who seek to destroy the accountability mechanisms of the police. I condemn the actions of those who planted a bomb outside the headquarters of the Northern Ireland Policing Board, and of those who sought to take the life of a young police officer in Fermanagh.

To debate amendments that are completely worthless and meaningless displays, not a lack of respect for the House, but a complete immaturity on the part of those who tabled the amendments. Their piousness concerning the issues that they are trying to debate and in wanting to see devolution of these powers, suggests to me that those same Members, because of their immaturity, would be the first to call for a justice Minister to resign at the first instance of a crisis in policing. That is the problem with the debate and with the amendments that have been tabled.

As my colleague has outlined, the debate centres on one party on the nationalist side of the House saying to another party on the same side of the House that it is greener, cleverer on the issues, and has tabled the amendments because it knows what is really going on. If one were to probe the amendments in any way and test them rigorously, it would become fairly clear that they are completely and utterly pointless. That should not be lost on the House.

The SDLP has sought to pursue this matter since the St Andrews Agreement, and possibly since before then. It lost that debate in annex E of the St Andrews Agreement. Its obsession with the issue does the party no good whatsoever. The Member for West Belfast Alex Attwood, in his approach to the matter, reminds me of the little boy who cried wolf. He keeps crying wolf on national security, SOCA, the independence of the judiciary and of the Public Prosecution Service. Some day he may latch on to an issue that is important, and he will be dismissed because people will just think that Alex is crying wolf again. He should do himself a favour and stop this farce. He should stop going back over issues again and again on which the debate, from his point of view, has been lost.

I despaired when I heard the Member for Foyle Mark Durkan's justification for his reasoning on

exploring the amendments before the House, when he said that if one watched 'Spooks', one would be aware of how these matters operate.

**Mr Durkan:** I clearly said that one does not have to watch or be a fan of 'Spooks' to know that the concept of national security has changed and expanded, and will do further. I do not watch 'Spooks'.

**Mr Paisley Jnr:** I am glad. He is more of an 'Austin Powers' man.

If the Member wants to order a JCB and keep digging that hole, he can. He has shown political dexterity during the debate: he has changed horses, not in mid-flow, but mid-amendment and mid-sentence. He has moved, almost seamlessly, from proposing an amendment to hold the House to account and require the First Minister and deputy First Minister to make a statement on the day of devolution to saying that that statement would go on and on into the future. The Member already demonstrated better dexterity than that.

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

4.00 pm

Mr Durkan's comments about 'Spooks' backfired. I witnessed the expression of despair on the face of the colleague sitting beside him when those comments were made; indeed, I think that most of us saw that. The Member changed horse and tried to claim that the amendment was aimed at getting statements, in the future, on changes that may or may not occur. However, amendment No 1 states clearly that there should be a statement "on the day of commencement". Those matters are ex post facto, and the statement will be made after the event. The Member did his argument no good by referring to 'Spooks' on the Floor of the House.

I turn now to the specifics of amendment No 1. Mr Attwood mentioned a change in circumstances that will arise on the day of devolution. The amendment refers to national security, the work of the Serious Organised Crime Agency, the independence of the judiciary, and the independence of the Public Prosecution Service. However, the Member failed to present a single argument that explained the changes that will occur in respect of any of those matters. It is very simple: no changes will occur. It will be no surprise to people that national security is national security.

I remind Members of a debate that took place in a meeting of the Assembly and Executive Review Committee on 27 January 2009. As recorded in the Hansard report, I said on the issue of national security and SOCA:

"That should be the be-all and end-all of the relationship; as a devolved administration, we should have only a briefing relationship. National security is national security, and the administration and direction of national security starts and stops with the Prime Minister."



Members from the Benches opposite agreed with me at that time, and it was accepted that that was the nature of the situation. Members recognised that the same situation applied in respect of SOCA, and one Member said that that was the “realpolitik” of the situation. We can have a briefing relationship, but national security starts and stops elsewhere.

I also indicated that the relationship between the Policing Board, SOCA and the security services is now settled. I said:

“the fact is that there is a settled relationship, and that is an operational issue. Why would we want to bring those operational matters, over which we would have no jurisdiction anyway, into week in, week out discussions in this forum? I do not think that that is necessary.”

Members from all sides agreed with me again.

In that debate, Mr Attwood acknowledged that the elements that I identified will continue. He indicated that changes could only arise in respect of matters that fall outwith the sovereign Government’s responsibilities. Members should recognise the constitutional status of Northern Ireland. Even under the terms of the Belfast Agreement, Northern Ireland is part of the United Kingdom. Given that we know our constitutional status, we should also know that national security is national security.

I tried to get the Member for West Belfast to explain some of those issues at the beginning of the debate. After promising that he would do so, he failed to develop on any of those in a speech that lasted 45 minutes. That highlights that the change in circumstances that the Member spoke about are fantasy. For good reason, the changed circumstances do not affect national security or SOCA. National security is not a parochial issue, and SOCA deals with issues of national crime, which can even cross frontiers, rather than parochial issues.

At the weekend, Sir Hugh Orde, the president of the Association of Chief Police Officers, reiterated that national security is not a parochial but a national matter. The wisdom is that we should not shrink national security into a corner and make it a parochial issue. The purpose of the amendments may have been intended to be probing, but they actually limit national security. What we saw today, and what we have been witness to in the Assembly and Executive Review Committee since January 2009, was a series of fishing exercises to try to bring the issue of national security back onto the agenda purely to satisfy green politics and to allow an argument to ensue about who is a better nationalist when it comes to the issue of national security. It does the House, and the circumstances in which we find ourselves, absolutely no good whatsoever.

Outside the House, others wish to mislead wilfully on the current set of relationships and what will happen after devolution. It has been stated that:

“Immediately policing and justice is devolved it indeed comes within the ambit of the all-Ireland institutions as a subject for the North/South Ministerial Council”.

That statement was made by none other than a QC. One would have thought that he might have known better. It is clear that that is a complete misrepresentation. In fact, it is more than that: it is a lie, and it is not the truth. None of those matters will involve the North/South Ministerial Council. Perhaps the person who made that comment thinks that issues about Special Branch are dealt with under the ambit of an animal health forum in the Republic of Ireland.

People need to get real and recognise that wilfully misleading people and trying to initiate a debate on issues to wipe people’s eyes, to create fear or to generate anger in the community will not work. Perhaps other people have had their eyes wiped in that regard, but the public will not allow their eyes to be wiped by certain people.

I have a letter that was written by the Secretary of State on 31 May 2009. The Member who tabled today’s amendments will have the letter in his possession. Members of the Assembly and Executive Review Committee will have a copy, and, more importantly, the document was made public at a Committee meeting. The letter spells out clearly that the intention is to share protocols and concordats with the Committee:

“in parallel with the First and deputy First Ministers and nothing has changed in that regard.”

Therefore, we will receive those papers. I assume that we will receive them when they are complete and are with the First Minister and deputy First Minister, which is the right thing to do. However, the letter makes a distinction about when we cannot have access to material. It states:

“However, issues will arise within the transferred policing and justice field which have a national security dimension or which touch on national security related issues. Where this happens, the UK Government will provide all the relevant information to devolved Ministers to support them in the fulfilment of their Ministerial roles and responsibilities, except where to do so would compromise national security.”

If Members really want to dissect that and say that they want national security to be jeopardised so that they can better hold bodies to account, they have taken leave of their senses. When protocols are shared with Members, it will be for the right and proper reasons. They will address some of the issues that have been identified.

Members know that some of that work is already being carried out. We are aware, for example, that an exchange of information is critical to the management of sex offenders, who can more easily be monitored between the jurisdictions of Northern Ireland and the Republic of Ireland. However, it is clear that some of that work is not complete and that that is a fluid



process. The police will be able to develop more capability in tracking computer records so that it will be easier for them to track paedophiles who use the Internet to groom victims. As technology develops, the skill and protocol will also develop. Consequently, Members should recognise that neither the protocol nor the relationship is fixed and that matters of practical co-operation should be and are fluid.

The House should reject the amendments for the reasons that I, and other Members, have stated. Moreover, the ritualistic ceremony of constantly debating needless amendments for the sake of someone who seems to have too much passion for John le Carré and not enough for realpolitik should be set aside, and Members should recognise that if we are to get on with the devolution of policing and justice powers, we should do so sensibly and in the appropriate place, which, until the powers come to the House, is in the Assembly and Executive Review Committee. Therefore, I will vote against the amendments.

**Mrs D Kelly:** It would appear from Members' contributions that some of them are either unable or unwilling to understand the purpose of the amendments. To paraphrase the First Minister at his party conference: when something comes from the other side, it has to be detrimental to our side. If it were not for the Sinn Féin/DUP tag team, Sinn Féin, through its refusal to support the amendments, would not have provided a fig leaf for the DUP. Unlike the way in which Mr Paisley Jnr and others were trying to present the amendments, they are not only necessary but are related to and fall within the constraints of the Bill, and that is why they are so constrained.

Mr Hamilton said that one would not want to have superfluous and meaningless reports from the First Minister and the deputy First Minister. Perish the thought. If one were to examine what is said in Question Time at times, one might wonder whether we get meaningful answers on a wide range of issues.

Amendment No 1 recommends the insertion of a new clause 2A to cover, among other bodies, the work of the Serious Organised Crime Agency. Unlike the near hysteria from some members of Sinn Féin in the past two or three weeks when there were raids in south Armagh, the SDLP has always sought to ensure that the Serious Organised Crime Agency's work takes full account of criminal activity in the North and that the Assets Recovery Agency's work was not overlooked when it was subsumed into SOCA.

We welcome the targeting of organised criminals and gangs that rob people in the North. Perhaps one outcome of the debate and what happened two to three weeks ago will be to give some explanation of the difference between devolved and non-devolved policing matters, and allow time for members of Sinn

Féin to understand that difference, because SOCA is a non-devolved matter. It is right and proper that the public, particularly those who see criminals in their midst and believe that many of them are getting away with what they have done, see criminals being held to account under proper protocols that have been explained in the House.

Given that no one knows the date for the devolution of policing and justice powers, surely the purpose of the First Minister and the deputy First Minister's statement is not to hold it up. Last year, Sinn Féin held up the Assembly's work for five whole months on the premise that it was going to deliver on the devolution of policing and justice powers. However, here we are again, still with no debate and no time frame.

At the weekend, the First Minister said — I trust that he does not mind my paraphrasing his conference speech, because I listened well — that Sinn Féin is looking over its shoulder at Alex Attwood. Is that really what this afternoon's debate has been about? It has certainly been what Sinn Féin's contribution has been about. *[Interruption.]*

**Mr Deputy Speaker:** Order. The Member should return to the subject at hand, which is the debate on amendment Nos 1 and 2.

**Mrs D Kelly:** I will respect your ruling, Mr Deputy Speaker, although the other Deputy Speakers gave Members considerable latitude earlier in the debate.

I shall now speak about why the public might want proper protocols and agreements to be in place on national security. One has only to ask the surviving victims of the Omagh bombing about whether there should be transparency in the oversight of national security to answer that question. I welcomed Mr McFarland's contribution in which he said that the Ulster Unionist Party would be minded to support amendment No 1. I hope that that will be the case. The SDLP is not divided on the matter; it is not a division that we have created with Sinn Féin. Comments about splits in parties are rich coming from the DUP when one looks at its internal feuding. *[Interruption.]*

Did someone mention Jim Allister? What was that? Sorry, I did not quite hear that.

4.15 pm

Amendment No 2 is about North/South agreement and co-operation on criminal justice matters. As Mr Spratt said rightly, such co-operation has existed for many years. Indeed, the current co-operation between the Garda Síochána and the PSNI was exemplified in the arrest of individuals in relation to the shooting incident in Fermanagh. What is wrong with strengthening the protections of all our people on the island of Ireland? Surely, there is nothing to fear from amendment No 2. One would wonder why Sinn Féin cannot support

amendment No 2, and that party will certainly have to answer a number of questions on the matter from its supporters.

In relation to amendment No 1, the questions about the independence of the judiciary and the Public Prosecution Service have been well articulated by my party colleagues. The relevance of those issues to the amendment speaks for itself. I think that it was Alex Maskey who said in a recent press release that the decision has been made by the two main, big parties and the other parties are almost immaterial in the matter. That is coming from a party that has shouted about its electoral mandate for many years but seeks to deny the SDLP and other parties in the Chamber full disclosure and full debate by way of a statement from the First Minister and deputy First Minister at the commencement of the Act. Why should everything be held in the Assembly and Executive Review Committee? As Dr Farry pointed out, the Alliance Party is not represented on that Committee, and I am sure that it would welcome an opportunity to have more of a say.

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

**Dr Farry:** Will the Member give way?

**Mrs D Kelly:** I will give way to Dr Farry.

**Dr Farry:** Notwithstanding the way in which the Alliance Party has been discriminated against and excluded from the Committee, it goes without saying that we do have confidence in the workings of the Committee and respect the ability of the institutions of the House to reach conclusions. Certainly, we have aspirations to rise to the dizzy heights of a seat on that Committee some time in the future, but we respect that there are set procedures for dealing with business and it is counterproductive to try to circumvent them. We look forward to having a full debate on the detail on the Floor of the Chamber, as opposed to simply asking a question of the First Minister or deputy First Minister if a statement were made.

**Mrs D Kelly:** I will deal with Dr Farry's contribution right away. What about the respect for the Chamber and for the House? Does he put all his trust in the DUP and Sinn Féin? It must be incredibly difficult to be always having to perform well if the DUP is judging who is best placed to be justice Minister. It must be incredibly stressful for Dr Farry and other Members in the Alliance Party to be always on their best behaviour. It must be very difficult indeed.

**Mrs D Kelly:** I will give way to Mr Hamilton. Perhaps he is putting in a bid.

**Mr Hamilton:** The Member has cited the lack of Alliance Party representation on the Assembly and Executive Review Committee as reason for her amendment to proceed, so that a statement can be made to the House in order that the Members from the

Alliance Party can have their say. Will the Member explain to the House why, around a year ago, when I proposed that the membership of the Assembly and Executive Review Committee be expanded by one to allow for a Member from the Alliance Party to become a member, that proposal was opposed by the SDLP members on that Committee?

Now, however, she is precious about the Alliance Party's views being heard. Perhaps, she can explain that to her colleagues who resisted having Alliance Party membership on that Committee.

**Mr Deputy Speaker:** Order. That is not the subject of this debate. I ask Mrs Kelly to proceed with the debate on amendment Nos 1 and 2.

**Mrs D Kelly:** I was merely paraphrasing some of Dr Farry's comments. The amendments have been well articulated. Sinn Féin seems to have a problem with scrutiny and the length of some Members' contributions. It seems that its Members also fail to understand the difference between a volunteer and someone who is made redundant. I thought that that would not have been a difficulty in that party.

The amendments increase community confidence, which is a stated ambition of some parties with regard to the devolution of policing and justice powers. The amendments fulfil that purpose. Transparency and accountability in democracy is something to which all of us should subscribe and aspire. Therefore, there is nothing to fear from supporting the amendments.

Peter may well be the leader of the DUP and the pseudo-leader of Sinn Féin, but he is not the leader of the SDLP, which will continue to stand up and promote the best interests of the whole community and not only subsections of it, as is the wont of some political parties.

**Mrs Long:** We have had exhaustive and exhausting debates about the Bill as it has progressed through its stages, so I do not want to prolong the agony further. I concur with the comments that were made by my colleague Stephen Farry. The Alliance Party believes that the issues that have been raised by the SDLP are serious, so there is no disagreement about that. However, we in the Alliance Party are not convinced that the SDLP amendments are a meaningful way of dealing with such serious matters.

There is a woolliness around what the amendments do, particularly with confusion about the commencement date for the legislation and the date on which policing and justice powers will be devolved, and that was drawn out even more in the speeches from the members of the party that proposed the amendments. We agree that there needs to be clarity on the point at which we have devolution of policing and justice powers, as raised in the amendments. However, that is not the commencement date of the legislation, which simply puts in place the architecture to allow the

devolution of policing and justice powers to happen. For that reason, there does not seem to be clarity.

I do not consider the list in amendment No 1 as an exhaustive list of issues on which one would want clarity ahead of the devolution of policing and justice powers, so I am not sure what benefit that brings.

There is also an issue about whether a statement is the right way for the matters to be brought before the House. Mrs Kelly's contribution contained a reference to the work of the Assembly and Executive Review Committee and considered whether, in the absence of any Alliance Party representative on the Committee, the party had confidence in its work. There are other Committees on which the Alliance Party has no direct representation, and at no time have we questioned their capacity or ability to do their jobs. Nor have we queried the way in which they have handled the work that has been given to them. It would be unfair of the Alliance Party to suggest that the Assembly and Executive Committee is unfit, merely because we are, rightly, of the belief that we should be represented on it, given the sensitivity and importance of the issues with which it is dealing and the fact that they are relevant to our electorate. That needs to be made clear.

I assure Mrs Kelly that she need not stress herself about our pressure to perform. The Alliance Party has always performed well, and it will continue to do so. We will not be worried about the judgement of the First Minister or deputy First Minister on that; we will leave it to the electorate to decide whether we have performed well.

At best, the amendments are neutral, in that they do not achieve anything. A debate in the House on the outcome of the Assembly and Executive Review Committee report will be a more effective way for everyone to make their contributions and tease out the issues. No doubt the public will want that, rather than the statements of "whataboutery," that the Members to my immediate right are currently engaged in.

The amendments are at best neutral. At worst, they will create a legal hurdle over which we will have very little control with respect to timing and which will not make the Bill more robust or the processes more accountable. For those reasons, the Alliance Party will be opposing both amendments.

**The First Minister:** I begin by joining with colleagues from all sides of the House who have expressed their condemnation of the events of the past few days; in particular, the attempted destruction of the Policing Board offices in Belfast, the attempted killing of a police officer in Garrison and the attempt to kill, destroy and disrupt in Armagh.

All of us who have witnessed the attempts by dissident republican groups to disrupt the political process and disturb the progress that we have been

making will recognise that there is only one answer: it is that all of us, irrespective of background, party affiliation or future aspiration, make it abundantly clear that we condemn such people, that we want those who have evidence to give it to the police and that we give our full support to the police and those assisting them in tracking down the people responsible. We must make it clear that we will never give in to those who carry out those types of activities or allow them to dissuade us from doing our duty.

The Department of Justice Bill is critical for the preparation for the devolution of policing and justice: it is a necessary step. All parties in the House have clearly indicated that they want to see policing and justice powers devolved to the Assembly without undue delay. There are also some who are vocal outside the Assembly, and they also came from a position in which they wanted policing and justice powers devolved. Indeed, those who are positioning themselves most vocally against the Bill actually signed up to a manifesto calling for that devolution. It is for them to explain their U-turn, but I believe that we are taking the right action in preparing the way for the devolution of those powers.

I note that the SDLP has proposed amendments at every Stage of the Bill, and I do not seek to deny its Members the right to do so. I am a firm believer in the parliamentary process both here and in another place, and I believe that the best Bills are those that are properly scrutinised. When those who seek to introduce measures are questioned about, or must justify, their actions, it provides the opportunity for clarification of a position that is deemed to be unclear, and I do not detract from the SDLP's right to do that. I just hope that in proposing its amendments, that party is attempting to probe and find out the attitudes of parties and the deputy First Minister and I, a position that we will be happy to deal with during the course of the debate. However, I suspect that, as on previous occasions, there has been an attempt to ratchet up some division on the issue, which I think is unfortunate. This should not be an issue that divides us.

Our manifestos all held the same position, and it is unfortunate that people are drawing distinctions instead of trying to bring our positions together. However, during the debates on the Bill, the SDLP has not been able to use this issue to gain much traction, and it is clear that that party is running out of steam with its fairly unnecessary and irrelevant amendments.

4.30 pm

It is worth pointing out that when the Committee sought the public's view on the issue, they did not seem to be much disturbed about it. No member of the public was concerned enough about the Bill to make any comment, unless one describes Jim Allister as a



member of the public. I suppose that given that he does not have an elected position, he might be described as such. That said, he was the only person outside the institutions of the Assembly who bothered to communicate with the Committee, and even he was so nonplussed by the whole issue that he could not get his response in on time. That lack of comment does not indicate that there is any depth of concern out there about the Bill. From my perspective, the Bill has a fairly standard purpose, which is to set up a justice Department, and I think that we have met the concerns of most people. However, I accept that the SDLP will want to make a point about how the Minister is appointed.

Nevertheless, we must accept that although the present leader of the SDLP said that his party was accused of tabling amendments that were difficult and contentious, that is far from the truth. The truth is that I did not hear any Member describe the amendments in those terms; I only heard Members say that they were unnecessary and irrelevant.

I will deal with the issue behind the amendments. It is no secret that before devolution, the Secretary of State and his Whitehall ministerial colleagues will want to reach an agreement with the Executive about the number of documents that set out a common understanding on several areas. The contents of those concordats, or memoranda of understanding, will include the independence of the judiciary and the prosecution service, the interface between the devolved policing responsibilities and national security. I am not aware of any proposed document that is specific to the Serious Organised Crime Agency.

Early drafts of the concordats on judicial and prosecutorial independence were published some years ago in a report to the Committee on the Preparation for Government. I hope that common ground was reached across all parties that the work of the judiciary and decisions on prosecutions should be free from political interference.

The memorandum of understanding on national security will deal with the undeniable fact that national security responsibilities will remain non-devolved. Some of the issues on policing responsibilities that will flow from that memorandum have been set out in annex E to the St Andrews Agreement.

The Assembly and Executive Review Committee has been aware of those documents since last year. I hope that the Committee will soon be successful in obtaining drafts from the Secretary of State that will enable it to assess the contents of those documents. However, it is for the Secretary of State to decide whether to provide the Committee with those documents, although I hope that he shall soon do so. The Assembly and Executive Review Committee will be best placed to judge the implications of those concordats, protocols

and memoranda of understanding for the areas that will be under the Committee's remit.

Any decision that the deputy First Minister and I make to commit the Executive to such agreements could come only after we had consulted with the Executive and had considered carefully the views of the Assembly and Executive Review Committee. If amendment No 1 were agreed, we would not be in a position to do that.

It may be helpful to the SDLP for me to outline how I envisage the matter being addressed. In doing so, I will, perhaps, touch on an issue that was raised by the leader of the UUP at the beginning of today's business during the discussion on recent terrorist activity. He said that there must be an opportunity to discuss such issues, but that no such opportunity exists.

Let us be clear about what opportunities have been made available. The Assembly took a deliberate decision to set up an Assembly and Executive Review Committee. That Committee was charged with the task of considering all the issues that would flow from the devolution of policing and justice, including financial issues and the necessary procedures that would have to be applied. The House gave the responsibility to that Committee.

On top of that, a series of meetings has taken place, and various party leaders have been speaking to the Secretary of State and the Prime Minister. The leader of the Ulster Unionist Party has had four or five conversations with the Prime Minister and probably just as many with the Secretary of State. The Secretary of State even addressed Assembly Members from the Ulster Unionist Party on policing and justice issues, and I am sure that it was a worthwhile experience for everyone concerned. We have also had numerous debates on the issue in the Assembly.

I am sure that the deputy First Minister will not mind my putting on record what happened when he and I met the leader of the Ulster Unionist Party. Almost as though it was part of his patter, the leader of the UUP raised the issue of the lack of opportunity. There and then, the deputy First Minister and I offered to set up a subgroup within the Executive that would include representation from all four Executive parties. The subgroup would have separate meetings and deal not only with policing and justice, but with education, cohesion, sharing and integration, and any other issues that should arise. We could talk about those matters much more freely than at Executive meetings, at which officials are present and every word is recorded. That subgroup could meet without prejudice and hold in-depth discussions. That offer is still open; indeed, we renewed it at the most recent meeting of the Executive. If Members want to talk about such issues



in greater detail, the procedures can be put in place to facilitate that.

However, having set up the Assembly and Executive Review Committee to consider a range of issues that includes protocols and memoranda of understanding, that seems to me to be the appropriate body for such discussion. The subject cannot be dealt with by making a statement in the Assembly from a single sheet of A4 paper; the memoranda run to dozens of pages. We are dealing with detailed issues, and, from a security perspective, some require sensitivity. The Committee seemed the appropriate place for that, and I am still of that view.

To be honest, putting in legislation a requirement of the kind that the SDLP seeks would not do justice to what that party wants to achieve. The SDLP will gain much more from full discussions in the Assembly and at meetings of the Assembly and Executive Review Committee. That Committee can determine the extent to which it wants to report on those issues to the Assembly. Subsequently, the report would come before the Assembly, which would support, or otherwise, the Committee's recommendations.

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

**The First Minister:** If I may finish the sentence, I will give way in a second.

Every opportunity exists for the breadth of issues that concern the SDLP to be dealt with in some detail by the Committee. If necessary, the Assembly can go into even more detail.

**Mr Attwood:** I listened carefully to what the First Minister said, and I welcome his acknowledgement of the rights of parties to table amendments here and elsewhere to any important legislation. His final comment was that every opportunity should be given to the Assembly and Executive Review Committee to deal with the "breadth of issues".

Will the First Minister accept two points? First, in meeting after meeting in recent times, DUP and Sinn Féin representatives have advised the Committee that they have nothing further to report on those issues. No conversation takes place at the Committee on many of those matters, and the Hansard reports of the meetings confirm that. No discussion takes place, and part of the reason for that is that DUP and Sinn Féin representatives have nothing to report. It has been the other parties, including the SDLP, that have been pushing the agenda on discussing those matters.

Secondly, there is every opportunity to discuss matters, but no opportunity to discuss the various protocols and concordats, because that documentation is not before the Committee. If the documentation is not available to the Committee, it cannot discuss matters, and if the DUP and Sinn Féin are not willing

to make proposals, other matters do not get dealt with. Does the First Minister accept that, in many ways, that is how the Assembly and Executive Review Committee has been conducting its business, despite the intentions and ambitions of some?

**The First Minister:** The Assembly and Executive Review Committee's substantial report gives the lie to the general accusation that nothing constructive comes out of the Committee. I can well understand that the work of the Committee has lean periods and periods of plenty, as is the case with any Committee. I have no doubt that it is difficult for the Committee to reach conclusions on protocols until the Secretary of State provides it with that information. The Committee will have that information before the point at which, under the amendments, the First Minister and deputy First Minister would make a statement.

It is clear that the Secretary of State said in his letter to the Committee that he will provide it with that information. It is not that the Committee will not get the information; it does not have it now, but it will get it. The Secretary of State has committed himself to that, and I am sure that he will not go back on his word.

When the information comes, I will be very surprised if the Member for West Belfast Mr Attwood allows someone to run off with his bone if he does not to get the opportunity to have a good chew at it during the Committee's consideration of the matter. Perhaps I have more faith in his ability to do his job than he has articulated. At my most recent meeting with the Committee, I got the impression that Mr Attwood was not regarded as being a silent member, so he makes a bit too much of the difficulties that he faces.

From my point of view, it would be beneficial for the Secretary of State to provide the information as soon as possible, even if it were provided in draft. It may well be that, between now and when it is necessary for the protocols to be formally submitted, he may need to make changes. If they were provided to the Committee, the Committee might even be able to make some suggestions.

I oppose the amendments because the mechanism already exists, through the Assembly and Executive Review Committee, for the Assembly to scrutinise the documents. Therefore, I regard the proposed report to the Assembly by the deputy First Minister and me at the point of commencement of the operative sections of the Bill to be redundant.

Similarly, I regard the proposal in amendment No 2 that the deputy First Minister and I should report to the Assembly on criminal justice co-operation with the Government of the Republic of Ireland as unnecessary. Indeed, such a report might pre-empt serious consideration of cross-border criminal justice co-operation. My understanding is that the various agreements

between the PSNI and the gardaí on practical co-operation would be unaffected by devolution. Similarly, the east-west arrangements between the various jurisdictions in the United Kingdom and the Republic of Ireland for the exchange of information on sex offenders will continue to operate. That is a very important agreement.

A formal agreement is also in place between the Secretary of State and the Irish Minister for Justice on criminal justice co-operation. The Assembly and Executive Review Committee has already turned its mind to that matter, and it recommended in its report of March 2008 that the current arrangements should remain in place at the point of devolution and that those should be reviewed by the new Department and Statutory Committee following devolution.

4.45 pm

We understand that the Northern Ireland Office and the Irish authorities have been discussing how to keep the existing agreements active at the point of devolution, allowing an early opportunity for us to develop our own approach. That would require extensive briefing, consultation and analysis, and would be a considerable and serious undertaking.

Neither the deputy First Minister nor I wish to pre-empt any future review of current arrangements on cross-border criminal justice co-operation. This amendment invites us to do precisely that. Alternatively, we could present an effectively historical account of the NIO agreement. Neither course would be desirable or a good use of the Assembly's time.

Furthermore, both amendments would restrict our flexibility and timing at what might be a very constrained period. We would have to ensure that the date of commencement coincided with an Assembly sitting day, or else impose considerable inconvenience on the Assembly. In either event, it would be close to the statutory deadline for devolution set by the Westminster section 4 Order. It would be best to avoid yet further procedural obstacles that we would have to surmount.

The Member for West Belfast Mr Attwood raised the issue of the independence of the Chief Constable, the courts and the Public Prosecution Service. Those are essential ingredients of any devolution of policing and justice powers. However, I say to the Member for North Down from the Alliance Party, Dr Farry, that there will be occasions when each of us may want to be critical of a view expressed, or a decision taken, by the Chief Constable. I do not see how making a critical remark or giving critical advice to the Chief Constable could be deemed as seeking to breach the independence of his office. It becomes a breach only if we think that we can supplant a decision taken by the Chief Constable and interfere in the role as he sought to exercise it.

I am not, therefore, in the business of removing the right of anyone in the House, or, indeed, outside, to tender advice, no matter how strongly, to the Chief Constable. However, I wholeheartedly stand by the decision and requirement for the role of the Chief Constable, the judiciary and the Public Prosecution Service to be wholly independent of political and ministerial pressures.

I have to admit that I was slightly distracted when Mr Attwood raised the issue of sentencing guidelines. As I understand it, he was seeking clarity on whether sentencing policy and guidelines would be established by the judges themselves, by the judges along with an expert commission, or by this House. As I gauge the views of Members when we talk about issues relating to policing and justice, I find that one reason why most people want policing and justice powers devolved to the Assembly is because they are deeply unhappy about the lack of an effective deterrent for many crimes in our community. I suspect that it would not be too long after policing and justice powers were devolved before pressures came from the Assembly to have tougher sentences for some crimes, particularly the current spate of crimes against the elderly.

Although judges will be more in tune with the details of any case that comes before them, and I respect that, there is a role for the elected representatives of the community that is suffering, who, perhaps, do not have the case-hardened attitude of some judges, to recognise that there may be occasions when minimum or mandatory sentences are required and when the guidelines should indicate tougher sentences than the courts are currently handing down.

Therefore, I do not want to stay the hand of the Assembly in those areas. However, I certainly agree with the Member's remark, which I understood to mean that he does not want judges to have sole command in those areas.

**Mr Attwood:** I want to acknowledge the First Minister's earlier point that draft concordats and protocols should be shared with the Assembly and Executive Review Committee. I hope that people in another place have listened to that view. The failure to share those documents with the Committee frustrates its work and could be a further impediment to the early devolution of justice and policing.

I welcome the comment that the First Minister has just made. The issue in respect of the Sentencing Guidelines Council, or some other mechanism, is that without sight of the protocols on the judiciary's independence, it is uncertain whether the Assembly can go in the direction that it may want to go to create new mechanisms to advise the judiciary through sentencing guidelines. As regards the very point that the First Minister has just made, until those protocols

are seen, it is uncertain whether the ambition that he and I may share with the Assembly to go in a certain direction can be satisfied.

**The First Minister:** The deputy First Minister and I have not yet been provided with those protocols formally. I believe that when I went to the Committee, I indicated that they had been shared with some of our officials. Therefore, I am acquainted with some of the subject matter. If the Member expects a massive bombshell to arrive, he might be disappointed.

However, as he would imagine, the protocols have been ready, in their present form, for some time. I see no reason why they could not be shared with the Committee. Even if people in the Northern Ireland Office do not read the Hansard report as they should every morning at breakfast, I will ensure that they are aware of my view on the issue. Hopefully, they will pass that on.

I hope that I did not hear a threat to delay policing and justice in the middle of the Member's comments. My party is keen to see that happen as soon as possible. I would not want the SDLP to hold back progress.

I want to touch on another issue that was raised by Ian Paisley Jnr, who was not in his place, but must have felt his ears burning in the corridor, as he has just come into the Chamber. He indicated that there are people outside the Assembly who, to use his expression, are lying about some of the issues that are involved. He is hardly surprised by that. There have been a series of what can only be described as lies from the source to which he refers.

First, the TUV told us that Sinn Féin would have ministerial responsibility. That is untrue. It then told us that Sinn Féin would control the police. I am not sure whether that was a reference to Sinn Féin's present role in what has already been devolved to the Policing Board. Again, under the arrangements, that is untrue. It then said that Sinn Féin would choose judges. Again, that turns out to be untrue. It said that the Attorney General would decide who is prosecuted. That turns out to be untrue.

When the Assembly got its financial package, the TUV said that that was only borrowed money that would have to be paid back to the reserve. That turns out to be a further lie. As regards the issue that relates directly to the amendments that are before the House, the TUV indicated that upon devolution, policing and justice would become a matter for the North/South Ministerial Council. Of course, that is another lie.

The areas for which the North/South Ministerial Council has responsibility were agreed by David Trimble and Séamus Mallon during the time between the Belfast Agreement and the first period of devolution. Since that time, no additional areas have been agreed. Therefore, yet again, that is a lie.

When each of those lies is pointed out, no apology is given and no one admits that they have been attempting to deceive. They just move on to the next effort at scaremongering in the community.

As the deputy First Minister pointed out at Consideration Stage, there is no shortage of Assembly scrutiny of this process. The Assembly will not lack an opportunity to debate the devolution of policing and justice before devolution day. I must say that the very issue that we are talking about is one that, I am convinced, would be appropriate for debate that will undoubtedly take place when the recommendation comes from the First Minister and deputy First Minister for powers to be devolved. We have not agreed or even thought about the mechanisms that we will use on that day for that vote to be taken in the Assembly, but I suspect that Members will want the opportunity to debate every aspect of policing and justice. No less is it the case that members of the SDLP will want that issue dealt with. So, whether it is in the legislation or not, at the point when we are about to ask Members to devolve those powers, they will have every facility to ask the questions that they are seeking to insert into the legislation.

**Mr Durkan:** I thank the First Minister for giving way. Does he believe that, at that point, it will be made clear to us who may take a decision to drop a prosecution on national security grounds? The work of the operationally independent police and the independent prosecution service would cease when such a decision is made. Will the Minister of justice be briefed by whoever takes that decision, and will the Minister be told what issues are involved and why a prosecution has been stopped on grounds of national security?

**The First Minister:** Let us look at the sequence of events. The Secretary of State will have provided the Assembly and Executive Review Committee with the protocols. Its members will have asked whatever questions they want, including, no doubt, the questions that the Member has asked me. The Assembly and Executive Review Committee will produce a report. That report, along with other outstanding issues that the Assembly and Executive Review Committee is considering, will come before this Assembly. The Assembly will debate that report and if, as I hope and expect, it is approved, under the processes that the deputy First Minister and I have agreed, he and I will take that report to the Executive, as a further step along the road to the devolution of policing and justice.

Therefore, before we ever get to the stage of taking the final decision in this House, before we press the button, we will have the answers to the kind of questions that the Member is raising, provided that his colleagues in the Committee ask those questions and they are recorded in the Committee's report. If they are not, he will again have the opportunity, on that day, to



raise any outstanding matters. On that basis, I suggest that there are adequate and ample opportunities to deal with all these issues.

There is a series of issues relating to the devolution of policing and justice that is important to Members. Everyone will be able to rank for themselves the priority that they attach to each. I suspect that there will not be too many of us who put the issues raised today by the SDLP at the top of our list of concerns or matters that we want to be certain of. To take this one issue and give it special status in the legislation is to indicate that other issues, which are of greater importance to many of us, are not as important. Therefore, many of us would not be prepared to give priority to this issue over other concerns.

I look forward to the opportunity to engage in debate on this subject. I state my view, that of my party and the mandated position that we have: we want to see the devolution of policing and justice powers to this Assembly. We have made very considerable progress over the past number of months and particularly over the past year in gaining community confidence. There is more to do. Let us not confuse the electorate by raising unnecessary and irrelevant issues. Let us ensure that we can build the confidence that the community needs to have on this issue.

5.00 pm

**Mr A Maginness:** I, along with other Members and my party, condemn the attacks on the police officer and on the Policing Board offices in Belfast. To those who have implied or explicitly suggested that the SDLP has, in some way, shown a lack of leadership in condemning political violence, I say that the SDLP has, for four decades, been opposed to political violence and continues to be opposed to it. Therefore, we rightly condemn what happened at the weekend.

Some Members have called for leadership in relation to that issue. In the past, the SDLP's leadership has not been found wanting; we have opposed paramilitary violence, and we will continue to do that.

I am surprised by the degree of opposition to the amendments that have been put forward by the SDLP. I am surprised because those amendments do no harm whatsoever to the Bill; in fact, they enhance it. I am surprised that Members from both the DUP and Sinn Féin do not see the value in the amendments. I am glad that the Ulster Unionists have seen fit to support at least amendment No 1, as is the sensible position.

Amendment No 1 adds certainty and gives people confidence in the devolution of policing and justice powers. That was the substance of my colleague's proposition speech on amendment Nos 1 and 2. Anybody who takes a detached and objective view of the amendments can see that they bring certainty and create confidence.

There are considerable issues involved in the transfer of policing and justice powers, and there are issues of real concern around the items that have been identified and enumerated in amendment No 1. National security, the work of the SOCA, the independence of the judiciary and the independence of the Public Prosecution Service are four issues which require clarity and certainty, and which, if sufficiently answered, will create the necessary confidence for people to embrace the devolution of justice and policing.

On the issues of North/South relations and the co-operation of policing and justice agencies, it is again important that we have certainty and clarity and that we create confidence so that everybody can buy into that co-operation. I was interested to hear some of the comments made in relation to that. Mr Spratt quite properly identified co-operation as an important issue and as something of value that needs to continue.

In introducing amendment Nos 1 and 2, we seek not to undermine, to do violence to or to damage the Bill; rather, we seek to strengthen it. I do not see how any element of the Bill would be weakened by the inclusion of the new clauses proposed in the amendments, and the First Minister could not identify any either. Not once did he say that the Bill would be effectively damaged by the amendments. However, he said that they are unnecessary and irrelevant.

The amendments are not irrelevant. North/South co-operation, national security, the independence of the judiciary and of the Public Prosecution Service and the work of SOCA are not irrelevant. An issue was raised about SOCA in the House last week, and we heard confused soundings from members of the Executive. Members and even Ministers are entitled to criticise, but to suggest that SOCA would somehow transmigrate from London to Northern Ireland if justice and policing powers were devolved is a ridiculous proposition. Therefore, there needs to be clarity about that issue so that Ministers understand the relationship that exists between SOCA and the Assembly, the Executive and Northern Ireland generally. It is important that those issues are highlighted, and it is right to say that they are relevant and not, as the First Minister asserted, irrelevant.

The First Minister also said that the amendments are unnecessary. We have the support of the Ulster Unionists, who appreciate the wisdom of amendment No 1 and the fact that it is necessary to create certainty on those issues. The First Minister should also recognise that amendment No 1 is necessary as it would give confidence and clarity. I do not understand how anyone can argue that our amendments are unnecessary.

Members of Sinn Féin criticised the amendments for being obstructive. They said that they would delay the transfer of policing and justice powers and that we



are, in some way, obstructing the passage of the Bill. The amendments that we tabled previously were defeated, and at that time, we explained plainly that we are in favour of the immediate transfer of policing and justice. We have been through that process, and we are now at Further Consideration Stage. We have debated the amendments, but we have not delayed the Bill. The normal course of action in any Parliament or Assembly is to debate issues of importance, and no Member can say that those issues are unimportant.

**Dr Farry:** The Member said that the SDLP had at no stage sought to delay the Bill and, as a consequence, the devolution of policing and justice powers. Will he explain why his party voted against the Bill at its Second Stage? If the SDLP had convinced others to follow suit, the Bill would have fallen at that stage and the process of devolution would have been delayed.

**Mr A Maginness:** The Member has misrepresented the SDLP position. He knows that my colleagues and I argued in great detail about aspects of the Bill that were unacceptable to the SDLP. We stated our arguments and we have gone through them; if I returned to them, I would be ruled out of order. During the debate at the Bill's Second Stage, we made it very clear that we fully supported the transfer of policing and justice powers to the Assembly. That is our position, and we made it very clear.

In one of the amendments that we tabled at the Bill's Consideration Stage, we proposed 7 December 2009 as the date for the commencement of devolution. That would not mean that the transfer of policing and justice powers would happen precisely on that date. However, it would be the key to open the transfer process, because it would mean the establishment of a justice Department and the election of a justice Minister. The Member knows quite well that we were opposed to the abandonment —

**Mr Deputy Speaker:** Order. Mr Maginness, you said that you would not discuss what has previously been debated, but you have done just that. Will you return to amendment Nos 1 and 2?

**Mr A Maginness:** That is very difficult, because some Members may think that I did not properly address Dr Farry's point. However, I accept your ruling.

It has been suggested by colleagues on the Sinn Féin Benches that in some way we are obstructing the justice Bill and are trying to prevent the transfer of policing and justice powers. That could not be further from the truth: we are firm advocates of the devolution of justice and policing powers. The SDLP established the basic infrastructure for the transfer of policing and justice by supporting the creation of the PSNI and by implementing the Patten reforms. If that infrastructure was not present today, it would be impossible to transfer policing powers to Belfast.

Nobody on the DUP or Sinn Féin Benches can challenge us on the devolution of policing and justice. In fairness, the DUP did not attack us for obstructing the Bill; those who attacked us were Sinn Féin Members. I repeat that that is a misrepresentation of the position that we have adopted consistently throughout the debate on the Bill.

The Assembly and Executive Review Committee is of value; nobody can dispute that. It is also correct that some of its work has been slow and has not been assisted by the delay in the transfer of papers from the NIO. We do not seek to diminish the Committee's role.

However, we do not accept the First Minister's argument that we can either have the Committee or the report from the First Minister and the deputy First Minister to the Assembly, as suggested in our amendments. That can happen as well as reporting through the Committee.

5.15pm

**The First Minister:** There already is an "as well as" through the work of the Committee, the Committee's report to the Assembly and, when we eventually take the vote to devolve the powers, a further debate in the Assembly during which Members can raise those matters. The Member wants to add a third occasion for the Assembly to talk about those issues as if they are the most important issues of all.

**Mr A Maginness:** I am glad that the First Minister does not diminish the issues that are being raised. Some Members have diminished those issues and said that they are not relevant. They are relevant, and it is important that the House scrutinises them properly.

**The First Minister:** The Member has repeated a point that I decided to let go the first time. Nobody said that the issues are irrelevant; it was said that the amendment is irrelevant. There is a big difference.

**Mr A Maginness:** The First Minister said that the issues are irrelevant by saying that the amendments are irrelevant. I have proposed that the substance of the amendments is not irrelevant. I have itemised the important issues contained in our amendments. If they are not important, why did colleagues on the Sinn Féin Benches raise those issues, albeit in a confused fashion, last week?

The Assembly's relationships with SOCA, the judiciary and the Public Prosecution Service are relevant. The First Minister is saying that another level of public discussion in and presentation to the Assembly by him and the deputy First Minister should not be part of the process. It should be part of the process, because it adds to it. The First Minister, rightly, talks about the Committee's good work: I and my colleagues accept that. However, that work can go further though a formal presentation to the Assembly by the First

Minister and the deputy First Minister. As with any other statement, the House will have an opportunity to engage with the First Minister and deputy First Minister at that point.

**Mr Durkan:** Did the Member note that, when the First Minister said that all the issues would be dealt with and addressed, he referred several times to the fact that the Secretary of State would provide the protocols for scrutiny by the Assembly and Executive Review Committee before reporting to the Assembly? Do our amendments not ensure that the standing of the protocols will be a devolved standing, not a mere hand-me-down from an outgoing direct rule Minister? Our amendments will ensure that the protocols are clearly stamped with the authority and credibility that is attached to a statement in the House by the First Minister and deputy First Minister that commends those protocols and their future standing.

**Mr A Maginness:** I cannot disagree with any of the points that my friend raised.

**The First Minister:** The Member should be careful, rather than just nodding his head to everything that his leader says. He should think about what he is agreeing to. The Member for Foyle is suggesting that, at the point of commencement, Northern Ireland will somehow have input into the protocols: that is nonsense. At that stage, all we will have done is receive the protocols, which will be the NIO version.

After devolution, of course, the justice Minister and whoever else will have an opportunity to examine the protocols and to decide whether they should be upgraded. At that stage, a version of the protocols that have a Northern Ireland thumbprint could be brought forward. However, that thumbprint will certainly not exist at the point of commencement.

**Mr A Maginness:** My original point was that we are trying to establish a situation in which there is certainty and confidence. Indeed, the First Minister has talked about public confidence on many occasions. Our amendments are part and parcel of engendering that confidence.

The First Minister is a parliamentarian of many years' standing — 30 years, as he told us at his party conference.

**The First Minister:** I am glad that the Member was listening.

**Mr A Maginness:** I listened very carefully, and I think that Mr Allister did the same. He was very pleased with the First Minister's performance.

As a parliamentarian, the First Minister must be sensitive to the need for Parliament or the Assembly to scrutinise issues, to hear vital pieces of information, such as the protocols, and to be in a position to question Ministers. I have never yet heard a parliamentarian say

that there is too much scrutiny, but I have heard some say that there is too little. The First Minister's argument falls flat on its face; it says that too much is going on in the Assembly. We have Committees, statements by the First Minister and deputy First Minister, and we may have a justice Committee that examines the issues along with the Assembly and Executive Review Committee. I do not believe that any parliamentarian in the House who is worth his or her salt would object to that in principle. It is a good thing, and it is important. Therefore, the argument that there is too much scrutiny is poor and fundamentally flawed, coming as it does from a very experienced parliamentarian.

**Mr Brolly:** Notwithstanding that there is either too much or too little scrutiny, what is wrong with having just enough scrutiny? *[Laughter.]*

**Mr A Maginness:** I wish Mr Brolly a very fond farewell. *[Laughter.]* I am saddened by his imminent departure.

He made an interesting point, but any parliamentarian would say that the more scrutiny we have, the better. I welcome Mr Brolly's point; it is an ingenious one that is characteristic of him. *[Laughter.]* I thank him graciously for his intervention.

I will conclude, if I can conclude. *[Laughter.]* I do not aspire to the dizzy heights of Mr Attwood's contributions to these debates.

I will conclude by saying that we have presented the House with a very useful piece of work. It is sad that some parties in the House take the view that the amendments are in some way hostile to the devolution of justice and policing powers. They are not; they do no damage whatever to the Bill.

In fact, the amendments would enhance the Bill. On that basis, I invite the First Minister and deputy First Minister to rethink their ill-considered judgment of the clauses and to support them.

The amendments are probing, but the First Minister has made it clear that he does not accept them, nor will he accept the substance of the amendments, which is that he and the deputy First Minister should report to the House. It is quite proper for the SDLP, as the party sponsoring the amendments, to push them to a vote.

**The First Minister:** Does the Member know what a probing amendment is? The point of a probing amendment is to seek a response and, having received it, to withdraw the amendment. It is no longer a probing amendment if one intends to take it to a division.

**Mr A Maginness:** My point is not inconsistent with what the First Minister has just said. We would have considered his response had he not been so dismissive of the substance of our arguments.

*Question put, That amendment No 1 be made.*

*The Assembly divided: Ayes 24; Noes 63.*

### AYES

*Mr Armstrong, Mr Attwood, Mr Beggs, Mr D Bradley, Mrs M Bradley, Mr P J Bradley, Mr Burns, Mr Cobain, Mr Durkan, Mr Elliott, Mr Gallagher, Mr Gardiner, Mrs D Kelly, Mr Kennedy, Mr Kinahan, Mr A Maginness, Mr McCallister, Mr B McCrea, Dr McDonnell, Mr McFarland, Mr McGlone, Mr McNarry, Mr O'Loan, Mr K Robinson.*

*Tellers for the Ayes: Mr P J Bradley and Mr Burns.*

### NOES

*Ms Anderson, Mr Boylan, Mr Brady, Mr Bresland, Mr Brolly, Lord Browne, Mr Buchanan, Mr Butler, Mr Campbell, Mr T Clarke, Mr W Clarke, Mr Craig, Mr Dodds, Mr Donaldson, Mr Easton, Dr Farry, Mr Ford, Mrs Foster, Ms Gildernew, Mr Hamilton, Mr Hilditch, Mr Irwin, Mr G Kelly, Ms Lo, Mrs Long, Mr A Maskey, Mr P Maskey, Mr F McCann, Mr McCarthy, Mr McCartney, Mr McCausland, Mr I McCrea, Dr W McCrea, Mrs McGill, Mr M McGuinness, Miss McIlveen, Mr McKay, Mr McLaughlin, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Murphy, Mr Neeson, Mr Newton, Ms Ní Chuilín, Mr O'Dowd, Mrs O'Neill, Mr Paisley Jnr, Mr Poots, Ms S Ramsey, Mr G Robinson, Mrs I Robinson, Mr P Robinson, Mr Ross, Ms Ruane, Mr Shannon, Mr Simpson, Mr Spratt, Mr Storey, Mr Weir, Mr Wells, Mr B Wilson, Mr S Wilson.*

*Tellers for the Noes: Ms Anderson and Miss McIlveen.*

*Question accordingly negatived.*

*Amendment No 2 proposed: After clause 2, insert the following new clause:*

***“Duty of First Minister and deputy First Minister to report on co-operation on criminal justice***

2B. The First Minister and deputy First Minister acting jointly shall make a report orally and in writing to the Assembly on the day of commencement of sections 1 and 2 of the Act, explaining the provisions of any arrangements entered into with the Government of Ireland concerning co-operation in criminal justice matters.”

— [Mr Attwood.]

*Amendment No 2 negatived.*

**Mr Deputy Speaker:** That concludes the Further Consideration Stage of the Department of Justice Bill. The Bill stands referred to the Speaker.

## COMMITTEE BUSINESS

### Standing Orders

**Mr Deputy Speaker:** The next four motions provide for related amendments to Standing Orders, so I propose to group all four motions and to conduct one debate. I shall ask the Chairperson of the Committee on Procedures to move motion (a). Debate will then take place on all the motions. When all Members who wish to speak have done so, I shall put the Question on motion (a). I shall then ask the Chairperson formally to move motions (b), (c) and (d), and I will put the Question on each motion in turn without further debate. If that is clear, I shall proceed.

**The Chairperson of the Committee on Procedures (Lord Morrow):** I beg to move

Motion (a): After Standing Order 9 insert

“9A. TEMPORARY SPEAKER

(1) If neither the Speaker nor any Deputy Speaker is able to chair a sitting of the Assembly, the sitting shall be chaired by a temporary Speaker.

(2) Paragraph (1) does not apply in cases where Standing Order 3(2) or 4(2) applies. If the Acting Speaker under Standing Order 4(8) is unable to chair a sitting, the sitting shall be chaired by a temporary Speaker.

(3) The temporary Speaker shall be the member, present at the sitting, who has served the Assembly the longest number of days, and in the case of a tie, the oldest of the longest-serving members present. Ministers and junior Ministers are not eligible to be considered as temporary Speakers.”

*The following motions stood in the Order Paper:*

Motion (b): In Standing Order 3(2) leave out “eldest member of the Assembly” and insert “oldest member present at the meeting”. — [The Chairperson of the Committee on Procedures (Lord Morrow).]

Motion (c): In Standing Order 4(2) leave out “eldest member of the Assembly” and insert “oldest member present at the meeting”. — [The Chairperson of the Committee on Procedures (Lord Morrow).]

Motion (d): In Standing Order 4(8) leave out “eldest member” and insert “oldest member”. — [The Chairperson of the Committee on Procedures (Lord Morrow).]

**The Chairperson of the Committee on Procedures:**

New Standing Order 9A is being introduced to make provision for a procedure to ensure that there will always be a Member able to chair Assembly sittings. At present, there is no provision in Standing Orders to cover a scenario in which neither the Speaker nor a Deputy Speaker is available to chair the Assembly’s plenary sittings and to carry out other functions that relate to plenary sittings. Although the situation has never arisen and may never arise, given this year’s swine flu pandemic, the prospect seems more possible. The Business Committee asked the Committee on Procedures to look into the issue in order to ensure that someone would always be available to take the Chair so that a plenary sitting would not have to be cancelled.



Standing Orders make provision for an Acting Speaker, who shall be the eldest Member of the Assembly, to take the Chair if the outgoing Speaker cannot take it at the first meeting after or during an election for a new Speaker. However, in the event of a serious health-related outbreak, the Committee on Procedures considered that the eldest Member would probably also be affected and, therefore, be the person least likely to be able to become a temporary Speaker. The Committee also considered the possibility of the eldest person present at the sitting's having been elected to the Assembly for the first time, which would be particularly relevant soon after an election, when the Member would be inexperienced in Assembly procedures and less likely to be able to chair proceedings effectively.

To reflect those issues, Standing Order 9A has been drafted so that the temporary Speaker will be the longest-serving Member present at the meeting. In the event of a tie in the length of time served, the oldest of the longest-serving Members present will become the temporary Speaker. The calculation of who is the longest-serving Member can be worked out in advance by examining the Roll of Membership. A common-sense interpretation of the term "longest-serving" suggests that periods in which the Assembly is suspended do not count towards the serving period.

Provision is also being made to ensure that a Minister or junior Minister cannot become a temporary Speaker, because that would constitute a conflict of interest and, in a particular sense, it would be very difficult to conduct Executive business if a Minister were to chair proceedings.

5.45 pm

These amendments do not affect the provisions governing the Acting Speaker at the first meeting of a new Assembly, who will continue to be the oldest Member. *[Interruption.]*

**Mr Deputy Speaker:** Order.

**The Chairperson of the Committee on Procedures:** However, proposed Standing Order 9A(2) covers the unlikely situation of the Assembly being unable to elect either a Speaker or a Deputy Speaker and the Acting Speaker not being available. In that case, sittings will be chaired by a temporary Speaker, whose role I defined a few moments ago, when, no doubt, Members were enthralled and listening carefully.

There are a few minor consequential amendments. The term "eldest member" is used in Standing Orders 3(2), 4(2) and 4(8). The Committee agreed that the word "eldest" is more appropriate for family members and that the word "oldest" is a more general term. Accordingly, the term "eldest member" is being changed to "oldest member", and the phrase "present

at the meeting" is being inserted into Standing Order 4(2) to ensure consistency with Standing Order 9A.

These are straightforward and easily understood amendments to help to ensure the smooth running of plenary meetings. I commend them thoroughly to the House, and I have no doubt that the House will agree with me.

**Mr Deputy Speaker:** I thank you for your clarity.

**Mr Brady:** Go raibh maith agat, a LeasCheann Comhairle. I will simply say that Lord Morrow has covered the matter very adequately. The debate about the oldest, longest-serving Member could actually exceed the time spent on the Department of Justice Bill today. I will leave it at that.

**Mr K Robinson:** I support the motion moved by Lord Morrow and thank the House for its patience. Given the length of the previous debate, some people probably think that this one is of a very minor nature. However, Members will realise that the Committee has tried to look at all eventualities. Should swine flu strike the House and, indeed, should it afflict the Speaker and the Deputy Speakers — the good Lord forbid — we have looked after you; Standing Orders will ensure that there is someone to conduct the business of the House whatever that might be.

**Mr O'Loan:** I also support the motions. Our only fear is that we might be regarded as being guilty of age discrimination in bringing the criterion of age into the matter. However, as the purpose of the selection criterion is to show due deference to old age and the wisdom that, hopefully, comes with it, I hope that we will be able to proceed without criticism or challenge.

**Mr Dallat:** On a point of order, Mr Deputy Speaker. Given this disturbing news, can Deputy Speakers be added to the list of those to be included in the swine flu vaccination programme?

**Mr Deputy Speaker:** You have left me speechless. After that intervention, some may wish that some Deputy Speakers will get swine flu.

**The Deputy Chairperson of the Committee on Procedures (Mr Storey):** I am disappointed that the Member for East Londonderry did not declare an interest as a Deputy Speaker when he made his interjection.

I thank the Members who have contributed, and I thank Lord Morrow for making a very simple situation abundantly clear to all of us in the House this evening. I think that we are clear about what is required.

**Mr I McCrea:** The suggestion was made that the selection criterion may be regarded as age discrimination. As one of the younger Members of the House — by quite a few years in some cases — I ask the Deputy Chairperson to detail how the Committee has dealt



with that point to ensure that younger Members are not being discriminated against.

**The Deputy Chairperson of the Committee on Procedures:** I have no difficulty in answering that question. My honourable friend from the Committee addressed that point when he spoke about giving deference to those of more senior years. Although the Member does not have much hair, I know that when there is more hair there may be more wisdom, and I am quite happy to give place to those in the House who have experience. The situation under discussion could arise quite easily, and Lord Morrow has explained the reasons why Standing Orders should be amended. I can add little else. Suffice it to say that, if the circumstances are such that someone is required to take the place of the Speaker or Deputy Speaker, we have made provision to allow that to happen, and wisdom should prevail.

**Mr Deputy Speaker:** Following that reference to your colleague Ian McCrea, I was expecting to hear the call “Hair, hair.”

Before I proceed to the Question, I remind Members that the motion requires cross-community support.

*Question put and agreed to.*

*Resolved (with cross-community support):*

Motion (a) After Standing Order 9 insert

“9A. TEMPORARY SPEAKER

(1) If neither the Speaker nor any Deputy Speaker is able to chair a sitting of the Assembly, the sitting shall be chaired by a temporary Speaker.

(2) Paragraph (1) does not apply in cases where Standing Order 3(2) or 4(2) applies. If the Acting Speaker under Standing Order 4(8) is unable to chair a sitting, the sitting shall be chaired by a temporary Speaker.

(3) The temporary Speaker shall be the member, present at the sitting, who has served the Assembly the longest number of days, and in the case of a tie, the oldest of the longest-serving members present. Ministers and junior Ministers are not eligible to be considered as temporary Speakers.”

*Resolved (with cross-community support):*

Motion (b): — In Standing Order 3(2) leave out “eldest member of the Assembly” and insert “oldest member present at the meeting”. — [*The Chairperson of the Committee on Procedures (Lord Morrow).*]

*Resolved (with cross-community support):*

Motion (c): — In Standing Order 4(2) leave out “eldest member of the Assembly” and insert “oldest member present at the meeting”. — [*The Chairperson of the Committee on Procedures (Lord Morrow).*]

*Resolved (with cross-community support):*

Motion (d): — In Standing Order 4(8) leave out “eldest member” and insert “oldest member”. — [*The Chairperson of the Committee on Procedures (Lord Morrow).*]

## PRIVATE MEMBERS’ BUSINESS

### Credit Unions

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

**Mr Butler:** I beg to move

That this Assembly recognises the important role of credit unions during these difficult economic times, especially for those on low incomes and dependent on benefits; and calls on the Minister of Enterprise, Trade and Investment to bring forward proposals to ensure that credit unions can provide the same range of financial products and services as their counterparts in Britain and the rest of the Ireland.

Go raibh maith agat, a LeasCheann Comhairle. Ar dtús, ba mhaith liom a rá go bhfuil mé iontach sásta cead a bheith agam labhairt sa díospóireacht seo. I declare an interest as a member of a credit union. I welcome today’s debate on credit unions, and I hope that the Assembly supports the motion regarding the important role that they play, particularly during these difficult economic times. Over the past 50 years, credit unions have been a safe and secure place in which to save and from which to borrow. Although credit unions have not been immune to the present economic climate, they have fared better than many other financial institutions. That is true of the credit unions in the North, in particular.

At a time of crisis in the British and Irish banking systems, when banks have written off millions of pounds in bad debts, credit unions in Ireland remain strong and well capitalised. In the North of Ireland, the credit union organisation has been sheltered from the exposure faced by many other financial institutions, and it remains a strong and credible institution where people can save and borrow money.

A recent survey commissioned by the Irish League of Credit Unions (ILCU) found that its members recognised the important role that credit unions play in communities across the country. The survey also flagged up a desire by its members to use credit unions for more than just saving and borrowing, and its findings showed that both members and non-members would use new credit union products and services if they were available.

Representatives of the Irish League of Credit Unions have said that the provision of new services

presents a real opportunity for the growth of the credit union movement. The ILCU has put in place a communications and technology strategy to meet the growing needs of members, which provides a means by which credit unions could deliver additional products and services if they were made available.

Today's motion follows on from a report on credit unions by the Committee for Enterprise, Trade and Investment in February. That report recommended that credit unions should be able to offer a range of financial services, including facilities to pay wages and benefits into accounts, and could improve uptake of government schemes such as child trust funds. I welcome the Committee's report and its recommendations, but the matter of credit unions being unable to offer a better range of services for their members has been an ongoing problem for many years. The credit union organisation has highlighted that issue and is understandably frustrated with the slow pace of progress on the matter. Indeed, in August, six months after the publication of the Committee's report, the Irish League of Credit Unions expressed concern that:

"a lack of legislative progress could see credit unions ... miss out on a generation of customers."

According to the ILCU, it could take "a long time" to bring about changes unless there is:

"a political imperative to drive the work forward".

Therefore, it is essential that, in an effort to tackle this issue and the wider problem of financial exclusion, credit unions are allowed to offer a greater range of services and products as soon as possible.

The Committee's report was brought to the House in February. We are still awaiting the implementation of its recommendations, and credit unions are missing out on opportunities such as tapping into the Government's child trust fund initiative. The uptake of that fund is much lower here than in Britain; it could be increased if credit unions were allowed to offer that service to their members. The Consumer Council estimates that approximately £11 million of child trust funds go unclaimed here. However, unlike in any other British region, credit unions here are prevented from providing that essential service, despite the fact that people in the North rely much more heavily on credit unions than people in Britain. In the interest of offering community access to key financial services at affordable rates, particularly in the present adverse financial conditions, the Minister should make this a priority. Credit unions will then be able to play their part in helping those who experience financial exclusion.

The credit union movement has been in existence here for almost 50 years, during which time it has reached out, in particular, to people from disadvantaged communities who have been financially excluded and are not familiar with the banking system. Credit unions

have assets in the region of £800 million and have been able to provide loans at reasonable rates and ensure that people, especially those from disadvantaged backgrounds, do not steer towards loan sharks who charge exorbitant rates. However, in recent times, due to the ongoing economic crisis, there is growing evidence that many people are resorting to high-cost doorstep lenders or loan sharks to obtain loans.

Paying people's wages and benefits directly into the credit union movement would encourage saving and help people to borrow responsibly and thus reduce the loan sharks' grip on the most vulnerable. Legislation to enable credit unions to extend their range of services would help to curb the number of loan sharks preying on vulnerable poor people.

6.00 pm

In the present economic climate, it has become increasingly difficult for people on low incomes and on benefits to obtain credit, and loan sharks target such people. The Committee's report, which was published in February, stated that the credit union movement in the North has not been able to provide the wide range of services that its counterparts in Britain and the South of Ireland have to offer. That disparity was the key issue that the Committee sought to investigate during its inquiry.

*(Mr Speaker in the Chair)*

The Minister and the Department have long recognised that many, particularly those on low incomes, look to the credit union movement as a prime source of affordable credit. I welcomed the Minister's comments during the debate on credit unions in February when she said that she regarded the credit union movement as part of the broader social economy sector. However, the Committee's report has confirmed that a widening gap exists between the range of products and services that can be delivered to members of credit unions in the North and those that are available to credit union members in Britain, and that issue must be addressed.

I hope that the Minister will respond to the issue of credit unions being able to expand their services to existing and new members, and also address the issue of the child trust fund.

**Dr McDonnell:** I beg to move the following amendment: Leave out all after "benefits;" and insert

"notes that the Assembly approved, on 17 February 2009, the report of the enterprise, trade and investment committee on its inquiry into the role and potential of credit unions in Northern Ireland; and further notes the work currently being undertaken by HM Treasury, the Financial Services Authority and DETI officials on the implementation of the recommendations contained in the HM Treasury report on the 'Review of the Legislative Framework for Credit Unions and Industrial and Provident Societies in Northern Ireland'."

I am glad to have the opportunity to discuss the role of credit unions and the good work that they do. As Mr Butler said, credit unions provide a vital financial lifeline in communities right across Northern Ireland, whether that is the Irish League of Credit Unions, the Ulster Federation of Credit Unions or the third, smaller group, and that is particularly true for people living in areas of multiple deprivation, who often suffer from financial exclusion and marginalisation. Those people cannot get credit from the large high-street banks, or they simply cannot afford to pay the excessive and crippling bank charges. Without access to credit unions, they are perfect prey for ruthless loan sharks who lurk around looking for opportunities.

For all those reasons and many more, which I do not wish to delay the House by going into, I commend thoroughly credit unions across Northern Ireland for the service and support that they provide to their communities. I have been told that 50% of our population is involved, one way or another, as members of credit unions. That shows the tremendous work that credit unions do. In the UK, the figure is between 1% and 2%. Those figures show how powerful and useful credit unions are to our community.

Put simply, credit unions are owned by the community and work for the communities in which they are based. However, credit unions in Northern Ireland operate under far more restrictions on the range of services that they can provide to the community compared to their counterparts in Great Britain or the Republic of Ireland, even though we have more members than anywhere else.

The detrimental impact of those unnecessary, unhelpful and obstructive restrictions was acknowledged in the report of the Committee for Enterprise, Trade and Investment when it was debated in the House some eight or nine months ago. The report made a series of recommendations to empower further those credit unions that wanted to improve, expand and develop their services.

The recommendations covered a wide range of issues, including that Northern Ireland credit unions should be able to provide at least the same range of services as those in Great Britain, and that they should be registered on the Department of Enterprise, Trade and Investment (DETI) companies registry. However, regulation should be carried out by the Financial Services Authority (FSA), which is a crucial point. Regulation by the FSA would allow credit unions to provide more enhanced services.

The Committee also recommended the establishment of an FSA office in Northern Ireland so that the FSA could have a hands-on approach; that development and delivery of training should be provided through close co-operation between the credit union movement and the FSA, supported by DETI; and that there should be a package of financial support from Her Majesty's

Treasury for training and investment in new technology and equipment.

There were recommendations to extend the Treasury growth fund to include all Northern Ireland credit unions and to open up membership of credit unions to include joint accounts or corporate accounts. The Committee felt that that was very important for organisations such as clubs, which could have simple, low-cost accounts, now that the banks are becoming more awkward and more expensive to deal with. That would only happen after the new regulations are put in place.

Last, but not least, the Committee recommended that the FSA work with the credit union movement to equip it with the skills and knowledge to successfully reinvest in community development and community enterprises.

I am astonished that a lot of this work seems to have been forgotten by the proposer of the motion and that the motion is relatively weak. A more robust motion is required, and I believe that the amendment is more robust and specific. However, there is also a requirement for the Minister to take the issue seriously, move it on robustly, and ensure that the credit union movement is not left behind.

The Committee's recommendations were further bolstered by those contained in the Treasury's 'Review of the legislative framework for the credit unions and industrial and provident societies in Northern Ireland', which was published in July. Those recommendations confirm the points made in the Committee's report some months earlier, though perhaps in a more loquacious way. Yet, despite fairly vigorous investigation on my part over a significant period, very little action or implementation of the project has taken place.

I remind the House that the review of credit unions has been ongoing for around 10 years. It has gone from the sublime to the ridiculous at this stage, because, quite simply, many credit unions — though not all of them — are prepared to take up the new challenges. Society needs them to take up those challenges, because too many people are dependent on the credit unions for the management of their financial affairs.

The central issue is that the UK Government are dragging their feet on FSA regulation and are leaving Northern Ireland credit unions in a state of paralysis and in a sort of no-man's land. It is my deep concern, and I know that it is a concern of the whole credit union movement, that, with an election looming, if a decision is not taken to proceed with FSA regulation of our credit unions urgently, that recommendation may never be implemented. It is the proposal of the Conservative Party that all those things should be regulated by the Bank of England. The Bank of England will be far too aloof and important to get involved with our credit unions. That scenario does not work in anybody's



interest at the local level here. I urge the Minister to do what she can to bring things forward.

It has also been said by the proposer of the motion that the Assembly should be calling on the Government to move rapidly on this issue and on the child trust fund issue as a matter of urgency before the coming election. Credit unions could manage child trust funds if they were permitted and regulated to do so, as well as government guarantee schemes and other issues.

There is an onus on all Members to protect and support credit unions and to call for swifter action from all concerned, including the Treasury, the FSA or DETI officials. Implementing the recommendations will further empower local credit unions to further empower local communities and to deliver a much more effective personal financial management system, especially, but not exclusively, for those in our community who are marginalised financially.

Every day, we hear that people are disconnected and disillusioned with politics. That is because they do not see politics delivering for them and benefiting their daily lives. On this small measure, it behoves the Assembly to take whatever steps are necessary to help people in their daily lives and to be seen to be significantly helping them in methods of financial management. Expanding the role of credit unions would directly and positively impact on all our local communities. We cannot stand idly by and allow our local credit unions and, by definition, our local communities to be sidelined any further.

I propose the amendment, because it provides a much more robust foundation to move forward on. Equally, I urge the Minister to do all in her power to ensure that the matter is resolved before an election. If responsibility for the issue is shoved to the Bank of England, it will never be resolved. Ten years is far too long to have the good people who volunteer to work in credit unions held to ransom just because of regulation. Let the credit unions loose, and let them do what they can. All our communities will benefit from that.

**The Chairperson of the Committee for Enterprise, Trade and Investment (Mr A Maginness):** Having become Chairperson of the Committee in July 2009, I am new to the issue of credit unions, but I am well enough acquainted with it to realise the considerable amount of work that the Committee and, to be fair, departmental officials, have done. Therefore, I note the motion with some disappointment. Although no party or any member of the Committee is prohibited from tabling a motion, I would have preferred a motion on the matter to have come collectively from the Committee. I urge the proposer and the seconder of the motion to adopt the amendment, which gives a broader range to the motion. As Dr McDonnell said, it makes the motion

more robust, and it is a much more comprehensive statement of the position relating to credit unions.

According to DETI figures, 50% of the Northern Ireland population are members of credit unions, compared with less than 2% in Britain. Therefore, a fairly substantial number of people are involved in credit unions in Northern Ireland, including me and, I am sure, other Members. Credit unions here hold assets totalling more than £800 million, compared with £500 million for the whole of Britain. That is an extraordinary figure. Despite that, as other Members pointed out, credit unions here can offer only three services, compared with 20 in the Republic of Ireland and 12 in Great Britain. Those services include ATMs, debit cards, mortgages, direct debits and involvement in government savings initiatives such as child trust fund vouchers.

Those ongoing issues prompted the Committee for Enterprise, Trade and Investment to undertake an inquiry into the role and potential of credit unions under its previous Chairperson, Mark Durkan MP. In February 2009, the Committee's report to the House recommended that credit unions should be regulated by the Financial Services Authority to allow them to expand their range of services.

The Treasury considered the report during its review of the legislative framework for credit unions and industrial and provident societies in Northern Ireland. The Committee accepted that it would be only after the publication of the Treasury report that the Department would be in a position to proceed with the Committee's findings.

*6.15 pm*

The Treasury's report of the review was published in July 2009, and it reflects the Committee's recommendations. At the Committee's meeting on 15 October 2009, departmental officials told members that the recommended consultation was imminent. However, the issue is not straightforward because these are complex legislative matters. Members questioned the officials in depth on the reasons for the delays in bringing forward the legislation. Officials stated that the Treasury was investigating how delays can be reduced. I accept their word on that and believe that they are attempting to progress the matter.

The Department informed the Committee that a project team has been set up, which reports to the Minister, Mrs Foster, and comprises senior officials from DETI, the Treasury and the FSA to ensure that the complex issues involved in the development of the required legislation are fully considered and resolved. Officials informed the Committee that the Department will be in a position to issue instructions to the Office of the Legislative Counsel by April 2010. The Department agreed to provide the Committee with



indicative timings on progress and on possible routes for legislation when the officials have a clear understanding of what those are. The Committee awaits that information and the Minister's proposals for bringing forward the appropriate legislation.

Everyone is frustrated about credit union reform. I am sure that the Minister, and DETI and Treasury officials, share that view. I hope that the united voice of the House will assist in bringing forward the legislative programme that is necessary for that long overdue reform.

**Mr Moutray:** I support the amendment. I am all too aware of the important role that credit unions are playing during these difficult economic times, especially for those who are on low incomes and those who are dependent on benefits. These are difficult times for everyone, and the House must continue to be prudent and to assist where possible.

Cross-community support has already been shown for the role that credit unions play. Furthermore, the Department of Enterprise, Trade and Investment, and Minister Foster, recognise the fact that local credit unions continue to be a prime source of affordable credit and are clearly continuing to take measures to safeguard and maintain that service.

As the House knows, the credit union movement has been a force for good in Northern Ireland. Throughout the difficult times, many people experienced much hardship. However, the long-established and widespread presence of the credit union movement has been crucial in helping to engender a strong culture of community self-help and in promoting financial inclusion, including tackling problem areas such as loan sharking. The fact that credit unions have almost £800 million in deposits is a testament to that. I am glad that the credit union movement has remained untainted, and its 430,000-odd members must take heart from that.

The Assembly discussed the issue of credit unions in detail on 17 February 2009, when the report of the Committee for Enterprise, Trade and Investment into the role and potential of credit unions in Northern Ireland was approved. There was much discussion about, and cross-party support for, the inquiry, and the Committee put much work and effort into producing logical and commonsensical recommendations.

Credit unions have had a place in Northern Ireland society for a long time. Our credit unions have differed in a major way from their counterparts in Great Britain, which were brought under the regulatory umbrella of the Financial Services Authority in 2002.

A gap clearly exists between the range of products and services that can be delivered to members of credit unions in Northern Ireland and those that are available in GB. However, the Assembly is aware that Northern

Ireland lags behind and recognises the importance of bridging that gap, given the fact that Northern Ireland's credit-union movement has a population penetration of 50% of adults, as opposed to 2% in GB.

I am not surprised at all that Sinn Féin has tabled the motion, even though Mr Butler and Ms McCann are more than aware that Her Majesty's Treasury, the Financial Services Authority and DETI officials continue to work on the implementation of the recommendations that are contained in Her Majesty's Treasury's 'Review of the legislative framework for the credit unions and industrial and provident societies in Northern Ireland'.

Ultimately, the review will bring Northern Ireland's credit unions into the scope of FSA regulations while leaving the legislative and registration function with DETI. That would assist in bringing about certainty on compensation arrangements for Northern Ireland's credit union members while giving the Northern Ireland Assembly continuing freedom to respond to the distinctive nature of credit unions. Additionally, regulation by the FSA would expand opportunities for financial education through participation in government schemes, such as the child trust fund and saving gateway.

In conclusion, I support the amendment. Work is needed in the area. However, I take the opportunity to commend the Minister and her officials for their continued efforts to bring about change.

**Mr McFarland:** Unfortunately, the debate illustrates perfectly how the limited amount of work that comes from the current Executive leads to unnecessary debates and damages the Assembly's integrity.

Sinn Féin's original motion completely ignores the Committee for Enterprise, Trade and Investment's inquiry and report into the role and potential of credit unions in Northern Ireland. It completely neglects the process that the report started and, indeed, the Minister's ongoing work in conjunction with Her Majesty's Treasury on the issue. It overlooks the fact that the Minister has assessed that a joint consultation document by the Treasury and DETI on credit union reform will be issued by the end of 2009 or in early 2010. I am starting to sound as though I have switched party.

Although it is hard to understand what Sinn Féin aimed to achieve when it tabled the motion, the debate has brought to the attention of the House the ongoing good work of credit unions. It gives the Assembly the opportunity to encourage the introduction of legislation in Northern Ireland and Great Britain to ensure that credit unions can provide the best possible service.

I was pleased that the Treasury agreed with the Committee's report and recommended the option for credit unions to remain registered in Northern Ireland while being regulated by the FSA. That will maintain the Department's good relationship with and knowledge of credit unions in Northern Ireland.

Although that approach may require primary legislation in Northern Ireland and potential amendments to existing GB legislation, it will benefit customers and future customers of credit unions in Northern Ireland. Credit unions are vital to local communities. It is crucial that local contact is maintained. The FSA will have a duty to get to know credit unions in Northern Ireland and how they work.

Allowing for credit unions to be regulated by the FSA will expand the range of financial products and services that they provide. That expansion of services will greatly benefit individuals, families and communities in Northern Ireland. However, that will also require significant training to ensure that existing credit unions can cope with service changes and, indeed, the higher level of regulation.

The Committee raised concerns that some smaller credit unions may not wish to expand the range of services that they offer. I reiterate the point that whatever settlement is agreed, lighter-touch regulation must be part of that agreement.

There is strong support for credit unions in Northern Ireland and real opportunities for their development. We are emerging from a period when speculative financial investment and high-risk banking have left the nation — many families — facing potential bankruptcy. Credit unions provide an opportunity for a more stable form of saving and investment, more localised management, and greater potential for doing good with our money.

I welcome the process that is ongoing. It is an example of an Assembly Committee doing good work and, hopefully, a Minister taking on that good work. I support the amendment.

**Mr Simpson:** I support the amendment. Indeed, there is no other logical thing to do. Although I agree that we should do what we can to help credit unions to develop and expand, the motion fails to recognise that action has already been taken to achieve that. The motion is, therefore, fundamentally flawed, at least in its timing. However, the amendment acknowledges that a great deal of important work has been done, and is being done, on the whole issue of credit unions in Northern Ireland.

In light of that work, it would be wrong — indeed, it would be downright foolish — to ask the Minister to bring forward separate proposals at this time. What good would that achieve? It would only muddy the waters and lead to a delay that none of us wants to see. I am confident that the House is united in its recognition of the important role of credit unions in Northern Ireland. I say that in spite of the fact that John Hume is regarded as the man behind the first credit union in Northern Ireland.

Today, credit unions fulfil a vital role among all sections of our society, from the Orange Hall to the parochial hall. Their local profile is confirmed when we look at the figures. There are more than 180 credit unions in Northern Ireland. Some 50% of the adult population are members, compared with just under 1% in England and Wales. Their role is now perhaps more important than ever in these days of loan sharks, etc.

It is clear that most credit unions would like to expand the range of services on offer to their members and, as the amendment makes clear, that option is already being actively pursued. The Committee for Enterprise, Trade and Investment's report on its inquiry into the role and potential of credit unions, which was approved by the House on 17 February, made a number of key recommendations. The FSA's independent review also made several recommendations.

It is generally accepted that the regulation of the sector should move from DETI to the Financial Services Authority, thus allowing it to develop and expand in a structured and managed way. That would have an impact on the amount of red tape, which would make life more difficult for the smaller credit unions in particular, but I am convinced that it is the only way to go. As I understand it, the proposed transfer is being actively pursued, but, like all things, it cannot be done overnight. Final decisions are being taken and then legislation needs to be passed, including at Westminster.

It is important to get it right. I take this opportunity to encourage the Minister and everyone involved in the process to do all within their power to move things forward as quickly as possible. I oppose the motion and wholeheartedly support the amendment.

**Mr McLaughlin:** Go raibh maith agat, a Cheann Comhairle. I support the motion. Members who are proposing or seconding the amendment have voiced their concern about Sinn Féin's motives, but it would have been very easy to come along and chat to us about it. I have listened carefully to the various contributors to the discussion, and I have not heard any explanation for the amendment. Indeed, there was a claim that the amendment actually strengthens the proposition.

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

**Mr McLaughlin:** If you do not mind, I would like to speak for a while. The Member had his opportunity to speak just a short moment ago.

The motion has the virtue of having an action point, taking account of work that has been accomplished, and I recognise and applaud that work.

6.30 pm

The amendment simply asks us to take note. There is an assumption in the use of the word "notes" that I find incredible. To put that in the form of an amendment

assumes that the Minister, who has shown a keen interest in the discussion as it has developed over past months and shown an ability to be innovative and creative, has not taken account of the reports, does not know what is in them, has not been informed by them and is not using them as source material for her engagement with Treasury. Instead of arming our Minister and letting the Assembly stand four-square behind her, if the amendment were made, she could say only that the Assembly has taken note of the reports. It is a most anaemic amendment, and I am surprised that it was selected. It changes nothing and simply reiterates what the Minister is already doing. I am convinced that the Minister, in her response, will not confirm, for the benefit of those who tabled the amendment, that she was unaware of the existence of those reports and that she will start reading them after the debate concludes. I am confident that she is fully informed about the content of the reports.

**Mr McFarland:** We are now scolded for not speaking to Sinn Féin. Did it not occur to the Members who tabled the motion to talk to their colleagues on the Committee? The Committee has had the Department and the Minister appear before it. We talked about the issue recently, as the Chairman said. Had the Sinn Féin members on the Committee come to speak to the rest of us, we would not be hearing the complaint that the Chairman is making against us all.

**Mr McLaughlin:** I anticipated the Member's point and have already answered it. It does not absolve of responsibility any of the proposers of the amendment, who colluded with one another to table it. I accept that that is their democratic right to do so, but no one thought it worthwhile to examine Sinn Féin's motivation. We support the Minister. We are giving her additional arguments and putting her into a position wherein she can say that the Assembly has conducted work to this point and has made it clear that it wants proposals introduced.

It will be a necessity not to depend on Treasury to interpret local conditions. There will have to be an engagement. Our front person on that will be the Minister, in order to ensure that those nuances and particular circumstances can be accommodated in any changes, either at legislative level or to the regulations that govern credit unions.

Moves made in other jurisdictions — in the South of Ireland and in Britain — are long overdue here. Everyone agrees that they are necessary and should be implemented. If Members were serious about doing that in the interests of the credit union movement, its clients and its members, they should take a much stronger stance than taking note of work that is already sitting on the shelf.

I do not expect Members to respond to that argument, but I challenge any of them to deny that the amendment weakens the original motion. The motion was well worthy of the Assembly's support. We should want to give the credit union movement the powers to do what we know they can do on behalf of the members of our community. Go raibh míle maith agat.

**Mr Shannon:** I support the amendment. I spoke about DETI's role in February's debate on credit unions. I know that DETI is working on the issue, and for that reason, I feel that the motion pre-empts work or a report of the work that has already been undertaken. It makes suppositions about what the report will tell the Assembly.

Some time ago, when my boys were small, I took the three of them down to join the credit union for two reasons. I wanted to support my local credit union in Greyabbey and to make them aware that it is a good idea to save money for a rainy day. Therefore, at an early stage, credit unions have played a part in our family. There is no doubt that the spirit of the motion is to ensure that our credit union members receive all the support they are entitled to. I have every confidence that that is something that both DETI and Her Majesty's Treasury will ensure takes place.

We are all aware in this chamber that the credit unions play a muckle ról in Northern Ireland wi' up tae a quarter o' the population in it's membership. It is clear that a report outlining the rôle in the Province was necessary especially takkin intae account the news o' the late matters wi' the Presbyterian Mutual Society, en the tarrbil mess that the members fund themselves in.

We are all aware that the credit unions play a huge rôle in Northern Ireland, with up to a quarter of the population holding membership. It is clear that a report on the rôle of credit unions in the Province was a necessity, especially taking into account the news of late issues within the Presbyterian Mutual Society and the horrific quagmire that its members have found themselves in. I was contacted by many constituents who were devastated by the news that most of their savings could be lost. That affected all members; from those who had £1,000, to those who had £10,000, to those who had £100,000. Potentially, members have a lot to lose if they cannot access that money. There should be protection on offer, and that is what the DETI report is seeking to highlight and address.

As other Members mentioned, many people in the Province are facing a tight Christmas and there is less disposable income in nearly every household. It is clear that there needs to be a safe venue for lending and saving money, and the fact is that the credit unions have a long and successful history in Northern Ireland.

In Northern Ireland, there are approximately 170 credit unions, and, as David Simpson said, they intersperse



and are for everyone, whether from the unionist community or the nationalist community. That contrasts with the UK mainland, where approximately 1% of the population are members of a credit union. GB is anxious to solidify and encourage growth in that sector.

The theme of the credit union is that it is a people's bank; it is run by ordinary people for ordinary people, and it does not make a profit. The success of credit unions in Northern Ireland has been attributed to their promotion by established community groups and religious organisations and their "by the community for the community" ethos.

Credit unions in Northern Ireland are governed by one primary piece of legislation and four subordinate pieces of legislation. I know that DETI, and the Minister in particular, is aware of the difference in legislation that limits credit unions in the Province. I have every confidence that they will address that and come up with the best legislation to suit savers and borrowers in the Province. It is not necessary to have in place exactly the same legislation as is operating throughout the rest of the UK. We have to look at it all and make a decision.

Northern Ireland's credit unions receive no government funding. However, credit unions in the rest of the UK have access to a £36 million growth fund for third sector lenders. In 2007-08, that fund was bolstered by a further £6 million. In its recent paper on financial inclusion, the Treasury Select Committee recognised the important role played by third sector lenders in promoting financial inclusion. It made recommendations that were designed to increase the coverage and capacity of third sector lenders. However, none of those recommendations applies to Northern Ireland. Therefore, change and growth is needed, especially as the Province has such large support for credit unions.

I am aware that some credit unions have already begun to make changes to their policies; for example, members are no longer able to borrow three times the amount of their savings, up to a maximum of £10,000, but, instead, can borrow a maximum of £7,000. That ensures that people can better afford to pay back what they borrow, which adds more security to the process. Bangor Credit Union is one example where they are doing just that.

**Mr Speaker:** Will the Member bring his remarks to a close?

**Mr Shannon:** A huge amount of research and work is being done to bring about the changes which are so greatly needed at this time. I urge Members to support the amendment, not the original motion.

**Mr Dallat:** In common with other Members, I declare an interest. I am the treasurer of Kilrea, Rasharkin and Dunloy Credit Union. At one stage, that was quite an onerous task, given the robberies that

happened on a frequent basis. However, today, it is an absolute pleasure and joy to be associated with the credit union, and that is why I find that a very difficult post to give up.

Increasingly, I come across people who are not members of a credit union and who have gotten into serious debt through credit cards, loan sharks and other lenders that have been mentioned by Members.

I support the amendment for several very positive reasons. The motion suggests that credit unions in Northern Ireland should be able to offer the same range of services as are offered in Britain and the rest of Ireland. However, Members need to be aware that the range of services offered in Scotland and Wales is considerably different from those offered in England, and, as has been mentioned, credit unions in the Republic of Ireland offer a very large range of services.

I hope that the Minister is listening carefully when I say that the credit unions here do not receive any financial support from government or from the European Union. That restricts many credit unions from reaching out to people who are not already members.

Of course, tens of thousands of people here are not members of credit unions, and many of them are the victims of loan sharks, which is an issue that I referred to earlier. Certain financial incentives that are available in Wales and Scotland have enabled field officers who are employed by credit unions to go into communities to help victims of loan sharks, and we need to encourage more of that kind of activity here. Smaller credit unions do not have the additional resources to do that.

Debt counselling and advice on money management are essential to enable people to avoid debt problems, which are listed as the key components in many family break-ups. In fact, more family break-ups occur because of financial problems than anything else.

Larger credit unions can help the victims of loan sharks, and they should also strive to reach out to non-members. I dare say that a few credit unions choose to be little more than savings clubs, and they need to be encouraged to change.

In these dreadful times, it is important to rediscover the history of the credit unions and why they were set up in the first place. If we do that, we are more likely to put in place the proper legislation to ensure that those wonderful institutions are maximised to their full extent.

Members may know that the movement was founded in Germany by two Presbyterian clergymen who were alarmed at the level of poverty among their congregation and the abuse suffered at the hands of moneylenders and loan sharks. The movement then spread to Newfoundland in Canada where fishermen were exploited by gombeen-men who owned the boats



and prevented them from being independent. However, through the establishment of the credit union movement there, people were saved from that exploitation.

The movement came here in the late 1950s, and God knows things were not easy at that time. Indeed, credit unions were the only place where working class people got loans. Today, the movement exists pretty much everywhere. However, I again emphasise that there are places where credit unions do not exist, and we need to address that. Never was there a greater time to establish and expand the credit union movement. By doing so, we will save tens of thousands of people, who are at the margins of existence, from the clutches of the people who exploit them.

Credit unions offer death insurance, which is a product that no one wants to qualify for, but which provides reassurance, particularly for older people who worry about dying in debt.

I want to finish on positive note by paying tribute to the officers in the Department of Enterprise, Trade and Investment who ensure that credit union movements maintain the highest standards of service and the least possible risk of fraud. I sincerely hope that the Minister conveys that to those officers, because they work in an extremely professional way without any notion of getting praise for it. That is why the credit union movement in Northern Ireland is not in the serious trouble that other financial institutions have got themselves into.

**Mr Burns:** I declare an interest as a member of a credit union. I was a member of a credit union study group that started in 1988, and last Friday night, I attended its twenty-first AGM. That credit union now has £4 million in savings and £2.5 million in loans. I know that that may be considered a small credit union, but the people of that community take great pride in it.

If I remember correctly, most members who contributed today also spoke during the debate in February on the report on the inquiry into the role and potential of credit unions in Northern Ireland. A lot was said was during that debate and many of the key points have been made again today. Much has already been said, and I do not want to repeat the contributions of other Members.

Credit unions, as Jim Shannon said, are popular among ordinary people, who view them as an organisation that they can trust. At the moment, banks and big businesses have very few fans among ordinary people. Billions of pounds have been pumped into some of the most unstable banks, for which the taxpayer will eventually have to pay. Those banks have taken far too many risks and have been reckless and greedy in chasing profit. Banks have got themselves into big trouble with their attitudes and have done real damage to the whole economy.

6.45 pm

The difference between banks and credit unions is that the latter have sensible and responsible lending policies and are owned and controlled by their members. Credit unions are controlled by a voluntary board of directors: there are no fat cats on credit union boards of directors. Credit unions are standing strong today and are an example to the banks.

I want to see credit unions grow and offer more services similar to those offered by credit unions in Britain and the South of Ireland. I am not suggesting that they should become high street banks, but they certainly have much more to offer. I want credit unions to be able to provide some of the new services that they desperately want to provide, such as internet banking, cash machines and the ability to accept clubs as members and give them sensible loans.

If we are to promote a savings culture, credit unions should also be involved in government savings plans. If credit unions in Britain can do so, credit unions here should be able to do the same. I am sure that if credit unions here offered such services, there would be a high level of uptake. It would open up banking facilities to a lot of people who might not otherwise have access to them. Credit unions do a lot to reach out and help the most vulnerable in our society. If they want to do more, they should be encouraged to do so.

The Assembly welcomed the Enterprise, Trade and Investment Committee's report into credit unions in February. Behind the scenes, a lot of work has been taking place to implement the report's recommendations. The amendment strengthens the motion, and I encourage all Members to support it.

**The Minister of Enterprise, Trade and Investment (Mrs Foster):** I thank Members for their positive comments about the very important role and contribution of the credit union movement in Northern Ireland, which I wholeheartedly endorse.

I want to update Members on the progress to allow credit unions to expand their services to match those available in the rest of Great Britain and the Republic of Ireland, with the added assurance that savings will have the same level of protection as that enjoyed by credit unions elsewhere in the United Kingdom.

The Department has long recognised that for many members of society, particularly those on a low income, neighbourhood credit unions are the prime source of affordable credit. The long-established and widespread presence of the credit union movement in Northern Ireland has been crucial in helping to engender a strong culture of community self-help and to promote financial inclusion, including the tackling of problems such as loan sharks, which many Members mentioned. Mr Dallat asked me a number of questions about European Union funding and allowing people to deal

with loan sharks. That is something that we want to look at, because some of the smaller credit unions have already raised the issue of financial capabilities when they come under the remit of the Financial Services Authority. Therefore, there are issues about providing capacity as well as doing outreach work against loan sharks.

Credit unions are an integral part of the broader social economy sector, and the proposer of the motion, Mr Butler, recognised that I already made that comment. The credit union movement's contribution was assessed as part of the Department's baseline survey of social economy enterprises in 2007. As has been mentioned, there are 180 credit unions in Northern Ireland, and the representative body for the wider social economy sector, the Social Economy Network, continues to strengthen its links with the movement and has helped to give many credit unions the opportunity to publish their services to a wider audience of potential members. That is something positive that the credit union movement has been able to take from the social enterprise network.

During the debate, I have heard that credit unions have had a special place in Northern Ireland's society for a long time. However, Members are aware that our credit unions have been very different from their counterparts in Great Britain since 2002, when they were brought under the regulatory umbrella of the Financial Services Authority. Historically, registration and regulatory responsibility for credit unions has been a transferred matter, and legislation was introduced in Northern Ireland in 1969 to enable credit unions to acquire corporate legal status and to create the trusted brand image that the movement enjoys today. That brand image is underpinned by the fact that over 90% of credit union members belong to a credit union that is affiliated to one of the two main representative bodies, the Irish League of Credit Unions and the Ulster Federation of Credit Unions, which both operate a membership-funded savings protection scheme that is of great value to them. However, there are other independent, unaffiliated credit unions as well.

The present legislative framework worked well during the decades when the movement developed and spread across Northern Ireland. Most of that early development related to membership numbers. However, more recently, it has focused on the scale of funds that are managed, to the point where today it has £775 million of savings and loans to members totalling £516 million. Members referred to the Committee for Enterprise, Trade and Investment's report on the role and potential of credit unions in Northern Ireland, which was approved by Members during the previous Assembly mandate. That report was good, and it highlighted the Committee's good work; I know that the Committee worked hard with officials on the issues that are raised therein.

I thank Mr Dallat for his comments about the departmental officials. I know that they work extremely hard on that area and have an excellent relationship with the credit unions. That was reflected in the Committee's report with the decision that registration will remain here. The Committee wants it to stay here to facilitate that local link-in with the Department. I accepted the report's conclusion that the range of financial products and services that Northern Ireland credit unions offer are lagging behind those of their counterparts in Great Britain even though the Northern Ireland movement has been established longer and, as we have heard, has an adult population penetration of 50% as opposed to 2% in Great Britain.

That is why I am a little confused by today's motion, which tasks me to introduce proposals to ensure that credit unions can provide the same range of financial products and services. Frankly, I thought that I had already done that when I endorsed the Committee's report, particularly its first recommendation, which asked me to permit the Northern Ireland credit unions to expand their range of services to include, at the very least, the services that credit unions in GB currently offer. I have already endorsed that, so I am a wee bit confused about the reason for the motion. I hope that the Members opposite understand that confusion.

**Mr McLaughlin:** Given what the Minister has said, is she more comfortable with the amendment, which simply asks her to note the reports?

**The Minister of Enterprise, Trade and Investment:** I have already noted the reports as well. Therefore, I can live with the amendment. I am simply making a comment; the House decides how to vote on motions. I am simply making the point that I have endorsed the recommendations and, therefore, to a certain extent have brought forward the Committee's proposals. I want to push on with those proposals.

Dr McDonnell mentioned the important issue of the legislation. That issue causes me concern. We are working hard with the Treasury and pushing it to introduce the legislation. However, I remind Members that, although they may want to pressurise me into introducing legislation, we need HM Treasury's input first. Nothing else can proceed without it. That frustrates me greatly, but that is the situation in which we find ourselves.

I take on board the points that were rightly made on that matter, given the upcoming general election next year. I intend to make Minister-to-Minister contact, and my officials have been working with the Treasury on the matter. Members can take from the debate that we have pushed the Treasury for a meeting, but I believe that we need to push even further, bearing in mind that if the Conservative Party wins the general

election, it will want regulation to come from the Bank of England.

**Mr Durkan:** The Financial Services Bill, which was announced in the Queen's speech, will cover all the issues that were included in the White Paper that was published on 8 July 2009 and in the legislative framework document for credit unions here. Given that context, does the Minister recognise that the credit union movement here will be very frustrated if everything else that is published that day is legislated for, with the exception of provisions in Northern Ireland? We will have to pass a legislative consent motion for at least two aspects of the Financial Services Bill. Given that, could we not at least try to include a third element that deals with credit unions?

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

**Investment:** I hear clearly what the Member is saying, and I will discuss that with officials after the debate. I want to send a clear message that, regardless of what side of the debate Members are on, we will pursue the matter as vigorously as we possibly can. Consequently, if there is a way through, we will not have to wait until after the general election and we can achieve our objective quickly.

I want to give that assurance to Members. The general election will have consequences for the Assembly, and we all know that our mandate to introduce legislation ends in mid-2011. People, particularly those who are involved in credit unions, will be disappointed if progress on legislation is delayed. I will not go through all the legislation that has to be passed here and in Westminster, suffice it to say that quite a few complex pieces of legislation are involved. However, I hope that Members will accept my undertaking that I will pursue the matter with the Treasury.

We had agreed that we would have joint Treasury and departmental consultation. I had hoped that that would happen before December, but it is now more likely to happen in January. In any event, it has to take place. Members may be frustrated by that, but in this place, consultation on such matters is obligatory, and it will allow us to put the proper legislation in place here.

In the meantime, my Department will, through the Registry of Companies, Credit Unions and Industrial and Provident Societies, continue to work closely with the representative organisations and the credit union movement in general to help those credit unions that wish to enhance their range of services within the current legislative framework, be it paying in benefits and pensions directly, paying out moneys and bills by debit card and PayPoint, or the introduction of a fully fledged current account service, as was launched recently by Newry Credit Union in partnership with the Co-Operative Bank.

It is important to remember that many credit unions may have difficulties with the regulations, as Mr McFarland and others pointed out. We must be cognisant of that and of the need to help credit unions through the regulations. Some may wish to continue with what they are doing at present; they may not wish to establish child trust funds, for example, which other credit unions are keen to introduce.

Mr Dallat talked about the history of the credit unions, but the provision of its core services made it possible for the credit union movement to make such a significant contribution to the financial inclusiveness of Northern Ireland society over the past five decades. There is no doubt that those core services will continue to be the mainstay of the credit union movement in the future. I recognise that others want to do more.

I hope that I have been able to clarify matters a little. I have given the undertaking that I will get in touch with the Treasury about the fundamental issues that have been raised where legislation is concerned. I thank Members for debating the issue in such a thoughtful way.

7.00 pm

**Mr Neeson:** As a member of the Committee for Enterprise, Trade and Investment, I assure the House that the issue of credit unions has been and continues to be of major importance to us. It is not only the credit unions that are important to the Committee; it has discussed the problems that the Presbyterian Mutual Society faces.

The Assembly accepted the Committee's lengthy report in February 2009. That inquiry was set up to examine the role of credit unions in the communities that they serve, to identify the barriers that prevent credit unions from offering a wider range of services, and to consider how to unlock the potential to allow credit unions to expand their range of services and to support them in so doing. In its report, the Committee made eight important recommendations. We recognised that the Financial Services Authority, along with the Department of Enterprise, Trade and Investment, has an important role to play, particularly in relation to regulations. The amendment recognises the role that the Committee for Enterprise, Trade and Investment is playing in bringing about change. The Finance Services Bill, to which the Minister referred, will play a major role in moving the issues forward.

I refer Members to the report. The Minister mentioned the first recommendation, but I think that two others are important. The report states:

"It is recommended that both DETI and the FSA work with the credit union movement to develop and implement training programmes to provide credit union staff with the knowledge and skills to operate the new regulatory arrangements and to operate additional services which credit unions are permitted to provide."



A second recommendation that is worth noting states:

"In order to bring Northern Ireland into line with funding already available to credit unions in GB, it is recommended that the Growth Fund, and any future such funding, be extended to include credit unions here."

The report was the result of a realistic inquiry into how credit unions operate in Northern Ireland. It recognised the issues facing credit unions here, and it recommended that their services be extended.

I find it difficult to understand why the original motion was tabled, bearing in mind that Mr Butler is a member of the Committee for Enterprise, Trade and Investment. He recognises, or he should recognise, the work that the Committee has done and continues to do on the issue. In his opening remarks, Mr Butler highlighted rightly the importance of credit unions in difficult economic times, and Stephen Moutray also mentioned that. Mr Butler and other Members highlighted the major problem of people resorting to using loan sharks. That is a big issue. It is a huge problem across Northern Ireland, and it is a big issue in my constituency.

Dr McDonnell referred to the fact that 50% of our population is involved in credit unions. The Committee Chairperson urged the proposer of the motion to consider the amendment, and I join him in doing so. It would be helpful to all involved if there were no vote and if the amendment were accepted. I urge the proposers of the motion to consider that. Alan McFarland mentioned that it is important that credit unions provide the best service possible. David Simpson said that credit unions are used by all communities in Northern Ireland.

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

**Mr Neeson:** Mr Simpson said that they are used by everyone:

"from the Orange hall to the parochial hall."

I urge Members to accept the amendment.

**Mr P Maskey:** Go raibh maith agat, a Cheann Comhairle. I declare an interest as a member of a credit union. I have used a credit union for many years, mainly as a borrower rather than a saver, and I have found it very useful and beneficial. A Cheann Comhairle, my party colleagues Paul Butler and Jennifer McCann tabled the motion — Jennifer cannot be here today — in an attempt to bring a resolution to the issue as soon as possible.

Sean Neeson expressed surprise that Paul Butler brought the motion to the House, given that he is a member of the Committee for Enterprise, Trade and Investment. He also suggested that Paul Butler did not thank the Committee or recognise its hard work. I ask Sean Neeson to review the Hansard report of today's

debate. Paul Butler recognised the hard work of the Committee and departmental officials. If the Member checks the Official Report in the morning, it will be proven that he raised a non-issue.

In moving the amendment, Alasdair McDonnell commended credit unions and said that they are used by up to 50% of people here. He spoke about the recommendations of the Committee for Enterprise, Trade and Investment's report, and, importantly, he stated that that report has been with us for quite a while. Is that not a reason to support the original motion? The motion calls for proposals to be brought forward, but the amendment merely notes the work being undertaken. As a member of a credit union, I am very disappointed in the responses of Alasdair McDonnell and other Members on that issue, because I would have liked the proposals to have been brought forward much sooner.

Jim Shannon said that he brought his sons along to a credit union for them to become members. When I was 16, my mother brought me to a credit union in the hope that it would help me to save. The amendment would prevent many more people from joining a credit union, because it will delay the bringing forward of the proposals. Mitchel McLaughlin outlined how calling on the Minister to bring forward the proposals would enable her to lobby more strongly at the Treasury. That would be more effective than the outcome of the debate being a mere notation by the Assembly.

**The Minister of Enterprise, Trade and Investment:** I have already endorsed the proposals that the Committee sent to me, and we have forwarded those to the Treasury. We must try to get the Treasury to act on those proposals and legislate so that we can take the necessary steps. We in the House are not dallying on the issue. I intend to take the matter up with the Treasury again.

**Mr P Maskey:** I appreciate that, and that is all the more reason to support the motion. If the motion is passed, the Minister can go the Treasury backed by more than a mere notation from the Assembly. It will create a greater sense of urgency if the Minister is able to tell the Treasury that the Assembly called for the proposals to be brought forward. The Minister will be given much greater leverage if the motion is endorsed.

Alban Maginness said that he was disappointed in the motion and would have preferred an all-party motion. However, as has been pointed out, no one asked our party to support an all-party motion or to change our motion. Neither Alban nor anyone else did that, so Sinn Féin will not be lectured about its motion by Alban Maginness.

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



**Mr P Maskey:** No; I have only 10 minutes in which to speak. I know that you are the Chairperson of the Committee, but I will not give way.

We will not take criticism from Alban Maginness or anyone else. Our party has taken the initiative and tabled the motion in an attempt to see the proposals brought forward as soon as possible.

Stephen Moutray said that credit unions have cross-party support, which is correct. That is exactly how it should be. He also mentioned the Committee for Enterprise, Trade and Investment's inquiry but said that there was still no movement on the matter. That is all the more reason why Members should support our motion. That theme ran through the speeches of all Members who opposed our motion and supported the amendment.

Alan McFarland said that the debate was unnecessary. However, he said that only because Sinn Féin used its initiative in tabling it, whereas the Ulster Unionist Party and every other party in this House did not have the initiative to do so.

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

**Mr P Maskey:** No.

No other party used its initiative to push for proposals to expand credit unions' services to be made as quickly as possible.

David Simpson said that the motion was flawed; that was another theme. He said that the motion would lead to a delay, but how can calling for proposals lead to a delay? Mr Simpson's support for the amendment means that it is he who is calling for more delays. That has to be stated clearly.

Mitchel McLaughlin said that the motion has an action point, which is precisely what is missing from the amendment. There are no action points in the amendment; it merely calls for notation. Mitchel said that, if the motion were passed, the Minister could act with the consent of the Assembly. The amendment fails to provide that.

John Dallat declared an interest and spoke about restrictions on credit unions. He said that those restrictions mean that thousands of people cannot be members, which puts them in the way of loan sharks, who were another common theme. Nobody could disagree with that sentiment. I often find myself repeating what other Members said. My mother brought me to the credit union, and I brought my children to the credit union in the hope that they could become members. However, the present restrictions do not allow that to happen.

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

**Mr P Maskey:** No.

Thomas Burns also declared an interest. He said that credit unions have supported communities. He also expressed concern about the banks, which have got us all into trouble. That is why I, as a member of a credit union, have more pride in credit unions than in banks, because the banking system has failed us all greatly. It has got us into deep economic trouble, not only here in Ireland but throughout the world. That is why I support credit unions at every level.

I was disappointed with the Minister, who started by saying that she was going to update us on progress on proposals. However, despite listening intently to her 11-and-a-half-minute speech, I heard nothing about any progress reports. I heard some stuff —

**The Minister of Enterprise, Trade and Investment:** Will the Member give way?

**Mr P Maskey:** No; I need to get through my speech, and I have already refused other Members. I listened intently to the Minister's speech, but perhaps I did not listen intently enough. I will check the Hansard report tomorrow —

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

**Mr P Maskey:** No. Those are some of the issues that we have to address.

The Minister said that we lag behind other regions, but supporting the motion would allow us to catch up with them. Importantly, there is still no time frame. The Minister said that the British Government could change next year and that a Conservative Government would rather lay matters with the Bank of England. If our motion is supported, and I urge other Members and parties to —

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

**Mr P Maskey:** No. I urge other parties to look at the motion again and support it because it would allow the Minister to go to the Treasury and others, lobby hard and say that she has the support of the House in doing so.

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

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

*Resolved:*

That this Assembly recognises the important role of credit unions during these difficult economic times, especially for those on low incomes and dependent on benefits; notes that the Assembly approved, on 17 February 2009, the report of the Enterprise, Trade and Investment Committee on its Inquiry into the Role and Potential of Credit Unions in Northern Ireland; and further notes the work currently being undertaken by HM Treasury, the Financial Services Authority and DETI officials on the implementation of the recommendations contained in the HM Treasury report on the 'Review of the Legislative Framework for Credit Unions and Industrial and Provident Societies in Northern Ireland'.

7.15 pm

## PRIVATE MEMBERS' BUSINESS

### Double-jobbing

**Mr 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 the motion and 10 minutes in which to make a winding-up speech. One amendment has been selected and published on the Marshalled List. The proposer of the amendment will have 10 minutes in which to propose the amendment and five minutes in which to make a winding-up speech. All other Members who are called will have five minutes in which to speak.

**Mr McNarry:** I beg to move

That this Assembly notes the recommendations of the Committee on Standards in Public Life, 'Supporting Parliament, Safeguarding the Taxpayer'; calls on all political parties within the Assembly to commit to an end to 'double-jobbing' by the next Assembly election in 2011 to protect the integrity of the Northern Ireland Assembly; and further calls on the First Minister and deputy First Minister to convey the opinion of the Assembly on this matter to the Prime Minister and the Leader of the Opposition.

The Committee on Standards in Public Life could not have been more scathing when it reported that, as a standard in public life, double-jobbing is not acceptable. Does the Assembly not find favour with that recommendation? Surely we can agree that double-jobbing falls short as a standard in public life and that it is not acceptable here, in this place. Shall we stand with public opinion, or will we vote with the double-jobbing protection league? Who will join us in ending it today, and who will put their seats in jeopardy by hanging on until 2015?

Each year, a wasteful cost of £4.7 million can be attributed to the 16 of our number who double-job. That is simply not acceptable; it cannot be tolerated, justified or allowed to continue. The practice betrays the dignity and integrity of the Assembly. However, until today, no one has spoken up for the Assembly's dignity and integrity by calling for double-jobbing to be ended — ended, that is, by MLAs, not by MPs. The practice must end not because of the Kelly report, but because we in this Assembly, by our own standards and self-determination, want to put an end to it.

The public outcry against double-jobbing sits up there with the distasteful revelations about mortgage payments, family members on the payroll, restaurant bills, furniture, televisions, moats, duck houses etc. Not only is an entire chapter — chapter 12 — of Sir Christopher Kelly's recent report dedicated to Northern

Ireland, but a significant part of it is devoted to double-jobbing, culminating in recommendation 40:

"The practice of permitting a Westminster MP simultaneously to sit in a devolved legislature should be brought to an end, ideally by the time of the elections to the three devolved legislatures scheduled for May 2011."

Some Members will latch on to the word "ideally" because, ideally, it suits them to go beyond 2011. However, there is no mention in the recommendation of any date other than May 2011.

In paragraph 12.20, Kelly unequivocally states:

"the Committee questions whether it is possible to sit in two national legislatures simultaneously and do justice to both roles, particularly if the MP concerned holds a ministerial position in one of them."

Once again, Kelly recommends May 2011, which is the date that the Assembly should adopt.

Even letters to the local press put the matter succinctly. One local correspondent said:

"Parliament and the political process have been brought into disrepute by the perception that the most of our political representatives are on the make. Now is the time for decisive action — anything less is hypocrisy."

The same writer's challenge could not be clearer. He or she said:

"If Peter Robinson and the DUP, as well as the other parties, want to be taken seriously, they should unequivocally state when their MP/MLA/Cllrs are going to opt for one job only."

The public have brought us to the core of the matter. The issue involves the integrity of the Assembly and the credibility of our politics in general; otherwise, people will conclude that the double-jobbers are reluctant to give up their multiple salaries and their perks. In the real world in which unemployment has doubled and many people are worried about whether they can hold onto their job, including many public servants who feel that their jobs are under threat from the very politicians who are not content with just one job, you cannot dismiss a public opinion that considers double-jobbing as nothing more than a cabal of greedy and self-interested politicians on the make.

The Northern Ireland Assembly is a devolved institution with devolved powers derived from the sovereign Parliament at Westminster. It is the Assembly, not the Executive, that relates to the Westminster Parliament. The Executive, headed by a First Minister, relate to the Westminster Government, not to the Parliament. It is the Westminster Government and not the Parliament to which the First Minister needs to relate; if he has issues, he can raise them formally with the Government in London. That is his constitutional role and position. There is no good reason why a First Minister needs to sit in Parliament and condemn his or her constituents to the services of a part-time MP. The same goes for the Finance Minister.

**Mr P Robinson:** Will the Member give way?

**Mr McNarry:** Like the First Minister —

**Mr P Robinson:** Will the Member give way?

**Mr McNarry:** He can meet the Government across the table and does not need to sit on the green Benches as a part-time MP to do that.

**Mr P Robinson:** Is he afraid to give way?

**Mr McNarry:** If, as the DUP would argue, double-jobbing is wrong after 2015, which is the natural conclusion to be drawn from its decision to hold out until that date, it is just as wrong in 2011 or, for that matter, now, in 2009. If it is wrong, there is no logical reason for it to continue for one day longer. Did I not hear Mr Robinson on the BBC last week let it out of the bag that holding on until 2015 had really nothing to do with his antipathy or otherwise towards double-jobbing but all to do with a shortage of DUP talent, meaning that the double-jobbers — all nine of them — were the best that he had and the rest of the party's MLAs were simply not good enough? If that is the case — I suspect that Mr Robinson may regret exposing his dead wood in that way and, indeed, may doubly regret telling us that the 'X Factor' nine are the best of his bad bunch — we have the real reason for its cop-out amendment. The DUP does not have the depth of candidates to fight in two elections. It cannot afford to have double-jobbing removed, fearing it will lose its seats. I have some news for its members — *[Interruption.]*

**Mr Speaker:** Order. Allow the Member to continue.

**Mr McNarry:** I have some news for them: they are losing their seats, double-jobbing or not. *[Interruption.]*

**Mr Speaker:** Order.

**Mr McNarry:** Let me repeat it: they are losing their seats, double-jobbing or not. Let us have a decision today: no more part-time MPs, no more part-time MLAs and no more part-time Ministers. Today, the House either says no to double-jobbing or it disconnects itself from public opinion. That is why we propose this motion at this time, and I commend it to the House.

**Mr Wells:** I beg to move the following amendment: Leave out all after the second 'Assembly;' and insert

"and Parliament to commit to an end to "double-jobbing", including private sector employment, ideally by the time of the scheduled election in May 2011 or, failing that, by 2015 at the latest; and further calls on the First Minister and deputy First Minister to convey the opinion of the Assembly on this matter to the Prime Minister and the Leader of the Opposition."

We have listened with incredulity to what Mr McNarry has been saying. I note also that he was afraid, on several occasions, to give way, such was the strength of his argument.

Whom did the Ulster Unionists bring to their party conference to lecture us, the elected representatives of

Northern Ireland, on the issue of double-jobbing? They brought Mr William Hague MP. Of course, he is the ideal candidate. That poor young man —

**Mr McNarry:** On a point of order, Mr Speaker. Will you inform the House what constituency William Hague represents as an MLA?

**Mr Speaker:** That is certainly not a point of order.

**Mr Wells:** Mr Hague represents the north Yorkshire constituency of Richmond, but he also represents the William Hague benevolent fund extremely well. Is he some poverty-stricken MP cocooned in his constituency, from which he travels out only on occasions to represent his people in Westminster? He is not. Does he throw aside all offers of extra income, such as speaking tours and directorships? Does he turn down helicopter rides? No, he does not. Members will find that he is the last person who should have been lecturing us, the elected representatives of Northern Ireland.

Let us look at some of Mr Hague's extra-curricular activities.

**Mr Campbell:** Do not read out them all.

**Mr Wells:** I cannot read out them all, because I am confined to 10 minutes. He is the parliamentary adviser to JCB, for which he receives £45,000 a year. I suspect that that constitutes a bit of gold-digging. He is also a member of the political council of Terra Firma Capital Partners Ltd, for which he receives £65,000 a year, and he made six speeches in February and March 2005 for Artemis Investment Management. *[Interruption.]*

**Mr Speaker:** Order. The Member is entitled to be heard. May I also say that Members should keep to the motion and the amendment as far as is possible? Mr Wells, you may continue.

**Mr Wells:** My comments are relevant. It is also relevant to inform the House that William Hague wrote articles for the 'News of the World' for a fee of £95,000, made a speech for Fujitsu in the honourable Member's Strangford constituency for a mere £10,000 and made a speech to the Landmark Group for £15,000. In 2004, Mr Hague, this champion of single-jobbing, made £385,000 from speeches. In that year, he also made £110,000 from two directorships and £190,000 for newspaper columns. That is a total of £685,000. His total earnings for 2004 were £800,000. Of course, he does not approve of double-jobbing.

In the same year, his colleague David Cameron, who, at that time, was not the leader of the party, made a cool £1.7 million. He is the party leader who is threatening to change the law on this issue. He made only £1.7 million. The earnings of any Member of this House pale into insignificance compared with that.



Since William Hague left his position as Leader of the Opposition, he has made £3 million outside his parliamentary pay. He has always featured in the top 10 earners, and he has often been number one.

The hypocrisy of the motion extends not only to the Conservative Party; the Ulster Unionist Party cannot give us lectures on the issue either. I am one of the old-timers in this place. I have been around for far longer than most. In fact, I was around here before some Members were even born. I was elected to the Northern Ireland Assembly in 1982, and I remember that no fewer than eight MLAs in the Chamber were also MPs. Indeed, five became MPs in June 1983.

**Mr McNarry:** Is this a history lesson?

**Mr Wells:** Yes, and it is worth hearing. Did the late Clifford Forsythe, Roy Beggs Snr — not Jnr — Jim Nicholson, John Taylor or Ken Maginnis resign from the Assembly on the day on which they got elected as MPs in June 1983? No, they did not. I will bring things further up to date. In 1998, John Taylor MP and David Trimble MP remained as MLAs and MPs right up until the time when the DUP ran them out of their constituencies. David Simpson secured the seat in Upper Bann and brought true representation to the people there, and John Taylor was so scared at the spectre of Iris Robinson on his heels that he had to resign. However, that did not stop him from taking a seat in the House of Lords to continue his double-jobbing.

7.30 pm

The message from Mr McNarry is do not do what I do, but do as I say. Mr McNarry has lectured the DUP and other parties on the issue, but the only reason that he is on his high horse is that his party only has one MP, and it does not have the opportunity of double-jobbing. *[Interruption.]*

**Mr Speaker:** Order. Allow the Member to continue.

**Mr Wells:** Indeed, the party's only MP is wavering.

The party has only one seat at Westminster. It was absolutely thrashed at the last Westminster election. Therefore, its members do not have the opportunity to walk the floorboards at night worrying about double-jobbing, because that situation does not arise. That is the only reason why Mr McNarry can adopt the high ground on the issue.

The DUP has committed itself to phasing out dual mandates, and most of the party's MPs have made it very clear that, in line with Mr McNarry's wishes, by 2011, there will be single mandates. The DUP has also made it clear that there will be no question of an MLA accepting his salary if he remains an MP. Therefore, there is no issue with public expenditure, a point that has been made clearly by the party leader.

It is also worth emphasising that there is a huge degree of overlap between the constituency work undertaken by MLAs and that of MPs. In fact, I was quite pleased the other day to get a letter addressed to "Jim Wells, Minister of Health and Social Services" which was copied to Michael McGimpsey MLA. Things are moving in the right direction.

There is quite a bit of overlap, and it is wrong to say —

**Mr McNarry:** You are not on 'The X Factor' now, Jim.

**Mr Kennedy:** What was it about?

**Mr Speaker:** Order.

**Mr Wells:** It was from one of your councillors, Mr Kennedy. *[Laughter.]* I am not going to reveal who she is, but she is a lady councillor from Londonderry. I am not going to say who she is to avoid embarrassment. *[Interruption.]*

**Mr Speaker:** Order.

**Mr Wells:** There is a huge amount of overlap. It is not double-jobbing in the accepted sense. It is a double mandate. As the Chairman of the Health Committee, I see material crossing my desk all the time, and it is quite clear that being an MP and an MLA does not mean doubling one's constituency workload.

**Mr McNarry:** Trimble double-jobbed, but you have a double mandate.

**Mr Speaker:** Order.

**Mr Wells:** There is a huge degree of overlap. The MP is involved in so many aspects.

**Mrs I Robinson:** There is a lot of shouting from the other end. Will the Member clarify that double mandates are very different from double-jobbing? Double-jobbing is when one is an elected Member and, like William Hague, has extraordinary jobs outside of Parliament. *[Interruption.]*

How many of you have double jobs outside of politics?

**Mr Speaker:** Order. Members should not debate across the Chamber with one another. They should direct their comments through the Chair. I warn Members about that again.

**Mr Wells:** Mr Speaker, I am deeply hurt, and I am glad that you intervened to save me from further embarrassment.

The reality is that when the DUP's MLAs and MPs go before the electorate, the people know exactly what they are getting and on what terms they are voting for the MP or MLA. What hurts Mr McNarry is that in every constituency in Northern Ireland, save one, the people return DUP MPs and MLAs in overwhelming majorities. That is the fact —



**Mr McNarry:** Double-jobbing is a vote-winner.

**Mr Speaker:** Order.

**Mr Wells:** Does Mr McNarry think that the people of Northern Ireland are stupid? Have they suffered one iota as a result of the alleged double-jobbing? They continue to vote for the DUP because they get a first-class constituency service from the elected representatives of the DUP.

**Mr McNarry:** The best in the world.

**Mr Speaker:** Order.

**Mr Wells:** That is the issue. The quality of the service is the issue that really affects the ordinary man in the street, not dual mandates.

**Mr B McCrea:** I realise that there is some robust discussion here, but I am interested in Mr Wells's point about overlap. I think that there is some overlap between the role of an MP and that of an MLA. Does the Member feel that when it comes to the issue of expenses, there should be a considerable paring back to reflect that overlap?

**Mrs I Robinson:** There is.

**Mr Campbell:** There already is.

**Mr B McCrea:** I must say that I am very grateful to the Member for answering that question without moving his lips. However, I do look forward to what he has to say. I am interested to know whether the Member thinks that that would be an appropriate way forward.

**Mr Wells:** My understanding is that someone who is an MP and who sits in this House has his salary reduced by two thirds. That issue is covered; there is a reduction.

**Mr McNarry:** What about the mortgage?

**Mr Speaker:** Order.

**Mr Wells:** Therefore, that issue is taken into account. I emphasise the point that the DUP members who remain in both Chambers will not accept any salary for the work that they do in the Assembly; effectively, they will be doing it for free. That commitment gives an indication of just how seriously we take the matter.

The motion is based on sour grapes. Let the electorate decide, and it will show which party is giving the best value, and that will be the DUP.

**Mr McCartney:** Go raibh maith agat, a Cheann Comhairle. I preface my remarks by saying that I am a member of the Assembly and Executive Review Committee, and that I am certainly not a member of the William Hague fan club, although there seems to be plenty of members of that club sitting on the Benches opposite. They all seem very well versed in his extra-curricular activities.

Members and the Ceann Comhairle will know that the Assembly and Executive Review Committee has been tasked with examining the impact that dual mandates have on the working and efficiency of the Assembly. Indeed, the Committee has carried out some preparatory work and, as has been said, all parties in the Assembly have submitted papers for consideration. Recently, there has been a lot of public debate and concern about that and related matters. The related matters involve expenses, and so on, and we have seen how they have taxed Members on other side of the House tonight. However, we should perhaps focus on what the debate should be about, which is dual mandates.

The Assembly and Executive Review Committee will examine all dual mandates, including that of local government councillors, and how they relate to the working of the Assembly. Indeed, that issue was brought to the Floor of the House on 10 March 2009, when Tom Elliott moved a motion calling on the British Government to bring forward legislation to prohibit dual mandates in the Assembly, Westminster, the Scottish Parliament and the Welsh Assembly. Sinn Féin pointed out then, and I point out again tonight, that it was very noticeable that the issue of dual mandates involving Assembly Members and councillors was ignored and relegated, and it is the same with the amendment. Recently, a Member told the Assembly that a Minister was too busy dealing with the swine flu outbreak to be able to come to the House, yet that Minister can remain as a councillor in Belfast City Council. Members should address that issue.

As Sinn Féin pointed out then, the motion was brought to the Assembly in March to form part of a particular party's political campaign coming up to the European election, and we have seen tonight the opening gambits of that party's Westminster election campaign. However, this is not the place for that type of political point scoring.

For the record, Sinn Féin supports the phasing out of dual mandates. The backdrop will be the outworking of the review of public administration, which will bring significant change to the role of councils and councillors. Irrespective of what is legislated for, Sinn Féin anticipates that none of its councillors or MLAs will seek to serve two mandates. Sinn Féin's members will make the choice to serve the electorate in one place and one place only, and that is how everyone should approach the subject in future.

**Mr Ford:** What about Westminster?

**Mr McCartney:** I was just about to come to that David, thank you very much.

As regards Sinn Féin's Assembly Members who are elected as Westminster MPs, we support the phasing out of dual mandates in that sphere. However, for the record, Sinn Féin does not consider its Westminster

MPs to be double-jobbers, even though they may have dual mandates.

We have heard some interesting definitions of double-jobbing tonight, and I look forward to hearing other versions. For me, and, I think, for the public, double-jobbing is when a person is paid twice to serve the public — that is what most people think about when they hear the expression “double-jobbing”. Dual mandates might be something else. However, none of Sinn Féin’s MPs is double-jobbing, although they may have dual mandates.

**Mr Ford:** I thank the Member for giving way. If I understood Mr Wells correctly, he said that no DUP MP would also take an MLA’s salary. It appears that Mr McCartney is saying that no Sinn Féin dual mandate will involve an MP’s salary. Perhaps he will explain the difference.

**Mr Speaker:** The Member has a minute added to his speaking time.

**Mr McCartney:** There are two reasons. Sinn Féin has been doing this for a long, long time, and none of its Westminster MPs takes a salary at all.

There can, therefore, be no suggestion of that. In the past, we spoke about timing in relation to many of our councillors who relinquished their positions.  
[Interruption.]

**Mr Speaker:** Order.

**Mr McCartney:** It is a question of the stability of the Assembly. That will determine the time frame in which we will examine the dual mandates of our MPs. When this place becomes durable, functioning and sustainable, Sinn Féin will respond accordingly. Go raibh míle maith agat, a Cheann Comhairle.

**Mr Durkan:** We have before us a motion and an amendment. As the proposer of the amendment said, it is perhaps a bit rich for the party proposing the motion to present itself as purer than pure when it comes to dual mandates, multiple mandates, double-jobbing, or whatever we choose to call it. No future Assembly motion should have as pejorative a title as “Double-Jobbing”. A more neutral, sensible term should have been chosen.

The UUP has a history of double-jobbing; indeed, it has current form, whereby its Ministers continue to serve as councillors. Two and a half years into the current phase of devolution seems too long to sustain that. Nevertheless, the UUP is not the only party with history; we all have. As some Members mentioned, that can partly be excused and explained by the unsteady history of the devolved institutions. Over the years, we have been up and down like bungee jumpers, with one suspension after the other. The fact that the process continued here and in Westminster may justify

parties continuing to have members who hold mandates in both locations.

However, as a settled process now exists, it is right that we seek to set a definitive deadline for the ending of dual mandates — it is not a tin that we can keep kicking in front of us. Therefore, during the debate on a previous motion, which was proposed by Tom Elliott and to which the SDLP tabled an amendment, I made clear my intention to stand down from the Assembly should I be re-elected to Westminster. I did not do so because I underestimate the importance of the Assembly, but because, in those circumstances, a full-time MLA should take my place, and I should serve my constituency as a full-time MP. Eddie McGrady made the same decision during a previous election. Thus the SDLP’s position on dual mandates is increasingly steady and progressive.

However, given that some questions of process are outstanding and that an element of transition remains, I accept that party leaders may feel that they are in an exceptional position or their parties may place them in such a position. However, that does not apply to everyone else. I made a choice to enable me to adopt a particular position. At this stage, that is what the public wants.

Perhaps it is wrong that the issue of dual mandates and double-jobbing has become conflated with the expenses scandal. However, the public will make future adjudications on expenses, how much politicians are paid and the regime of allowances. Inevitably, the media and many members of the public will make that direct link, and dual mandates will, in many ways, become a proxy for the wider issue of expenses.

Therefore, rather than party after party deciding that it has adopted the best position by opting, for example, to end dual mandates by 2011 or, failing that, by 2015, it would be much better for the credibility of our devolved political process for all parties to agree a clear point in the electoral cycle after which Members will not hold dual mandates. That process should be visible, and there should be no quibbling about who is or is not paid. It should be clear which Members operate in a full-time role. As far as I am concerned, at that point, all MLAs should be paid at the same rate.

That is the other reason for trying to end the dual mandate issue: to ensure an equality of membership in this Chamber and in other Chambers. People would then know what they were voting for and that there is agreement on the job description for being a Member of this place and on the service that is required here and in constituencies.

7.45 pm

The amendment seeks to kick everything into touch —

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

**Mr Durkan:** Yes, I will.

**Mr Campbell:** I appreciate the Member's giving way. He is making a constructive input to the debate, but I wish to make a non-political point on the issue of costs. Does the Member accept that, because MPs are subject to a two-thirds deduction in their salaries as Assembly Members, the immediate removal of double-jobbing or dual mandates would mean an additional cost to the public purse if the Assembly were to retain 108 Members?

**Mr Durkan:** I have heard the honourable Member making that point previously, but I do not believe that it is an argument against dealing with the issue. The size of the Assembly may not remain the same, and the SDLP is on record as advocating five-seat constituencies and fewer constituencies. That would be a handy and neat way to reduce the size of the Assembly.

The amendment seeks to kick the effect of the motion into touch by saying that 2015 could be the end date for dual mandates. If it is proper to end them in 2015, it is even more proper to end them now, and, for that reason, we support the motion and not the amendment.

**Dr Farry:** I declare an interest as a member of North Down Borough Council, and I declare all my other activities outside the Chamber that may be deemed relevant to the motion.

The Alliance Party is more sympathetic to the amendment, which better reflects the spirit of the Kelly recommendations. The proposers of the motion have put themselves on a pedestal to be knocked down because of the consistency of the perspectives that they have set out. We should refer to "dual mandates" rather than "double-jobbing", and I recognise the fact that it is an issue of concern to the public in Northern Ireland and elsewhere in the United Kingdom. As Mr Durkan said, it has arisen as a side effect of the problems with expenses, but, nonetheless, we must accept the fact that it is a major issue.

We must recognise the fact that, in the court of public opinion, which, ultimately, is supreme in a democracy, the practice of dual mandates will not be sustainable in the long run. Parliament has a job to take action on the matter, and, as parties, we can also take our own action. Ultimately, if people put themselves forward for election, the electorate will make its own determination. We should not second-guess what the public will say; they have their own mind and can make their own judgement.

I shall consider the issues that are at stake. We should judge our response to the matter of dual mandates on three issues: time management, finance and conflict of interest. The conflict of interest between the posts of MP and MLA is quite low; in many respects, the two posts can be mutually reinforcing. At the time of the sinister murders that took place in March — not in February, as Mr Empey said earlier — I was struck by

the fact that the First Minister was able to express the outrage of the people of Northern Ireland at those murders on the Floor of the Assembly and in Westminster. That brought home the importance of elected representatives being able to show leadership. There are other circumstances in which it is in the interests of Northern Ireland for that system to apply, and the point about constituency work has been made already.

A bigger problem is that of time management, because one cannot be in two places at once. Being an MP is a full-time job, and being an MLA is a full-time job. That is where the difficulty arises, particularly given the distances and travel times that are involved.

If we are to be consistent in pointing out the difficulties of MPs doing other work and not having double standards, we must consider other forms of jobs that MPs have.

Mr Wells eloquently pointed out the issue regarding William Hague. I was going to do that, but he beat me to it, so I shall not repeat the detail. However, the point that was made about William Hague is the tip of the iceberg. It is not just William Hague who does other work. Other politicians, particularly in the Conservative Party, have built up a raft of directorships and other forms of income from working in the media and from consulting work in different professions.

It is important to have elected Chambers that reflect a diversity of opinion and that have people who have a wealth of experience, unlike myself, who has been a political animal for most of my life. Therefore, let us be consistent in damning people who have commitments apart from being MPs. If the Ulster Unionist Party is to have credibility, I urge and expect them to be lecturing the Conservative Party on that issue.

I also want to talk about local government.  
[*Interruption.*]

**Mr Speaker:** Order.

**Dr Farry:** There is also an issue with local government. The issue of time does not, perhaps, pose the same challenge. Councillors are part time and voluntary, and most are expected to have other jobs. Therefore, being an MLA and a councillor may not pose the same problem. In addition, MLAs have to give priority to the Assembly.

The bigger issue is conflict of interest, which is more of a problem for Ministers than MLAs, who can represent the views of councils and the Assembly. I reckon that there is an issue with Edwin Poots and the review of public administration. There is also a major problem with the two Ulster Unionist Ministers continuing to sit on Belfast City Council without having addressed that issue. Co-option is available to them.



**Mr Hamilton:** A common trait of the many dark years of direct rule was the prevalence of the notion that every so often the natives in Northern Ireland would have to be chastised and someone would have to be sent to tell them off, read them the Riot Act and give them a doing over. The most recent person to do that was not the Secretary of State who would have been typically sent out like a colonial master to talk down to the people of Northern Ireland. Rather, the latest person tasked with that job was, as Mr Wells said, William Hague MP.

We all recall how, at the Ulster Unionist Party conference at the Europa hotel recently, he told us —

**Mr Kennedy:** No one told us that you were watching.

**Mr Hamilton:** I just read the speech. He said:

“Northern Ireland should be properly represented there by MPs who see the House of Commons as a full-time job of work.”

That was us told off and put in our place. If I was thinking of the most inappropriate individual to come to lecture us on double-jobbing, it would be Mr William Hague. A recent article in ‘GQ’ about the 100 most influential men in Britain said that William Hague is an amazing after-dinner speaker — I say that to prove that I read the articles and do not just look at the lovely pictures. For the prices that he charges, he had better be. He had better be absolutely spectacular, and do magic tricks, too.

At the GQ men of the year awards for 2009, George Osborne congratulated the magazine on getting William to talk for nothing, which was obviously a reference to Mr Hague’s prolific after-dinner speaking, a subject on which Mr Wells touched. The Register of Members’ Interests for this year alone shows that Mr Hague has had dozens and dozens of speaking engagements, for which he charged a minimum of £10,000 a pop. That is what he gets for each of those engagements, and he comes to lecture us about double-jobbing. It is easy to see, as Mr Wells pointed out, how he has amassed a fortune of £3 million to £4 million since resigning as Tory leader. However, I have to correct George Osborne’s assertion that Mr Hague spoke for nothing, because the same Register of Members’ Interests shows that Mr Hague and his wife received travel expenses and hospitality for attending the aforementioned awards ceremony.

For speaking at that event, at which Mr Osborne thought he spoke for nothing, Mr Hague and his wife received expenses of £18,000 for travel and hospitality. That is about the national average wage. He was paid that sum for speaking at one event, yet he has the temerity to lecture the Assembly on double-jobbing.

**Mrs I Robinson:** Does the Member agree that some Members are losing sight of the fact that the electorate decided the name against which they would put their X or their 1, 2 or 3? At no time did our party try to hide

the fact that we would represent the electorate at Westminster and in the Northern Ireland Assembly.

**Mr Hamilton:** The people of Northern Ireland are not stupid: they know whom they vote for and what they are doing.

Even Mr Hague’s allies in the Tory Party could tell a story or two about it. Of course, what I described is the tip of the iceberg. We have heard already about the payments of £40,000 or £50,000 that he receives for being a parliamentary adviser to JCB. Perhaps it can help to dig him out of the mess of duplicity into which he has got himself.

Mr Hague may be ranked only the thirty-ninth most influential individual in Britain, but surely he must be ranked number one for hypocrisy. However, let us be fair: he is no more hypocritical than the Ulster Unionist Party. Remember David Trimble, who was a Member of Parliament as well as First Minister and an MLA. At that time, his adviser was David McNarry. I wonder what advice David McNarry gave him about double-jobbing.

John Taylor also sat in the House and not a dicky bird was said about it. Roy Beggs Senior was an MP and a Member of the 1982-86 Assembly, as well as being a councillor. Of the 18 UUP candidates in the 2005 general election, 11 were also Assembly Members. Of their number, 15 sit in councils, including two Ministers. That party does not practice what it preaches. Why not? It is because the electorate has already decided on double-jobbing for the Ulster Unionist Party; it does not want that party to represent it in one place, never mind two.

It is easy for David McNarry to propose a motion on double-jobbing. The people of the Strangford constituency have rejected him more times than the ugly kid at the dance.

The DUP supports an end to double-jobbing. It has spoken to the Kelly committee and made, in effect, the same recommendations as Sir Christopher Kelly makes in his report. The DUP stands by what it said to that committee and supports its recommendations. Phasing out double-jobbing is absolutely the correct way to solve the problem.

**Mr P Maskey:** Go raibh maith agat, a Cheann Comhairle. Sinn Féin supports the phasing out of dual mandates.

The outworking of the RPA will significantly change the role of local councillors in the operation of councils. In recent weeks, however, that has been jeopardised by a DUP Minister who dragged his heels on the matter due to a conflict of interest over a boundary change in his constituency. Sinn Féin considers that wrong because people have worked hard to bring the RPA proposals to the fore.



If Members read the motion, it is hard for any party to deny double-jobbing, particularly the Ulster Unionist Party. As my colleague Raymond McCartney pointed out, a Minister from that party said that he cannot come to the House to debate any issue because he is inundated with swine flu work, yet he can sit on Belfast City Council. He is not the only Minister who sits on Belfast City Council. Indeed, the Executive are well represented there by four Ministers.

**Dr Farry:** Does the Member agree that it is ironic that two Ulster Unionist Party Ministers left an Executive meeting to tend to their duties at the City Hall and to vote against a Sinn Féin candidate for Lord Mayor of Belfast, despite sharing power with Sinn Féin in the Executive?

**Mr Speaker:** The Member has an extra minute in which to speak.

**Mr P Maskey:** I appreciate that. I do not know whether I need it, a Cheann Comhairle.

8.00 pm

I take that point seriously; it was one that I intended to make, and it is a crucial point. The situation is that a Minister who deals with ministerial issues is taking the trouble to go down and vote in Belfast City Council. I was a member of Belfast City Council until two months ago. Now, I am glad that I am not, because I chair the Public Accounts Committee and I find that I am very busy. However, I appreciate the work done by many councillors who are also MLAs, because they represent the same constituency in both capacities. Sinn Féin supports the phasing out of double-jobbing, and, in the next elections, Sinn Féin candidates will stand either as MLAs or councillors.

When I sat on Belfast City Council, it never failed to amaze me that Ministers were present at meetings in which minor issues were discussed. I am not even sure what they had to offer, because, on many occasions, Ministers did not speak. However, they considered it more important to attend such meetings than to deliver Executive decisions. That is wrong on many counts. I am glad to say that none of the Sinn Féin Ministers is a councillor; some are MPs but do not attend Westminster. However, they represent the same constituency in both capacities. That is important.

Mr Wells said that the DUP has Members representing all the constituencies bar one. I am glad to say that I represent the constituency in which the DUP has no representation. That is important for that part of the city, namely, West Belfast. Some of our Members represent the same area very ably in two capacities, in the Assembly and in council, and they work very hard. People voted for them in recognition of that. Sinn Féin supports the phasing out of all dual mandates for MPs as soon as possible.

It must be stated clearly that the stability of this House will be a crucial factor in determining how soon that can be achieved. That is a very important point. I urge all parties in the Assembly to work hard to ensure that stability does not become a factor.

The new forms for the registration of Members' interests, when completed, will make interesting reading. I hope they will be online soon, if they are not already available. Another question that has to be asked is: how many Members work in other jobs? I do not mean in other elected organisations such as Westminster or local councils. I find it hard to understand how Members can deliver other services — as doctors, teachers, advisers — or work in other capacities. I am an Assembly Member and Chairperson of a Committee, and I find it hard to deliver a first-class constituency service as well as fulfilling those capacities. It would be virtually impossible to have another elected job, never mind a completely different sort of job. That might be the real meaning of double-jobbing.

Members feel obliged to bring motions such as this to the House because of the greed that has been shown at Westminster. It is quite clear that members of the Westminster Parliament have made an absolute fortune out of politics. I think that is wrong, first —

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

**Mr P Maskey:** No, I am sorry, Jim. I am running out of time.

Westminster MPs have shown manifest greed. It is wrong for politicians to become career politicians. I am a politician because I want to do right for my constituency and for my party. A career politician is apt to become greedy.

**Mr P Robinson:** When Members vote on the motion and the amendment, they will not be voting on a concept in the mind of the individuals who proposed them, but on the words on the Order Paper. The words are “double-jobbing”. Therefore, we are not talking just about dual mandates but about those who do more than one job. That is the wording on the Order Paper. Therefore, presumably, Mr McNarry wants to put out of work the Members on his right: an art dealer, an antiques dealer, a farmer, the Government Ministers on his party Benches and the local councillors. All of them would be put out of work if the motion were implemented, and I look forward to seeing all those people giving up their jobs.

In an intervention, the Member for Strangford Mrs Robinson said that it should be recognised that the electorate provided the dual mandates. Those people did not do that blindly or without knowledge; they knew precisely what they were doing. The Member for Strangford Mr McNarry might not like what they did — the electorate rejected him — but those people knew precisely what they were doing. I hope that people get

the choice to vote for Mr McNarry again, because to have someone stand who, in Westminster terms, is virtually unelectable unless everyone else stands aside is a certain way for the DUP to keep its seat.

The bottom line is that, if one were to find any form of double-jobbing acceptable, it would be that of dual mandate work. Issues will tend to coincide more for those who undertake second jobs that relate to politics and to representing the people, particularly if that work is done in the same constituency, than in selling antiques, milking cows, preaching or other work. The greatest coincidence happens for people who work in elected politics.

It is hypocritical for any one party to suggest that we bring dual mandates to an end, especially when that party was totally silent when its own leader, deputy leader and other members were double-jobbing. There was not a word from the Member who proposed the motion when he worked for someone with a dual mandate; he was quite happy to do that. He had no qualms whatsoever about David Trimble double-jobbing. However, when it happens to be a Member from another political party who is double-jobbing, that is a different matter altogether. That just goes to show the motion's level of principle: it is not about principle but party politics. The Member hopes that somebody will stand down to make it easier for one of his colleagues to get a seat; that is what the motion is about. Let us not try to bluff anybody that there is some great principle on behalf of the electorate behind the motion. It is pure party politics, and that demonstrates the hypocrisy of the Ulster Unionist Party.

Before dual mandates became an issue and a matter of public concern and before the newspapers took up the call, the Democratic Unionist Party invited the press to a breakfast at the Stormont hotel, at which we told them of our plans to phase out dual mandates. Without any pressure being applied or its being a matter of concern, even for the Ulster Unionist Party, the DUP embarked on that programme. We told the press that we would phase out dual mandates over two Westminster elections. There were a number of simple reasons for doing that. We put our Westminster Members of Parliament into the Assembly to ensure that we had people with experience and skills who had worked the system at Westminster so that the Assembly had the best possible chance of survival. Nobody could say that that was not a sensible position for the party to adopt.

As the Assembly stabilises, it becomes less important that we maintain that position. That is why we have to consider by how much we will reduce our dual mandates during their phasing-out over two Westminster elections. A majority of our MPs will stand down from the Assembly after they have been successfully returned at Westminster elections.

**Mr Speaker:** Will the Member please bring his remarks to a close?

**Mr P Robinson:** We have already begun to move those Members out of posts and positions in the Assembly to reduce their workloads. When a UUP Member makes the winding-up speech, I want to hear when that party's farmers, antique dealers and councillors will stand down from their positions. Let us have less hypocrisy from the Ulster Unionist Party.

**Mr Speaker:** I call Mr Tom Elliott. *[Interruption.]*  
Order. The Member has the Floor.

**Mr Elliott:** Thank you — *[Interruption.]*

**Mr Speaker:** Order. Let the Member continue.

**Mr Elliott:** Thank you very much, Mr Speaker. Let me enlighten the Rt Hon Member Mr Robinson: it is not hard to put farmers out of business at the minute, and it does not take politics to do it because it is happening anyway. However, that is beside the point.

Mr Durkan alluded to the point that we — I think that he was referring to my party — wanted to present ourselves as purer than pure, but that is not why my party tabled the motion. Rather — I am pleased that at least some Members recognised this — we are attempting to develop a situation whereby elected representatives of the House give a commitment to work as full-time Members for and in the best interests of the Assembly by removing the diversion of worry about either their council role or their Westminster role in particular. I declare an interest as a councillor on Fermanagh District Council.

**Mr Wells:** In order to be absolutely consistent, is the honourable Member going to announce that he is about to resign from Fermanagh District Council? He cannot condemn other Members who are councillors, if he himself does not resign.

**Mr Elliott:** I am prepared, when the time is right — *[Interruption.]*

**Mr Speaker:** Order.

**Mr Elliott:** I am prepared, when the time is right, to be a Member of the Assembly full time, just the same as Mr Wells and a number of other Members. That is why the motion refers to the Assembly election in 2011. We are not asking every Member who is also a councillor to resign now; rather, we are asking for an end to double-jobbing by 2011. Unfortunately, some other parties and Members do not even want to do that by 2011, and that is why I appreciate that at least some Members support the thought process for ending double-jobbing by 2011.

Unfortunately, much of today's debate has come down to personal insults. We clearly want to create a situation whereby we work for the best interests of Northern Ireland and the Assembly. On that point, at

least some Members who go to Westminster represent their constituents there, whereas other Members who go there, claim allowances and salaries —

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

**Mr Elliott:** I will give way in a minute.

They claim allowances and salaries, but they do not represent their constituents, and that is even worse than double-jobbing. Even when they attend Westminster, they miss votes.

**Lord Morrow:** I thank the Member for giving way. He said he that is not asking anyone to stand down now but that he thinks that 2011 would be a good year to do that. If it is right to do that in 2011, I suspect that it is right to do it now. However, will he —  
[*Interruption.*]

**Mr Speaker:** Order.

**Lord Morrow:** If the Member checks the records of this House, he will discover that the voting record of Assembly Members who are also MPs at Westminster far outstrips the record of those who sit in this House only. The Member should take that point into consideration.

**Mr Elliott:** I thank Lord Morrow for his intervention. The latest tallies for voting in this House showed that I had the best record of all Fermanagh and South Tyrone MLAs. At least I can be proud of that.

**Mrs I Robinson:** Even during the wet weather?

**Mr Elliott:** If Mrs Robinson wishes to make an intervention, I am happy to give way. If she does not, she should respect the Member who is speaking.

We were hoping for a clear timeline —

**Mr P Robinson:** Will the Member explain why I have a better record of attending Executive meetings than his colleagues in the Executive, why I have a better record of attending Assembly debates than the average member of the Ulster Unionist Party, and why I have a better record at Westminster than the Ulster Unionist Party's Member of Parliament? If I can do that better than those who are single-jobbers, what is the Member's objection?

**Mr Elliott:** The First Minister should have a better record than everyone else. If he did not have such a record, it would be sad for everyone else. However, it should be remembered that the Executive did not meet for five months last year.

Some Members raised the issue of a dual mandate. Let us consider the fact that the amount of expenses and office cost allowance that MPs and MLAs get is not reduced.

We have heard the DUP MPs say that they will not claim their MLA salaries. Does that mean that they will not claim the salaries at all or that they will claim

them and give them to their party? I look forward to hearing the DUP's position on that, because it has not been made clear. When the DUP had to fight a by-election in Fermanagh, it had to roll in the Minister of Enterprise, Trade and Investment in order to win a meagre council seat, because it did not have the vote otherwise. [*Interruption.*]

8.15 pm

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

**Mr Elliott:** DUP Members must feel relaxed that they do not have Jim Allister to take on today.

**Mr A Maginness:** This has been the best attended debate today. However, it does not say a lot to the people outside that Members have come into the Chamber for this debate but have not attended the debates on the justice Bill and on credit unions in great numbers.

**Mr T Clarke:** Will the Member give way?

**Mr A Maginness:** Let me finish my point. The people outside will reflect on this and ask what makes politicians tick. We are not giving them a good impression. They expect higher standards from their public representatives.

The Kelly report and its various recommendations, tough as they are — they were intended to be tough — reflect public opinion here as well as in Britain. The author of the report saw the abuse of parliamentary expenses and said that something radical had to be done. The issue of double-jobbing, dual mandates or whatever way one wants to describe the issue is important to people. I have absolutely no doubt about that. It may not be top of the public's list of priorities, but it is certainly on it, and we have to take react responsibly to that.

I have heard arguments from the DUP Benches saying that the party is committed to phasing out double-jobbing but will keep it for a while and that in any event single-jobbing is not that good. I heard the First Minister saying that single-jobbing was not necessarily a good thing. I cannot understand the reasoning behind that, because if one has a single mandate, one will put in greater effort, or at least one will have the opportunity to do so. My party's position is that we should be working towards a timely solution to the problem and towards all-party agreement on a definitive timetable for the ending of dual or multiple mandates. That is a reasonable position.

**Mr Weir:** I want to make an enquiry. I come from the same profession as the Member. I gave up the Bar when I was elected here in 1998, and I have not practised since. Will the Member tell us whether he is in the same position?

**Mr A Maginness:** Everybody knows that I practise at the Bar. [*Interruption.*]



**Mr Speaker:** Order. The Member has an extra minute in which to speak.

**Mr A Maginness:** I am proud to maintain a vestigial practice at the Bar, by which I maintain a connection with an important body in civic society. That is important, and I will maintain that position whether it is profitable or not.

“Double-jobbing” is the term that has been used today. We should not use such pejorative terms; we should talk about double mandates, dual mandates or multiple mandates. I do not regard being a Member of the Assembly or a Member of the House of Commons as a job; they are public offices to which we are elected, and we should regard them as such, not as jobs. I had a job as a member of the Bar of Northern Ireland. However, membership of this House is a public office; that is important. All of us should aim to represent our constituents effectively and efficiently, and one can do that best with a single mandate. However, we must work towards a progressive solution that the public finds acceptable. At the moment, some Ministers are also members of councils and Members of the Westminster Parliament. That must be wrong.

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

**Mr A Maginness:** It is important that Ministers in particular detach themselves from other bodies so that they can give their full attention to their position in government.

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

**Mr Donaldson:** I welcome the opportunity to participate in the debate. I have listened to the arguments of the Ulster Unionists and the SDLP, both of whom support the motion, and I am struck by the double standards.

The Member for North Belfast Alban Maginness said that the matter should not be about double-jobbing. However, he will go into the Lobby and support a motion that is all about double-jobbing and which refers to double-jobbing. He tries to sell the notion that Members can do whatever they like and spend as much time pursuing whatever career they want as long as they do not have a mandate for it from the electorate. He suggested that it is a heinous crime to dare to ask the electorate to vote for people to do another job. However, he suggested that it is in the public interest to spend as much time and earn as much money doing as many jobs as possible. I disagree entirely with the Member for North Belfast.

Members on this side of the House will wait with interest to see what the Member for South Belfast does when he has to choose which mandate to give up when he becomes the leader of the SDLP. Will he give up his Assembly mandate? Will he step down as the Member

of Parliament for South Belfast? Will he remain in this place? We await with interest what the Member for South Belfast does to follow the lead of the Member for Foyle Mr Durkan.

We have heard much from the Ulster Unionist Benches, and I echo the Member for South Down Mr Wells's comments. I find it a little rich — “rich” is probably the word to use — to be lectured by a fellow Member of Parliament such as William Hague, who can earn more money for one speech than I earn as an MLA for the whole year that I serve the people of the constituency who elected me to this place and who, by the way, gave me the highest first-preference vote of any constituency. They thought that I was doing a reasonable job.

People on the Ulster Unionist Benches are doing all kinds of double jobs; however, Mr McNarry, the proposer of the motion, sees no difficulty with that. I suppose that, to a certain extent, we should be sympathetic. The Member for South Antrim is an antiques dealer. Indeed, it probably helps to be an antiques dealer in the Ulster Unionist Party, given that it promotes antique candidates with antique policies who have nothing to offer other than what they offered in the past and have no vision for the future. We will not take lectures from the Ulster Unionist Party.

**Mr Kinahan:** I might have had the job title of fine art dealer once. However, I am better at the fine art of pictures than Mr Donaldson is at the fine art of something that I cannot mention.

**Mr Donaldson:** We will leave that one hanging, Mr Speaker. Whatever it is that the Member does, the reality is that it is double-jobbing. That is the very thing that the Member's party is asking the House to vote against. Of course, the Member for South Antrim cannot claim to have a dual mandate, because he does not have any mandate to be in this House. That is a little inconvenience that will no doubt be corrected in due course.

I look forward to listening to the winding-up speech from the Member for Newry and Armagh Mr Kennedy and to hearing what steps the Ulster Unionist Party is going to take to end double-jobbing on these Benches. Let us hear about the time frame within which that is going to happen. I opened my local newspaper, the ‘Ulster Star’, last Friday morning to find that it contained a letter from someone called Mrs Daphne Trimble. What did Mrs Trimble have to say? She said that double-jobbing short-changes the public. Is that the same Mrs Trimble who, for many years, was employed in the constituency office of the Member of Parliament for Upper Bann, who was a triple-jobber? He was a Member of Parliament, an Assembly Member, the First Minister, a Nobel laureate — you name it. “Whatever happened to that money?”, we ask ourselves. Mrs Trimble now tells us that double-jobbing is bad for the



public, yet she is married to someone who was a triple-jobber.

That is not the only issue. We hear a great deal about family dynasties, but here we have a new family dynasty in the making. Mrs Trimble puts herself forward for election to Parliament, and she is married to Lord Trimble, who is a Member of the House of Lords. When it comes to family dynasties, some Members need to think carefully before they point the finger at anyone else.

Mr Elliott lectured us about double-jobbing. As an Assembly Member, whom did he pay to do his research work? None other than a Member of the House of Lords. Where are we with those standards, Mr Speaker? We will take no lectures from that lot on double-jobbing or anything else.

**Mr Speaker:** I call Ms Dawn Purvis. *[Interruption.]*  
Order. Allow the Member to be heard.

**Ms Purvis:** Thank you, Mr Speaker. The extent to which the Assembly debates the issue of multiple mandates without doing anything about it is becoming comical.

I agree wholly with the Members who tabled the motion that multiple mandates must come to an end before the 2011 Assembly elections and that the political parties in the Province must start preparing for that deadline. I agree wholly with the recommendations in Sir Christopher Kelly's report, particularly its finding that it is not possible to sit in two national legislatures simultaneously and do justice to both roles, especially if one of them is a ministerial role. The arguments that Northern Ireland is out of line and behind the times on the issue are compelling.  
*[Interruption.]*

**Mr Speaker:** Order.

**Ms Purvis:** Those arguments do not portray us as a quaint exception but make us a regrettable abnormality.

I understand how all those circumstances came about, and Mr Durkan referred to them earlier. I understand the challenge to fix the situation, but I am not inspired by the ability of the motion, although I support it, to make any real difference. Rather, it seems to be another attempt to shift responsibility for ending the practice of multiple mandates to someone else, when the real responsibility sits with the people in the Chamber.

I recognise that ending dual mandates in the Northern Ireland Assembly and at Westminster must be legislated for at Westminster, but much can be done here and now. There is and always has been the voluntary option. Parties can end dual mandates immediately at local, Assembly and Westminster levels on their own. Co-option is the operating rule for filling vacancies in

the Assembly, so the parties would hold on to any seat that is left vacant by a Member who chooses his or her local council seat or Westminster seat over the Assembly.

Admittedly it is trickier at local level, but if agreement could be reached in order to avoid costly by-elections, vacant seats could be filled by more harmonious means. There has been some agreement on that point. That would give all parties a chance to prepare new people for work in local government before the RPA reforms are implemented, or, should I say, if they are implemented. Ideally, that would also give voters a chance to see some new faces with new ideas working on their behalf. There are opportunities there.

8.30 pm

Those parties who say that they cannot achieve those standards in the 18 months or so before the next Assembly elections are perhaps suffering from years of their own internal policy, which calls for electoral candidates to be selected based on their ability to be blindly loyal ideologues rather than on their ability to be true public servants, or on the notion that no one can move up or away from the seats that they hold because the seconds are not ready for the big leagues. Although some political parties are suffering from their poor choices, the suffering for voters should end now.

**Mrs I Robinson:** How did the Member feel when she was allowed to walk in through the back door of the old Northern Ireland Forum because she did not achieve a mandate from the electorate, but was brought in by the top 10 list of parties and their votes? She was not elected by the people. We are. That is the difference.

**Mr Speaker:** The Member has an extra minute in which to speak.

**Ms Purvis:** Thank you, Mr Speaker. I should like to correct the Member: I was not brought in through the back door of the Forum.

**Mrs I Robinson:** You were on the top 10 list.

**Ms Purvis:** I was not. I was not a member on the top 10 list; David Ervine and Hugh Smyth were.

**Mrs I Robinson:** I beg your pardon.

**Ms Purvis:** Yes, exactly. I was not brought in through the back door. *[Interruption.]*

**Mr Speaker:** Order.

**Ms Purvis:** This week, I intend to approach the Speaker with a Private Member's Bill that would end dual mandates between the Northern Ireland Assembly and local district councils by 2011. I hope that all parties, particularly those who have been most vocal about their commitment to ending multiple mandates, will support the Bill and help ensure its success.

I support the motion today, but I would like to be supporting something even stronger, with real teeth, real

meaning, and real impact on the issue. I hope that the legislation that I intend to introduce can deliver all that.

I cannot close without commenting on the DUP's proposed amendment, which although designed to raise a laugh, left me unable to feign a smile. It is an unveiled attempt to raise the bar to an unattainable level, so that the proposers can talk about the high standards to which they aspire safe in the knowledge that they will never be reached. It is absurd to promote a regulation that is so extreme that even the Committee on Standards in Public Life would not recommend it, while completely ignoring the perfectly attainable and achievable aspiration of ending multiple mandates by 2011: a classic move.

We have an obligation to ensure that we deliver the best possible system of decision-making and governance for and with the people of Northern Ireland. Under that standard, there can be no argument for the retention of multiple mandates. I look forward to working with my colleagues on that issue.

**Mr Weir:** It is interesting that the Ulster Unionists' motion makes a special case for the First Minister to plead with the Prime Minister and the Leader of the Opposition. Curiously, that was missing when we debated the block grant last week. It appears that a key issue for the Ulster Unionists is to plead on double-jobbing, yet it opposed pleading with the Prime Minister about the block grant, which affects health, education, roads, infrastructure and a wide range of issues. That shows the Ulster Unionists' priority in the debate.

The Kelly report has been mentioned, although not in great detail. As a party, we accept the Kelly report, because many of the recommendations that it contains, be they changes to expenses or sales of second homes, were suggestions that the DUP made in its submission to the Committee on Standards in Public Life.

Indeed, if Mr McNarry, who proposed the motion, regards the Kelly report as the gold standard, he will go though the Lobbies and vote for the DUP amendment. Our motion refers to the ideal of double-jobbing being phased out by 2011 and completely eradicated by 2015. That is identical to Kelly's recommendations, which are incompatible with the Ulster Unionists' motion. The motion is more about double standards than double-jobbing. The mention of David Trimble, John Taylor, Roy Beggs and others was met by deafening silence from the Ulster Unionist Benches, which shows that double-jobbing has become a concern for that party only since it started to lose its electoral mandates.

However, there was no mention of a former Ulster Unionist who had a double mandate and who was involved in double-jobbing. I refer to the lesser-spotted Mr Burnside, who was both an MLA and MP throughout a full parliamentary term. After the electorate rejected

Mr Burnside, it was virtually impossible to find him here on Tuesdays, Wednesdays or Thursdays. He could not even retain a seat on a Committee because his business duties in London meant that he was unable to serve the people. Does the greater conflict of interest lie with someone who is both an MP and an MLA or with someone who did not appear in the House even though he was elected to do so?

Mr Basil McCrea talked about whether an overlap exists between the work of MPs and MLAs, but a number of Members pointed out the clear overlap. There is a much greater overlap between the work of an MLA and an MP than between the work of an MLA and a fine arts dealer, a company director — or an IT consultant, Mr McCrea. The Ulster Unionists' stance is riddled with double standards. *[Interruption.]*

**Mr Speaker:** Order.

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

**Mr Weir:** I would give way to the Member, but I cannot afford to, given the rates that he charges. *[Interruption.]*

**Mr Speaker:** Order.

**Mr Weir:** The motion is also limited in that it refers only to the Assembly, because, of course, its proposers do not want to offend their Conservative friends. There has been mention in the debate of Mr "call me Dave" Cameron, who, between 2001 and 2005, had many jobs in addition to being an MP: he was a paid director of a bar and night club business; a consultant for Carlton Communications, advising on press and inventor issues for between £20,000 and £25,000; and a writer of a fortnightly column for 'The Guardian'. It is no wonder that the Ulster Unionists want to abolish double-jobbing; that party does not want people to be restricted to two jobs, believing instead that people should have at least four.

The register of Members' interests shows that, between 2001 and 2005, Mr Hague managed to complete 115 remunerated jobs in addition to being an MP. Despite being shadow Foreign Secretary, he has pulled down some £160,000 from a range of other jobs in the past year. Those jobs include speaking to the Denplan national conference —

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

**Mr Weir:** He got £14,000 for two hours' work. Even Naomi Campbell would be envious of such a rate of pay.

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

**Mr Weir:** Let us vote for consistency.

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

**Mr Weir:** Let us vote for something practical. Let us vote for the Kelly report. Let us vote for the amendment. *[Interruption.]*

**Mr Speaker:** Order.

**Mr Kennedy:** I am grateful for the opportunity to wind up on the debate. In spite of their contributions, I thank all the Members who took part. I must also say that I am still a member of Newry and Mourne District Council. I will speak a little on particular themes before addressing some of the interesting contributions that were made.

On a serious note, most people accept that the principle of double-jobbing, double mandates, or however one describes it, is wrong. The practice should be ended sooner rather than later, and that should be an important consideration, given the public mindset.

We can poke fun at each other, but the general public believe that politicians are on the make and that they are involved in politics not to benefit others but to benefit themselves. Whether that perception is right or wrong, generally, it remains the public view. It would be a huge mistake for the Assembly to support double-jobbing or the principle of double-jobbing in any way. To do so would water down the recommendations in the Kelly report and seriously devalue the public standing of the Assembly.

We should be concerned about the Assembly's reputation. Some Members attempted to equate being a councillor and an MLA with being an MP and an MLA, but those issues are not the same. I place on record that my party has said, and continues to say, that it will end the practice of MLAs being local councillors by the Assembly election of 2011.

Let us consider the current situation: 16 of the 17 double-jobbers in the Westminster Parliament come from Northern Ireland. Therefore, Northern Ireland is almost unique in following that dubious practice. Nine DUP MPs, all five Sinn Féin MPs and two of the SDLP's three MPs are double-jobbers. Five of those double-jobbing MPs and MLAs are also Ministers: the First Minister, the deputy First Minister, the Minister of Finance and Personnel, the Minister for Regional Development and the Minister of Agriculture and Rural Development. Therefore, the focus must be on those five individuals. They should state, in unequivocal terms, why they seek to remain as Ministers. Some must explain to the electorate why, even according to their definition, they are quadruple-jobbers.

The public are entitled to a full-time work commitment from their MLAs and MPs. They do not deserve bargain-basement or "yellow pack" MPs and MLAs whose sell-by dates have passed. There is no reason why a Minister in the Assembly also needs to be an MP. Assembly Ministers relate to their counterparts

in Whitehall, and the Assembly relates to Parliament. Ministers in the Assembly have an executive, not legislative, role. There should be no more special pleading to hold on to two salaries, or, failing that, to two sets of expense allowances.

**Lord Morrow:** Perhaps Mr Kennedy will clarify to the House whether he is he talking about those who have another mandate or those who have another job? Is he talking about double-jobbing or double mandates?

**Mr Kennedy:** I thank Lord Morrow for his intervention. The public's principal concern is the double-jobbing of public representatives. That is what they regard as the important issue. *[Interruption.]*

**Mr Speaker:** Order. The Member must be allowed to continue.

**Mr Kennedy:** There were some interesting contributions to the debate. David McNarry set out a good case and reminded the Assembly about dignity and integrity. Jim Wells provided us with the biographical detail of William Hague. However, Mr Wells and other DUP Members fundamentally failed to realise that their argument swims against the tide of public opinion. They may talk about individuals and what happened in the past, but there is no point in dealing with double-jobbing as it relates to the past, because the public want us to deal with it in the present.

8.45 pm

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

**Mr Kennedy:** I am sorry, but I do not have time.

Mr Raymond McCartney gave us Sinn Féin's input. One of the fundamental flaws in the Kelly report is the fact that it failed to deal properly with the issue of Sinn Féin MPs being able to claim expenses even though they do not attend Westminster. On this side of the House, there is general agreement on that matter.

Mr Durkan referred to double-jobbing councillors, but their position is significantly different. I welcome the fact that the Member has taken a personal stand on the matter.

Dr Farry seemed to contradict Sir Christopher Kelly's recommendations. It is worth pointing out that the Westminster Parliament, and even the Assembly, benefit from the wealth of experience that people with outside influences bring to them. Otherwise, we would be left with professional politicians in their little suits. *[Interruption.]*

**Mr Speaker:** Order.

**Mr Kennedy:** Then we had the contribution from the boy Simon, who at all times recently seems to be the leader's little helper. He did his best to help the party position, which, I repeat, flies in the face of public opinion.

Paul Maskey complained about double-jobbing at council level. For some of us who are representatives on non-unionist majority councils, there is an issue as to the easy availability of co-option.

**Mrs Foster:** Will the Member give way?

**Mr Kennedy:** Sorry, but I do not have time.

Therefore, we made representations to the Secretary of State about that matter — *[Interruption.]*

**Mr Speaker:** Order.

**Mr Kennedy:** We will continue to press him so that Members will be able to give up their council seats without the risk of having to hold a by-election.

**Some Members:** Will the Member give way?

**Mr Kennedy:** No, I will not give way. *[Interruption.]*

**Mr Speaker:** Order. Allow the Member to continue.

**Mr Kennedy:** The First Minister spoke from the middle Benches on behalf of his party. He pointed at and highlighted a number of my colleagues on the Ulster Unionist Party Bench, whom he described in various ways as double-jobbers. He identified an antiques dealer, a farmer and a minister of religion. However, he did not mention his distinguished colleague Dr William McCrea, who is not in the Chamber. *[Interruption.]*

**Mr Speaker:** Order. I must insist that the Member be allowed to finish.

**Mr Kennedy:** As well as his responsibilities here and in the House of Commons, Dr McCrea lists farming as an additional interest. I understand that he also does a bit of preaching and singing. The mention of hypocrisy, therefore, rings hollow.

**Mr Speaker:** Order. The Member should bring his remarks to a close.

**Mr Kennedy:** The practice of double-jobbing must end, and it must end quickly. In the face of public opinion, I commend the motion to the House.

*Question put, That the amendment be made.*

*The Assembly divided: Ayes 34; Noes 23.*

#### AYES

*Mr Bresland, Lord Browne, Mr Buchanan, Mr Campbell, Mr T Clarke, Mr Craig, Mr Dodds, Mr Donaldson, Mr Easton, Dr Farry, Mr Ford, Mrs Foster, Mr Hamilton, Mr Hilditch, Mr Irwin, Mrs Long, Mr McCausland, Mr I McCrea, Miss McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Newton, Mr G Robinson, Mrs I Robinson, Mr P Robinson, Mr Ross, Mr Shannon, Mr Simpson, Mr Spratt, Mr Storey, Mr Weir, Mr Wells, Mr S Wilson.*

*Tellers for the Ayes: Mr Weir and Mr Wells.*

#### NOES

*Mr Armstrong, Mr Attwood, Mr D Bradley, Mrs M Bradley, Mr P J Bradley, Mr Burns, Mr Cobain, Mr Dallat, Mr Durkan, Mr Elliott, Sir Reg Empey, Mr Gallagher, Mr Kennedy, Mr Kinahan, Mr A Maginness, Mr McCallister, Mr McClarty, Mr B McCrea, Mr McFarland, Mr McNarry, Mr O'Loan, Ms Purvis, Ms Ritchie.*

*Tellers for the Noes: Mr Kennedy and Mr Kinahan.*

*Question accordingly agreed to.*

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

*Resolved:*

That this Assembly notes the recommendations of the Committee on Standards in Public Life, 'Supporting Parliament, Safeguarding the Taxpayer'; calls on all political parties within the Assembly and Parliament to commit to an end to "double-jobbing", including private sector employment, ideally by the time of the scheduled election in May 2011 or, failing that, by 2015 at the latest; and further calls on the First Minister and deputy First Minister to convey the opinion of the Assembly on this matter to the Prime Minister and the Leader of the Opposition.

*Adjourned at 8.59 pm.*



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# NORTHERN IRELAND ASSEMBLY

Tuesday 24 November 2009

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

*Members observed two minutes' silence.*

## ASSEMBLY BUSINESS

### Speaker's Ruling: Unparliamentary Language

**Mr Speaker:** Before we proceed, I wish to remark on the standards that I expect in debates in the Chamber. Let me say before I make my ruling that I will not take any points of order on this issue, and I do not want Members to raise bogus points of order to try to get at the basis of that ruling.

In making my ruling, I want to refer to points of order that were raised during last week's sitting on the use of unparliamentary language. Two points of order referred to remarks made by Mr Mervyn Storey and his use of the terms "hypocrisy" and "hypocrite", and I am aware that, on a previous occasion, those terms have been ruled to be unparliamentary.

"Unparliamentary language" means different things in different places and to different Members at different times. In some places, the list of words and phrases deemed to be unparliamentary runs to several pages, but it would not be helpful for us to adopt such an approach here.

I know that it sometimes strikes Members as odd that some words and phrases are deemed unparliamentary while others are permitted as being part of the cut and thrust of debate. The context in which particular words are used can affect their meaning, making them more, or less, acceptable to those to whom they refer.

It is for those reasons that, from now on, I intend to take a different approach to the language that will or will not be permitted in the Chamber. Rather than making judgements on the basis of particular words or phrases that have been ruled to be unparliamentary here or elsewhere, I will judge Members' remarks against standards of courtesy, good temper and moderation. Those are what I consider to be the standards of parliamentary debate, and the Assembly and the people

who elected it would be better served if its Members were to adhere to those high standards. In making my judgements, I will consider the nature of Members' remarks and the context in which they were made.

I have acknowledged that, at times, Members will wish to express their views forcefully and engage in robust debate. That is acceptable. However, what is not acceptable is where the tone or nature of remarks becomes so ill tempered and bad mannered that they are closer to discourtesy and disorder than to debate. When that happens, I will interrupt Members and ask them to moderate their remarks. If Members refuse such requests from the Chair, they will be asked to resume their seats, and I may rule that they should not be called to speak in the Chamber for some time on any debate. Remarks made from a seated position will be treated in exactly the same way. As always, the Chair's ruling on such matters will not be open to challenge.

I will now speak directly to the Whips of political parties. Whips have a huge responsibility to discipline their groups and individual Members. I do not want to see Whips rising to defend a Member whom they know to have crossed the line. Whips have a huge responsibility for instilling discipline in their Members and groups. If the Whips are not prepared to do that, the Chair will do it. I want to make it clear, once and for all, where Whips' responsibility lies for representing their groups in the Chamber. It is not only the responsibility of the Chair to instil discipline in the House; there is also a huge responsibility on the Whips of the various political parties.

On other occasions, as in the past, Members may make remarks or allegations that fall so far short of the standards that I have outlined that I will ask them to withdraw them. I sincerely hope that Members do not place themselves and the Chair in that position. Where they do so, I hope that they will see the merit of respecting the ruling of the Chair and withdraw their remarks, as some Members have done in recent months.

With regard to the specific points of order raised last week about Mr Storey's use of the words "hypocrite" and "hypocrisy", I have examined the Official Report and, in my view, Mr Storey could and should have expressed his views in a more moderate way. I trust that he will take this morning's ruling on board and temper his future remarks accordingly.

Indeed, I ask all Members to study my remarks when they are published in the Official Report, to reflect on them, and to take account of them when they exercise the privilege and the responsibility of speaking in the Chamber.

We shall now proceed with today's business. I will not take any points of order. However, I intend to say more on the subject at the meeting of the Business Committee this afternoon.

## MINISTERIAL STATEMENT

### Swine Flu

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

**The Minister of Health, Social Services and Public Safety (Mr McGimpsey):** I take this opportunity to provide an update for Members on recent developments in the swine flu pandemic.

In the past few weeks, levels of flu-like illness across the UK appear to be on the decrease. In Northern Ireland, GP consultation rates have decreased again from about 226 to 106 per 100,000 of the population but remain higher than in previous years. Rates for flu-like illness are particularly high in the 0-4 year age group.

To date, there have been 1,285 confirmed swine flu cases and some 555 hospitalised cases in Northern Ireland. Sadly, there have been 13 deaths. Although the recent decrease in figures is encouraging, we cannot afford to be complacent. The fall in consultation rates suggests that our preparations and plans are working.

I take this opportunity to highlight the tremendous work of health and social care staff, GPs and everyone who has been involved in preparing for and responding to this pandemic. I know at first hand the huge efforts that have been made by those working in health who are dealing with the considerable pressure on services as a result of the swine flu pandemic. Those efforts are continuing, and I thank everyone for their commitment and dedication.

At departmental level, I continue to participate on a weekly basis with Health Ministers from across the UK as part of four-nations meetings. I also take part in Cabinet Office meetings with ministerial colleagues from across the UK Government. My Department also remains in regular contact with officials in the Republic of Ireland to share information and knowledge about the pandemic. I will be meeting Mary Harney tomorrow to further discuss the swine flu pandemic as part of the North/South Ministerial Council meeting.

The frequency and volume of those meetings is considerable and reflects the seriousness with which I and other UK Ministers are taking the global health threat. In fact, it is because of the significant level of planning and time that has been invested in the issue that my Department, health and social care services and GPs have been so well prepared to deal with the pandemic.

We still cannot predict how the virus may evolve, whether the pandemic has peaked or whether flu levels

will rise again in the weeks ahead. Previous pandemics have taught us that there may be further waves in future months — possibly up to a year later — and they may be more severe.

Since my last statement to the Assembly there has been notable and significant progress in rolling out the vaccine to priority groups. The swine flu vaccination programme started on 21 October and was targeted at patients in clinical at-risk groups, front line health and social care workers and household contacts of immunocompromised individuals. It was also targeted at pregnant women, who are four times more likely to develop serious complications from swine flu and up to five times more likely to need to go to hospital. To date, almost 7,000 pregnant women and over 20,000 front line health and social care workers have been vaccinated. By mid-December the vaccine will have been offered to around 500,000 people in the initial priority groups in Northern Ireland.

Urgent arrangements were also put in place to offer the vaccine to children with complex needs and severe learning disability. Around 2,100 pupils in special schools have now received their vaccination. Children with special needs and underlying physical health conditions who are not in special schools have been offered the vaccine, as have some staff in special schools for children with severe learning disabilities who provide personal care for pupils.

Around 220,000 doses of vaccine have been distributed to GPs so far. Further vaccine shipments are being delivered on a weekly basis. The uptake of the vaccine among priority groups in Northern Ireland is very encouraging, and I welcome the fact that so many people have taken up the offer of the vaccine, particularly those who are at increased risk from the complications of swine flu.

Last week, I announced plans for the second phase of the vaccination programme. The Joint Committee on Vaccination and Immunisation (JCVI) advised the four Health Ministers that it would be reasonable to commence the next phase of the vaccination programme with children aged from six months to under five years. That is because that age group appears to be at greatest risk of serious illness from swine flu. Those very young children also have the highest rate of hospitalisation and must be protected. To date in Northern Ireland some 139 children in the nought-to-four age group have been hospitalised, and the majority did not have any underlying health condition. That total is around a quarter of all swine flu admissions to hospital in Northern Ireland. Therefore, it is that group on which we wish the next phase of the vaccination campaign to focus.

I acknowledge once again the hard work of GPs and their staff in delivering the first phase so successfully and under very challenging circumstances. The agreement

reached to deliver the first phase of the programme was to ensure that they had sufficient funding to allow them to hold additional clinics and take on extra staff to deal with the increased pressure that they faced and continue to face. The vaccine remains our best protection against swine flu.

Negotiations with GPs about the second phase are being conducted at a national level and are still at an early stage. It will be important to have the negotiations concluded as soon as possible so that GP practices will be able to start vaccinating these children as soon as they have covered the first priority groups. That is expected to be completed by mid-December.

GPs have vast experience in immunising children against normal childhood diseases, and we hope to take the second phase forward as part of the routine childhood vaccination programme. Vaccinating children in GP practices provides families and children with a familiar setting and offers parents some flexibility as to when their children receive the vaccine.

We expect that parents will be invited to bring their children in for vaccination, if they wish to take up the offer. In addition, the JCVI has advised that the main carers for elderly or disabled people whose welfare may be at risk if their carer falls ill should be encouraged to take up the vaccine once all the priority groups have been vaccinated. We will discuss that advice with carers' organisations, including the matter of how to identify and verify the carers involved.

10.45 am

Last month, agreement was finally reached on funding for swine flu. That included help in meeting the £64 million estimated costs of swine flu, to which I contributed £32 million. The clarity around my budget has allowed me to relieve some of the financial pressures that face health and social care trusts. It also allowed me to reject a number of proposals from trusts that would have had a significant impact on front line services. We must be able to balance the books, and there is still some deficit to be accounted for. The recent decision to defer bowel cancer screening is an example of the difficult decisions that have to be made.

Although I will continue to prioritise front line services, significant pressures lie ahead, and I need continued support to protect health and social care services for everyone in Northern Ireland. The public have a major role to play in the pandemic; they can look after not only themselves but those with whom they come into contact by getting the vaccine when it is offered to them. That is the best way for people to be protected against swine flu.

As well as accepting the vaccine when it is offered to you or your child, simple but effective hygiene measures such as frequent hand washing can also help. Remember to cover your mouth with a tissue when

you cough or sneeze, and then put the tissue into a bin: catch it, bin it, kill it.

I wish to reassure the public that, for the vast majority of people, swine flu remains a relatively mild illness from which they will make a full recovery. Unfortunately, for some people, the symptoms are much more severe. For those people who are most at risk, the vaccine is the most important means of defence against swine flu. Protect yourself, protect those at risk and get the vaccine.

**The Chairperson of the Committee for Health, Social Services and Public Safety (Mr Wells):** It is reassuring and heartening to learn that the overall trend of the swine flu pandemic in Northern Ireland is downward. I join the Minister in paying tribute to the Health Service staff who are responsible for bringing the pandemic under a reasonable amount of control.

I am interested in the Minister's comments about the negotiations with GPs, which take place centrally in London. As he knows, I was concerned when the GPs demanded a payment of £5.15 for each vaccination. Most GPs are not taking on extra staff; they administer the vaccine as part of their normal surgery work. Perhaps they undertake additional work as a result, but they do not face additional expenditure. I am concerned that it is implicit in the Minister's comments that, in London, the British Medical Association (BMA) and other representatives of the medical profession seem to be negotiating for even more money for taking part in the second phase of the vaccination programme. In the difficult economic times that the Minister has outlined for the Health Service, enough is enough. The scale of payment that has already been agreed should not go any further. Will he provide more information on what is going on in London? Whatever results from those negotiations will be binding on Northern Ireland. The Health Service budget should not be asked to bear any more of the burden.

**The Minister of Health, Social Services and Public Safety:** It is important to recall that we have some way to go before we complete the vaccination of the priority groups. That is dependent on the supply from factories, and we anticipate that the vaccination of some 500,000 people in the first priority group will be completed by mid-December. When we have completed that, we will move to the second phase. The Joint Committee on Vaccination and Immunisation will advise what to do after the first priority group is dealt with.

A rate for the administration of each vaccine was agreed as a result of the negotiations on our behalf between the National Health Service and the BMA nationally. That rate was negotiated and accepted because GPs are carrying out a large part of the vaccinating.



Of the priority groups, GPs are vaccinating those aged between six months and 65 years, the household contacts of immunocompromised individuals and people aged 65 and over who are in the current seasonal flu vaccine programme. In phase two, I expect GPs also to vaccinate the six months-to-five years age group. That is a considerable workload, which is in addition to dealing with people who have swine flu.

GPs therefore need to take on extra staff, and we have allowed for moneys to enable them to do that and to deliver the vaccine quickly and effectively. It is not fair to say that GPs should do that as part of their ordinary workload. My experience of GP practices is that the extra workload is considerable. They work extra hours and bring in extra staff. Some Members are shaking their head, but they must allow for the fact that there are an extra 500,000 doses in the first phase of vaccination of priority one groups. A lot of effort goes into vaccinating half a million people.

**Ms S Ramsey:** Go raibh maith agat, a Cheann Comhairle. I welcome the Minister's statement. It is good to be updated regularly. Like the Minister and the Chairperson of the Health Committee, I want to focus on staff and carers in the health sector, because we have all worked together on this matter.

I am disappointed that carers for the elderly or disabled are still not seen as a priority for vaccination, although the Minister said in his statement that he will address that. How many people in priority groupings have turned down the vaccine?

The issue of money being paid to GPs for vaccinations is also a concern. After a previous ministerial statement, I raised the case of an elderly constituent who had to wait three weeks for an appointment to get her swine flu vaccination. Even with additional clinics in some GP practices, an elderly person with underlying health problems had to wait for three weeks.

The Minister mentioned £64 million for tackling swine flu. How much of that will be paid to GPs? Furthermore, are the negotiations being held up in England because GPs and the BMA are holding out for additional money?

**The Minister of Health, Social Services and Public Safety:** It is too early for me to say what the take-up rate is for the vaccine. However, we have been very encouraged by the take-up rate among, for example, pregnant women and children with learning disabilities and special needs. We have seen high take-up rates, much higher, I believe, than in England, for example.

The rate per dose is an extra that GPs are providing, and it involves extra work. The rate is negotiated centrally because it is a national negotiation. We in Northern Ireland pay national rates through the Health

Service, as do England, Scotland and Wales. That is how it is. A deal is a deal, and we adhere to whatever the deal is.

This is not a question of GPs and the BMA holding out for extra money. I do not think that that is the case at all. It is about the Health Service covering reasonable extra costs to let GPs carry out that work. GPs are best placed to do that. They have the patient lists, so can readily identify those in priority groups, write to them and bring them in for vaccination.

The swine flu outbreak began only in April, in Mexico, and it is, therefore, a novel virus. Since then, we have put a vaccine-manufacturing process into operation, and we are seeing the fruits of that as the vaccine comes out the factory door. However, there are still not enough vaccine doses to vaccinate everyone right now. Therefore, a number of GPs would be governed by the number of vaccine doses that they receive. That explains why there is prioritisation, and why GPs may be booking in patients several weeks ahead.

As I understand it, it is not that GPs are trying to do it all at a profit; far from it. This is a particularly busy time of the year, and swine flu has added a huge extra challenge to the Health Service and to GPs.

**Mr Gardiner:** Like my colleagues on the Health Committee, I pay tribute to the Health Minister for bringing the statement to the House and, yet again, keeping us abreast of what is happening with swine flu. I congratulate all Health Service staff who are administering the vaccine and protecting our citizens.

I am somewhat alarmed and disappointed that the Minister has already had to pay out £32 million in relation to swine flu. Does the Minister agree that his Budget should be exempt from any further reductions, so that the best health care can be provided to the citizens of Northern Ireland?

**The Minister of Health, Social Services and Public Safety:** Of course, I agree with the last sentiment. We had a debate in the House, but Members did not agree with me or Sam Gardiner, so the House voted for cuts to the Health Service. I paraphrase the old adage: be careful what you vote for. The fact is that I was entitled to bid for £64 million under the Budget settlement, and I did so, but I got only half of that amount. The Budget settlement did not manifest itself as far as health and social services are concerned, and we have already experienced the cut that the House voted for. I could talk about other parts of the Budget, but that is for another day.

The Health Service is stretching to meet the extra demand, which has increased by 9% this year, whereas the Budget has increased by only 0.5%. All of that will manifest itself over the coming months as Members see the consequences of not voting for a sufficient resource for the Health Service. Nevertheless, we are



on top of the swine flu pandemic, and we intend to keep on top of it.

**Mr D Bradley:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as an ráiteas cuimsitheach a rinne sé ar maidin. I thank the Minister for his comprehensive statement. The Minister has prioritised certain groups for vaccination, but he has not given the same degree of priority to carers. Will he think again and afford the highest priority to carers so that the people whom they care for can be assured of continued, unbroken care at this particularly difficult time?

**The Minister of Health, Social Services and Public Safety:** I can repeat only what I said in my statement, which is that the advice from the Joint Committee on Vaccination and Immunisation is that children aged between six months and five years are the most vulnerable, and they are the most likely group to be hospitalised. We are examining the immunisation of carers as part of the second phase, because elderly, frail people or individuals who are unable to look after themselves would come to harm if they were to lose their carer to illness. However, the difficulty is identifying the carers. That is the discussion that we are having at the moment. When those discussions are complete, I will be in a position to take the next step.

**Mr McCarthy:** I too thank the Minister for his statement, but I must express some disappointment in the reduction — in fact, the cancellation — of the bowel cancer screening programme. Having said that, I note that the Minister has played a positive role in relation to the immunisation of children with special needs and children with learning difficulties. Has any consideration been given to bringing the swine flu immunisation programme to training centres that adults with special needs and adults with learning difficulties attend? I assure the Minister that it would be much better for those people to be vaccinated in an environment that is known to them, rather than in unfamiliar GP centres. Has the Minister given that any consideration?

11.00 am

**The Minister of Health, Social Services and Public Safety:** I remind Mr McCarthy that, at present, bowel cancer screening is, as I have said, deferred until April 2010. I am determined to introduce that screening because lives are at risk. No one was more disappointed than me that I was forced to take that step.

The swine flu virus is circulating widely in the community. Therefore, adults who have learning disabilities or special needs are vulnerable, regardless of whether they attend special schools. If someone has symptoms, the advice remains that the best thing that he or she can do is stay at home.

The vaccination programme will work its way through the entire population. I anticipate that everyone will be offered the vaccination, if necessary, as required. I want to reach that position. At present, there is not enough vaccine to go around. People who are most at risk have been prioritised. The decision to do that has been made jointly by the Health Ministers of the Governments of England, Scotland, Wales and Northern Ireland, who work together to ensure that the same approach is taken in every UK region. We have taken advice from the Joint Committee on Vaccination and Immunisation.

**Ms Ní Chuilín:** Go raith maibh agat, a Cheann Comhairle. Will the Minister clarify whether GP surgeries have made different arrangements for the swine flu vaccination and the normal, seasonal flu vaccination? Members have heard that that has created an additional burden. I have spoken to constituents who have received separate letters for their vaccinations. One week, they must go to their GPs to receive one vaccination; the next week, they must go back to receive the other. It is reasonable for Members to ask that question in view of what GPs and the BMA are trying to negotiate.

Finally, I want to point out that the House did not vote for health cuts: it voted for better efficiencies. Given the fact that some trusts spent £500,000 on tea and biscuits, it is churlish of the Minister to come to the House and lecture the Assembly on costs when he needs to get his own house in order on that issue.

**The Minister of Health, Social Services and Public Safety:** I do not want to get into a budget argument. The Member voted for Health Service cuts. Bearing in mind that the Health Service, compared with that of England, is underfunded by £600 million; that it is required to find £700 million of efficiencies, four sevenths of which will not go back into services but must go towards ordinary costs; and that the budget deal that I secured for pandemic flu and the first £20 million of available money did not materialise, all in all, the Health Service continues to address need remarkably well.

The £500,000 to which the Member referred was spent, essentially, on tea and biscuits for staff throughout all trusts during two and a half years. There have been several major staff meetings, many of which I held. Those staff meetings were held during lunchtime, so staff gave up their lunch breaks to come along and gain understanding of changes, such as the merging of 19 trusts into six and four boards into one, the setting up of the new Public Health Agency and so on. Major reforms have occurred, such as the Agenda for Change. Members have asked numerous questions on that issue and are, therefore, familiar with staff's upset and uncertainty.

I understand that Ms Ní Chuilín does not approve of tea and biscuits for Health Service staff. However, even if tea and biscuits were no longer provided to anybody in the Health Service by management and staff were forced to pay £500,000 over two and a half years, it would certainly not solve the problem; nor does that address the fact that the Member voted blithely for Health Service cuts. Let me remind the House that Northern Ireland's Health Service is the only one in any UK region that faces cuts, despite it being the most poorly funded.

As regards the swine flu and seasonal flu vaccinations, we hoped and expected that seasonal flu vaccinations would be delivered first. However, one has overlaid the other. GPs are faced with that double challenge. In many cases, they can provide vaccinations for both types of flu on the same day to the same patient, but that is not always possible. It depends on the patient. Many will be able to receive both vaccinations on the same day. However, at other times, that will not be possible, not least because of the way that vaccine supplies have become available to us. The vaccine was ordered in May and was developed over the summer. Having gone through rigorous safety checks, it was made available to us from 21 October, only three or four weeks ago. That is how hard the Health Service and the GPs are working; yet the Member tells me that staff are not entitled to tea and biscuits when they give up their lunchtime to talk about a staff situation. *[Interruption.]*

**Mr Speaker:** Order.

**Mr Easton:** As the Minister is aware, I have been supportive of his strategy for swine flu. However, some concerns have arisen in recent weeks which I hope the Minister can address.

In my constituency, several pensioners who suffer from underlying medical conditions have been refused the swine flu injection. Will the Minister outline the strategy for pensioners who have such underlying issues? One of the pensioners has had two heart attacks. Will the Minister clear up that point for me? Did the GP concerned take the right decision? What can be done to alleviate the situation?

Last week, a worrying development occurred in Wales. Five patients developed resistance to Tamiflu. Will the Minister update us on that? Are there signs that the swine flu virus is mutating?

**The Minister of Health, Social Services and Public Safety:** As far as the first part of Mr Easton's question is concerned, the priority groups are as I have laid out and, as I understand it, the individuals referred to should have been offered the swine flu vaccination. If the Member writes or speaks to me afterwards, I will look into that for him to ensure that the individuals concerned get what they are entitled to.

The development in Wales is worrying. In some areas, the virus appears to be mutating away from a form that can be combated by the Tamiflu antiviral drug. That was always a concern, and the vaccine manufacturer was concerned that the virus would mutate. That is why a broad-spectrum vaccine was chosen. There is no example of that development in Northern Ireland: we have no such cases. It has happened in Wales and in other parts of Europe, but numbers are very small, and I hope they will remain so.

**Mr Dallat:** I thank the Minister for his statement, and for his openness in keeping the public informed of the process. He says — I believe him — that there could be a second or third wave of this pandemic, and I wonder whether, on the next occasion, he is likely to have less trouble getting the money to pay for the vaccine.

**The Minister of Health, Social Services and Public Safety:** I cannot predict the future with respect to resources for the Health Service. Everyone in the House knows the exact position. The Health Service cannot be maintained as it stands on the resources offered. That is a mathematical fact, and we have proved it to be so. It is wrong to complain that the Health Service in Northern Ireland can somehow fix itself through better management of its finances. One can clearly see that it is underfunded by hundreds of millions of pounds. That is one of my greatest concerns, and I will raise it frequently in this House, much to the annoyance of some Members.

Swine flu will return, and we will have to face each challenge as it comes. This is a major challenge. We still do not know the development pathway of the virus or to where it will travel, other than to say that it will mutate and return.

**Dr McDonnell:** Like others, I thank the Minister for his hard work in keeping abreast of a very difficult situation.

I declare a non-interest, because I am no longer practising medicine. I therefore do not have an axe to grind about money or anything else.

**Ms S Ramsey:** You still have an interest.

**Mr Speaker:** Order.

**Dr McDonnell:** I did not catch that remark, Mr Speaker. Was it to be taken seriously?

I also congratulate the Minister on his intense liaising with colleagues in Great Britain and in the Republic. It is difficult to set priorities, given that a limited supply of the vaccine is available, and Members should recognise that fact. Do the projections suggest when enough of the vaccine will be available for it to be offered freely to everyone, or is it too early to say?

**The Minister of Health, Social Services and Public Safety:** A number of variables exists, not least the uptake of the vaccine, although so far that has been encouraging. It will be some time in the new year before the Department has enough supplies to offer the vaccine to everybody.

## MINISTERIAL STATEMENT

### Flooding: Broadway Underpass

**Mr Speaker:** I inform Members that I have received notice from the Minister for Regional Development that he wishes to make a statement on the independent investigation into the flooding of Broadway underpass.

**The Minister for Regional Development (Mr Murphy):** Go raibh maith agat, a Cheann Comhairle. With your permission, following the completion of work that was recommended by the independent investigation into the flooding of the Broadway underpass on 16 August 2008, I wish to make a statement. The purpose of the statement is to present to the Assembly a brief summary of the work that has been implemented to gain an understanding of the flooding incident at Broadway underpass and to reduce the likelihood of a reoccurrence.

I intend to give a brief overview of the background; the recommendations in the independent investigation that have been implemented; the major cause of the flooding on 16 August 2008; and the work that has been undertaken collaboratively by the Department for Regional Development's Roads Service, the Department of Agriculture and Rural Development's (DARD) Rivers Agency and the contractor. I also wish to bring the House up to date on the work that has been completed on the ground, along with planned work that will reduce the risk of flood reoccurrence.

By way of background, Members will recall that I made a statement to the Assembly on 2 December 2008 after the completion of the independent investigation. At that time, although the Broadway underpass had been opened to traffic, the construction of the underpass and the surrounding infrastructure was not fully completed. Members will be aware that the M1/Westlink scheme was officially opened on 4 March 2009.

I do not intend to recap on the details of my previous statement, but it is worthwhile reminding Members of the three main recommendations that resulted from the independent investigation and the work that has subsequently been undertaken.

First, it was recommended that the banks of the Clowney river be raised to a design level of 500 mm above the one-in-100-year flood level. I had already advised Members that that had been completed before I made my statement to the Assembly last year.

Secondly, I advised that the contractor had implemented enhanced procedures relating to Met Office forecasts for severe weather warnings to ensure public safety. Since then, those procedures have been further enhanced by the installation of a permanent telemetry system, which acts as an early warning system and activates an alarm at high water levels.

Backup machinery and standby crews have been available at all times in case of an alarm activation. Routine daily inspections and cleaning of the screen were also introduced during the construction phase.

Thirdly, I reported that the hydraulic efficiency of the drainage system was to be assessed using a physical model of the system. I can confirm that that model has been completed by a specialist team, which Roads Service appointed in January 2009. A detailed physical model of the Broadway drainage system was constructed, and a computerised model was generated to replicate flow conditions between Broadway and the River Lagan. Extensive testing of various scenarios was undertaken to replicate the conditions of 16 August to establish the reasons why the system was unable to cope on that date, to investigate the capacity of the system and to make recommendations, where appropriate, for improvements. That modelling report was completed in October, and the results have allowed Roads Service, DARD's Rivers Agency and the contractor to gain a fuller understanding of what happened on 16 August 2008.

I will now briefly explain the findings of that modelling, including the major causes of the flooding. The modelling has shown that the culvert system upstream and downstream of the Broadway underpass had sufficient capacity to cope with the flows that occurred on 16 August 2008 without resulting in the flooding that we experienced. The modelling also showed that the major cause of the flooding was a partially blocked screen at the Clowney river inlet, which is located adjacent to the Park Centre. In addition, a section of embankment on the eastern side of the Clowney river was breached and washed away during the flooding event. Although the Broadway underpass had been opened, the embankment that was breached by the flooding was still under construction, because that section of the project was not yet complete. It is therefore clear that if the flows of August 2008 were to reoccur, now that the banks have been permanently constructed and the screen remains clear, out-of-channel flooding would not occur.

*11.15 am*

The modelling work demonstrated that the large box-like structure underneath Broadway where the two rivers meet, which is known as the overflow structure, operates efficiently at high flows and that the penstock valve was not a contributory factor in the flooding event. The modelling also concluded that a flow in the Clowney river equivalent to the design requirement of one in 100 years can be discharged through the system. The modelling exercise helped significantly in providing a clearer understanding of the drainage system from the River Lagan to Broadway.

The banks of the Clowney river, immediately upstream of the Broadway culvert, have recently been raised further to provide additional flood protection and enhance the efficiency of the system. It is evident that the river drainage system provided is compliant with the requirements of the Design, Build, Finance and Operate (DBFO) contract.

I am aware that the work undertaken by the Rivers Agency falls under the responsibility of my ministerial colleague Michelle Gildernew. With her indulgence, I will report on the positive work that it has undertaken to address the risk of debris blocking the Clowney river inlet screen. Upstream of Broadway, the Rivers Agency has implemented measures to intercept debris in the upper reaches of the Clowney river before it reaches the Broadway system. Modifications have also been made to the Clowney river inlet screen to make it more efficient and easier to clean. On reassuming responsibility from the contractor, the Rivers Agency introduced an enhanced regime of inspections and screen cleanings three times a week.

As the construction works are complete, the Rivers Agency now has responsibility for the Clowney and Blackstaff drainage system and for the early warning system at the Clowney river inlet. Procedures have been established for notification to the relevant authorities and for the appropriate response in the event that an alarm is triggered. That work and the associated procedures are designed to safeguard public safety in the unlikely event of a reoccurrence of flooding. The results of the assessment of the hydraulic efficiency of the Clowney and Blackstaff drainage system have increased the Rivers Agency's understanding of the flow regime and dynamics of the drainage system.

With regard to the old drainage system downstream from Broadway, a number of detailed surveys and inspections were undertaken between Broadway and the River Lagan. Most of that system was constructed in the 1960s and, therefore, was not designed to modern-day standards. The surveys identified a number of issues affecting the system's ability to discharge flows into the River Lagan. However, I am advised that the Rivers Agency, under the floods directive, is currently carrying out a Belfast flood risk study, which will look at all aspects of flood risk affecting Belfast. Information obtained from the modelling work will be used to inform that study and to help identify proposals to improve the overall drainage system. That may include further works to the Clowney river and the Blackstaff river that are outside the scope of the DBFO contract.

It is worth noting that the completion of the Belfast sewers project by NI Water will help improve the capacity of the downstream system, as Distillery Street and Glenmachan Street pumping stations, which



currently outlet into the Blackstaff south culvert and relief culvert respectively, will be diverted to the new pipeline. It would be remiss of me if I did not bring to the attention of Members the recent Northern Ireland Audit Office report on the procurement of that contract, which was published on 4 November 2009, and which made reference to the Broadway flooding incident. Members will understand that I am not in a position to comment on that report as it is a matter for the Public Accounts Committee. However, I assure Members that Roads Service is indemnified against damage and liability on that stretch of road, including the costs associated with damage as a result of the flooding incident.

It is clear that a significant amount of work has been completed since my last statement on the matter in December 2008. That work has happened through the Roads Service, the Rivers Agency and the contractor working in close partnership and has enabled a swift conclusion to be brought to what is a complex issue. I take this opportunity to thank the Rivers Agency and the contractor, who, along with the Roads Service, agreed to an equal financial contribution to the cost of the modelling.

Members should note that the hydraulic design of the complex drainage system is not an exact science and that at Broadway, as in most river systems, there remains a risk, albeit low, of flooding in exceptional rainfall conditions. However, with the work that has been completed, I am confident that the risk to public safety at the Broadway underpass has been alleviated.

I am happy to take questions now.

**The Chairperson of the Committee for Regional Development (Mr Cobain):** I thank the Minister for his statement and for the reassurance that the report provides.

The Minister said that information gained from the modelling work will be used to inform the flood risk study and to identify proposals that will improve the overall drainage system. He also said that that may include further works to the Clowney river and Blackstaff river that are outside the scope of the contract. Will there be any financial implications from that?

**The Minister for Regional Development:** The drainage study that I referred to is being undertaken by the Rivers Agency, and, in so far as the DBFO contract was involved, some work was done in relation to that and, in particular, on the Broadway junction and underpass.

If the Rivers Agency identifies a need for further work, either upstream from Broadway on the Clowney river or the Blackstaff river or downstream towards the River Lagan, it must do the costing and find the necessary resources.

**Miss McIlveen:** I thank the Minister for his statement and welcome the assurance that public safety will be safeguarded. However, I cannot help but notice what looks like a shifting of responsibility to the Rivers Agency. Is that an additional resource burden on DARD, or is it normal practice? Are the areas of responsibility for the DBFO contract clear?

**The Minister for Regional Development:** Yes, they are clear. The DBFO contract relates to the works on the Westlink and associated works. The associated works included immediate work on the rivers that flowed underneath the Broadway underpass. That work has been completed and has brought the infrastructure up to a standard higher than what would be expected. That was done under the stewardship of a three-way partnership between Roads Service, the contractor and the Rivers Agency.

The Rivers Agency is undertaking a Belfast drainage study, and any works that impact on that will fall to the Rivers Agency. Therefore, there has not been a shifting of the burden. The drainage study is ongoing and will identify how to implement better drainage systems. I said that the drainage system under Belfast was built in the 1960s and that it does not meet current standards, so, if the study identifies a need for further work, responsibility for that will fall to the Rivers Agency.

**Mr P Maskey:** Go raibh maith agat, a Cheann Comhairle. I was glad to hear the Minister mention the Audit Office's recent report on the procurement of the contract. I am glad to hear that Roads Service is indemnified against any damage and liability. Given that there is cross-departmental working between the Minister's Department, DARD and Roads Service, who will be responsible for the Clowney river?

**The Minister for Regional Development:** The Audit Office report is a matter for the Public Accounts Committee, of which the Member is Chairperson. However, the report clearly stated that Roads Service should be indemnified, which is the case under the contract for damage or clean-up.

After the contractor had completed the initial works, it decided to enhance the work on the banks of the Clowney river by installing a telemetry system as well as an early warning system. To prevent debris flowing down and gathering at the screen at the Broadway underpass, the Rivers Agency worked on that screen and on other screens upriver. Once the contracted work was finished, responsibility for that stretch of water and the accompanying infrastructure was handed over to the Rivers Agency, as the contract would have dictated. The Rivers Agency has now assumed responsibility for the Clowney river, the screen cleaning, the telemetry system and the early warning system.

**Mr Dallat:** The Minister said that there is still a risk of flooding, which we have to accept. God knows, we would believe that if we were living in Fermanagh.

The Minister knows that there has been a tendency to pass the buck from one Department to another. Given that the Rivers Agency, the Department of Agriculture and Rural Development and other parties will be involved in the future and that there is still a risk, who will have overall responsibility for ensuring that a similar incident does not happen?

**The Minister for Regional Development:** I do not accept the Member's comment about passing the buck. In the case of the Broadway underpass, the three parties involved came together. They worked with the Fire and Rescue Service and other agencies to deal with the flooding, and they then came together to address the causes of the flooding and provide some solutions. There was no buck passing; there was an equal sharing of responsibility between Roads Service, the Rivers Agency and the contractor. Should a similar incident occur, responsibility would be shared in the same manner.

A colleague of the Member's suggested that a super-agency be created to deal with such instances. In cases of flooding, we have pulled together Executive colleagues and the agencies responsible, because Roads Service is not responsible for rivers and the Rivers Agency is not responsible for roads. I do not know whether the Member thinks that Roads Service should have responsibility for rivers and that the Rivers Agency should have responsibility for roads, but we have the ability to pull together all the relevant agencies. I am not aware of any buck passing in this case or in any other recent cases of flooding that I have dealt with. It is all very well going for a headline saying that we should have an agency and suggesting that that would sort all the problems.

**Mr Dallat:** I only asked a question.

**Mr Speaker:** Order.

**The Minister for Regional Development:** I am trying to answer the question. The Member's question suggests that the agencies are not working together, and it asks who would have responsibility if something were to happen again. Responsibility will lie ultimately with the Executive. They will pull together the agencies under their authority and control so that any issues that arise can be dealt with. That has always been the case. One of Mr Dallat's colleagues suggested that the solution is to create a super-agency. The Executive are the super-agency, and they should, rightly, deal with the problem. The buck will stop with them.

**Mr McCarthy:** We do not need any more agencies, super or otherwise. We have plenty, but they need to do the job when required.

The Minister's statement says:

"the major cause of the flooding was a partially blocked screen at the Clowney Water inlet".

The statement also notes that modifications have been made to that inlet and that the Rivers Agency has introduced an enhanced inspection regime.

I know that the Rivers Agency is not part of the Minister's Department. However, what will happen if the Rivers Agency, for some reason or other, falls back on that inspection regime and does not carry out the screen cleaning three times a week? We will be back to square one. Although that agency is not part of the Minister's Department, that road, for which he is responsible, will be blocked and flooded again. Will the Minister guarantee that his Department will continue to negotiate with DARD to ensure that that work will be done?

**The Minister for Regional Development:** That work is being done already, and I am confident that it will continue. As well as introducing that inspection regime, we have installed a telemetry system that provides an early warning. If water levels in the Clowney river rise to a certain level, a warning is triggered that alerts agencies not that the system is overflowing but that a potential problem is building up. Not only has the Rivers Agency made a commitment that is being carried out through its work to ensure that the screens are unblocked, but more screens have been built further up the river to catch material that comes down so that it does not arrive at the Clowney river in the same volume that it did previously. In effect, three different measures are in place to prevent a reoccurrence.

**Mr G Robinson:** As someone who was almost caught up in the flooding of the Broadway underpass on 16 August 2008, I am pleased that so much work has been completed. It appears that, despite all the work, the problem may reoccur without regular cleaning of screens. What upstream measures have been taken to stop debris reaching the screens? Does the Minister believe that cleaning three times a week will be adequate to prevent further flooding?

**Mr Speaker:** Members should stop reading supplementary questions.

**The Minister for Regional Development:** Go raibh maith agat, a Cheann Comhairle. The Rivers Agency has not only undertaken to carry out frequent inspections and cleaning of the screens but it has installed screens back up the river to catch material as it comes down. The agency will keep a close eye on inspecting those screens to ensure that there is no build-up of debris. The telemetry system has been installed so that, if, for whatever reason, water levels build up to a level that people consider a problem, an alarm will alert the agencies to that problem. A

response mechanism is built in to that alarm. Therefore, I believe that those measures are sufficient.

Of course, we cannot predict every outcome. Some Members said that there has been rain of biblical proportions in other parts of the country recently, and we can see what has happened down in Cork and Kerry, where dams have burst. Those measures have been put in place to prevent the flooding of the Broadway underpass, and they have been in place for some time. Given that we have been experiencing severe rain recently, those measures have been working. Furthermore, the inspection regimes have been working, and I anticipate that they will continue to work.

**Mr F McCann:** Go raibh maith agat, a Cheann Comhairle. I welcome the Minister's statement, and I hope that the works that are detailed in the report bring to an end the history of flooding in that general area. As I said in the past, there was a sigh of relief, certainly from my constituents in that area, that the underpass was there.

**Mr Speaker:** The Member should come to his question.

**Mr F McCann:** If the underpass had not flooded, houses would have been under four feet of water. As part of the overall report and works, will the wider area around the underpass be checked constantly to ensure that street drains and sewers do not flood? Flooding is a constant problem in that area at times of heavy rain.

11.30 am

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

**The Minister for Regional Development:** There is a clue in the name of the area adjacent to the underpass. The Bog Meadows is an area that is likely to flood. The Rivers Agency, Roads Service and NI Water are responsible for identifying areas that are flood hotspots, and they must ensure that all available measures to alleviate flooding are taken. The underpass is located in a low-lying area that has been subject to flooding, but the measures that we have taken in relation to the underpass will ensure that the water from the Clowney and Blackstaff rivers can get away. I hear what the Member has said; other parts of Belfast that have become flooding hotspots over many years should receive particular attention to ensure that flooding does not reoccur.

**Mr Bresland:** I thank the Minister for his statement. Can he inform the House of the cost of the independent investigation, and does he intend to recoup some of that money from the contractor?

**The Minister for Regional Development:** My Department's clear understanding, which was confirmed by the Audit Office report, was that Roads Service was indemnified from damage and clean-up

costs and that those costs would be borne by the contractor. There was an onus on my Department to act in partnership with the Rivers Agency and the contractor to provide a degree of confidence. Roads Service had a responsibility to contribute to the investigation of the failure of such a major piece of infrastructure and to offer solutions. The Department contributed in that regard to the cost of the report. It paid for the report and contributed to the cost of building the model for the investigation, as did the Rivers Agency and the contractor.

**Mr Kinahan:** I thank the Minister for his statement. The question that I was going to ask has already been answered, but it is important for everyone, because it is likely that these one-in-a-hundred-year events are probably going to happen more than once every 100 years.

Can the Department for Regional Development come up with a policy to let councils know where to get sandbags from? I know that sandbag provision varies from council to council, and that people do not know where to get sandbags. When the flooding starts, it is the first time that anyone thinks about where to get sand or sandbags to protect their homes.

**The Minister for Regional Development:** The Executive established a flooding hotline, which should act as a one-stop shop for people who have concerns about flooding and need answers, rather than ringing round three or four different agencies. People need to have some sense of what they are doing. In many cases, they get sandbags delivered when they believe that flooding is about to happen in their area, only to leave areas that are subject to flooding without sandbags. Professional judgements have to be made; those decisions should not be made by individual households or by people in a street. The hotline is there. It is a one-stop shop for people to make direct contact with the responsible agencies, and it will continue to be worked on.



## EXECUTIVE COMMITTEE BUSINESS

### Financial Provisions Bill

#### Final Stage

**The Minister of Finance and Personnel (Mr S Wilson):** I beg to move

That the Financial Provisions Bill [NIA 6/08] do now pass.

The Financial Provisions Bill was introduced to the Assembly on 23 February 2009 by the then Finance Minister, Nigel Dodds. It comprises six clauses and a schedule. I believe that the subsequent process of scrutiny and debate has been extremely productive.

First, I wish to record my gratitude to the Chairperson of the Committee for Finance and Personnel, who has explained that she cannot be here this morning, the former Chairperson and the members of the Committee for their work in considering the Bill in conjunction with the other Statutory Committees that have an interest in it. I also wish to thank all other Committees and Members for their contributions to the debates on the previous stages of the Bill's passage, and my officials, who made themselves available to the Committee to clear up the technical issues in the Bill.

The Bill is important and necessary legislation, the main purpose of which is to tidy up routine financial matters. It does not affect the overall quantum of the public expenditure of Northern Ireland.

Following scrutiny of the Bill at earlier stages, I tabled three amendments that Members endorsed at Consideration Stage. Two of the amendments related to powers to include expenditure incurred by the Office of the First Minister and deputy First Minister (OFMDFM) for the purpose of promoting the interests of children and young persons and sustainable development. Those amendments relate to issues that are already the responsibility of OFMDFM, and the necessary funding has been secured until March 2011.

As Members are aware, the clause that relates to the costs of district rates collection has been removed. Members will recall that I advised the Assembly during Consideration Stage that it did not fulfil the purpose for which it was designed. The Bill now contains seven miscellaneous provisions that will require primary legislation.

I do not intend to spell out in any great detail what the Bill does or how; we have been over that ground previously. However, I will recap: in simple terms, the Bill contains provisions that confer absolute privilege on reports from the Comptroller and Auditor General; authorise expenditure by the Department of Enterprise, Trade and Investment (DETI) for consumer purposes and social economy enterprises; and authorise expenditure

by OFMDFM on children and young persons and sustainable development. The final provision in the Bill repeals the requirement to prepare finance accounts.

In short, the Bill provides for a number of routine, non-controversial amendments — I always hesitate to say “non-controversial” because it usually invites all kinds of controversy — to financial legislation or to regularise existing practices. I look forward to Members' support in ensuring that the Bill passes its Final Stage, and I commend the Bill to the House.

**The Deputy Chairperson of the Committee for Finance and Personnel (Mr Weir):** I speak on behalf of the Committee in the absence of the Chairperson, Jennifer McCann, who is unable to be here. I note, as an aside, that the Dispatch Box has been left on the opposite Benches. I do not know whether someone has made the unique error of confusing Fra McCann with Jennifer McCann. If so, I suspect that this is the only occasion on which that has happened.

Members will be aware that the main function of the Financial Provisions Bill is to tidy up routine financial matters and various technical and non-controversial issues, as the Minister outlined. The Bill was introduced by the Minister of Finance and Personnel on 23 February 2009 and referred to the Committee for Finance and Personnel after its Second Stage on 3 March 2009. We consulted the Committee for Enterprise, Trade and Investment, the Public Accounts Committee and the Audit Committee, all of which confirmed that they were content with the provisions of the Bill.

No submissions were received in response to the public notice that invited written evidence on the Bill. In addition, no issues were raised by Committee members during the clause-by-clause scrutiny of the Bill on 22 April 2009. The concerns that had been raised during a previous evidence session with the Department of Finance and Personnel (DFP) officials had, by that stage, been addressed.

On 9 September 2009, the Minister notified the Committee of the proposed amendments to create statutory powers for OFMDFM to incur expenditure for the benefit of children and young people and sustainable development. The Committee received a full briefing from DFP officials on 23 September 2009. I record the Committee's gratitude to those officials who assisted with the scrutiny of the Bill.

During the debate at Consideration Stage, the Chairperson advised the House that Committee members had queried whether OFMDFM might also be required to have statutory powers to incur expenditure on assisting activities for the benefit of older people. Members of the Committee had written to the Committee for the Office of the First Minister and deputy First Minister about that. The Committee is



pleased to note, from the response received on 11 November 2009, that OFMDFM already holds the statutory authority for that expenditure. I thank the Committee for the Office of the First Minister and deputy First Minister for its assistance in obtaining that clarification.

On behalf of the Committee for Finance and Personnel, I formally support the Bill at its Final Stage.

**Mr O'Loan:** I also support the Bill. I thank the Minister for writing to me to address an issue that I had raised and for copying that letter to the Committee. The issue concerned the recognition of costs recovered in respect of rates collection as an important part of his Department's efficiency delivery plan. The Minister's proposed removal of clause 4 caused me concern, and I wondered whether it would have an impact on the efficiency delivery plan. His letter indicated that the withdrawal of clause 4 has not had, and will not have, an impact on the Department's efficiency delivery plan. One always reads between the lines of the Minister's letters as well as reading the lines, but I have no reason to believe that the Minister is attempting to pull the wool over my eyes. I accept and welcome his important assurance at face value, unless subsequent events prove the situation to be otherwise.

I will comment very briefly on some of the clauses. Clause 1 gives absolute privilege to reports of the Comptroller and Auditor General. One should always examine such clauses with vigilance, but I am sure that that absolute privilege will be used in the public interest. It will be good if the clause gives the Comptroller and Auditor General more freedom to put information into the public arena and to be open and transparent in respect of the matters that he or she is investigating. It would be wrong if absolute privilege were abused or used improperly, but I am sure that the person in that position will use it in an entirely responsible way.

I support clauses 2 and 3, which give the Department of Enterprise, Trade and Investment powers in relation to expenditure for consumer purposes and social economy enterprises respectively. New clauses 4 and 5 concern OFMDFM's powers in relation to expenditure for children and young persons and for sustainable development respectively. The Minister has given assurances that clauses 4 and 5 will not be a Trojan Horse to give power and financial resource to the Office of the First Minister and deputy First Minister that have not been anticipated by the Committee. Although the wording of those clauses seems to be very wide-ranging, I welcome the Minister's written assurances, which are on the record.

I support the Bill.

**The Minister of Finance and Personnel:** I have got off more lightly in today's debate than I did during

Consideration Stage. I thought that I would be here for only 10 minutes for that debate, but it lasted more than an hour. I thank Members for their contributions today. The fact that there has been so little comment at Final Stage indicates that the process has worked well. I understand the point that it is a technical Bill, and that fact does not always lead to great debate. I am sorry that we cannot replicate the excitement of last night, when Members felt compelled to stay in the Chamber and enjoy the debate until 9.00 pm.

I will make a couple of points in response to comments that Members have made, especially those of Mr O'Loan the Member for North Antrim. I am deeply hurt that he thinks that I would try to pull the wool over his eyes, write something between the lines, or be less than straightforward and transparent.

I wrote to him at that time to address the technical point that he raised. I wanted to be sure that I did not waffle, as the Member for Strangford accused me of doing, so I thought that it would be useful for me to write to Mr O'Loan about the issue.

*11.45 am*

Mr O'Loan raised two matters. The first was about the absolute privilege that is being given to the Comptroller and Auditor General. He pointed out that the reason for that is to allow the reports from that office to be as full as possible, and for the Comptroller and Auditor General to be able to put his finger on particular issues. The reason why that is included in this Bill is because we want to give power to the Comptroller and Auditor General to bring reports to the Northern Ireland Assembly. Of course, the Comptroller and Auditor General has always had those powers. They were not abused in the past, and there is no reason to believe that they will be abused in the future. The clause simply enables reports to the Assembly to have that same cover.

The extension of OFMDFM's powers relates to money that is already in place for sustainable development and for work with children and older people. The powers are normally given in Budget Acts; the Bill simply regularises that so that it does not have to be done on a regular basis. It is not an extension; it simply formalises powers that already exist, for which the Assembly normally votes on a regular basis in Budget Acts.

I thank Members for their contributions. I thank all those who worked on getting this Bill through the Assembly. On that note, I commend the Bill to the House.

*Question put and agreed to.*

*Resolved:*

That the Financial Provisions Bill [NIA 6/08] do now pass.

## COMMITTEE BUSINESS

### Report on the Inquiry into the Funding of the Arts in Northern Ireland

**Mr Deputy Speaker:** The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer will have 15 minutes in which to propose the motion and 15 minutes in which to make a winding-up speech. All other Members who are called to speak will have five minutes.

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

That this Assembly approves the report of the Committee for Culture, Arts and Leisure on its inquiry into the funding of the arts in Northern Ireland.

Go raibh maith agat, a LeasCheann Comhairle. Molaim an rún. Before I comment on the substantive matter that is before the House, as Cathaoirleach, or Chairperson, of the Committee for Culture, Arts and Leisure, I express my gratitude to all the individuals and organisations who contributed to the inquiry. Ba mhaith liom mo bhuíochas a ghabháil. I extend my sincere thanks to the Committee secretariat for its work in arranging the evidence sessions for the inquiry and in drafting the report. I am particularly grateful to the Clerk of the Committee, Dr Kathryn Bell, and the entire team. In addition, I express our appreciation to the Assembly's Research and Library Services for the high-quality research and analysis that it provided to the Committee, and to Hansard for its patient and accurate reporting of the evidence sessions.

The Committee is grateful to all who provided written and oral evidence during the inquiry. I also thank each of my MLA colleagues on the Committee for their individual commitment to the inquiry and for the constructive and collective approach that they all adopted when trying to understand the dynamics of how the arts sector here is funded and how that funding could be improved. Furthermore, I state my appreciation to the Minister of Culture, Arts and Leisure, Nelson McCausland, for his attendance this morning.

The arts are a key spending area for the Department of Culture, Arts and Leisure (DCAL). However, in recent years, there has been growing concern about the relatively low level of arts funding here compared to other regions and jurisdictions. When undertaking its inquiry, the Committee sought to address a number of key questions: namely, how and to what level the arts are funded here by the public and private sectors; and when I say the private sector, I mean the good work being carried out by organisations such as Arts and Business, which try innovatively to secure support from the sector. The Committee also asked about the

impact of such funding on society and how the available funding is distributed across the various art forms. Of course, everyone wants a larger cake, but are the existing budget priorities correct?

The main findings of the inquiry are as follows: first, the Committee concluded that there is a lack of information about how much money the public sector invests in the arts. Research is required to ascertain how much money Departments other than the Department of Culture, Arts and Leisure spend on promoting the arts. Secondly, the Committee came to the view that an interdepartmental approach is required to increase funding in the arts, because the social and economic benefits of the arts meet the objectives of a range of Departments, including the Department of Health, Social Services and Public Safety (DHSSPS), the Department for Social Development (DSD) and the Department of Enterprise, Trade and Investment (DETI). Thirdly, with respect to allocating existing funding, the Committee concluded that, given the impact of the community and voluntary arts on regenerating communities, and the fact that they provide people with opportunities to participate in arts activities, more money should be spent on them. Fourthly, the Committee was particularly concerned that arts groups in communities without an arts funding history should be proactively encouraged to access available moneys. To that end, the Committee recommends that the Arts Council's Start Up programme continues and develops.

I shall now examine some of the key findings in more detail. The Arts Council has produced per capita arts-spend figures for 2008-09. In this region, the spend is £7.58 per person, which is lower than in other regions. In the South of Ireland, the figure is €17.92; in Scotland, it is £14.04; in England, the figure is £8.47; and, in Wales, it is £10.10. However, the figure of £7.58 per person here covers only what the Department of Culture, Arts and Leisure spends on promoting the arts. It does not include spending by other Departments or local government authorities. At present, an overall picture is simply not available.

The Committee came to the view that a baseline figure is required to capture the total spend on the arts by the public sector here, including all Departments and local councils. Local council spending varies considerably. The Committee, therefore, recommends that the Department undertakes the appropriate research and that the information gathered should be used by the Department and the Arts Council to obtain a wider understanding of who is funding the arts, where the funding is being targeted, and whether any areas are receiving little or no public funding.

As part of its inquiry, the Committee looked at how other regions have managed to increase arts funding. The Committee took evidence from An Chomhairle Ealaíon, the Irish Arts Council. In addition, we

undertook a study visit to Liverpool, which, in 2008, was the European capital of culture.

The Irish Arts Council told the Committee that the reasons put forward in the South for spending more on the arts were, to a great extent, economically motivated. It was recognised that the arts are an economic contributor to the creative industries and cultural tourism and play a role in attracting investors to locate in a particular region. Similarly, in Liverpool, the economic and tourism benefits of the arts were significant factors behind the city's successful bid to be the European capital of culture.

Furthermore, when the Minister of Culture, Arts and Leisure gave evidence to the Committee, he, too, recognised the many benefits of the arts in respect of their contribution to the cultural, social and economic lives of people here. He also referred to the creative industries, which, in 2007, employed 36,300 people in the North. That equates to 4.6% of the workforce, which demonstrates the significance of the creative sector.

Other organisations that contributed to the inquiry, perhaps notably the Forum for Local Government and the Arts, quoted the National Endowment for Science, Technology and the Arts, which stated, in March 2009, that the creative industries are predicted to be a major, high-growth contributor to the economy in the next five years. That organisation says that, on average, creative industries are set to grow by 4%, which is more than double the rate of the rest of the economy, and that the number of creative businesses will outstrip the financial sector by 2013. The Minister also made the point that the most prosperous economies are characterised by a strong creative sector.

Therefore, it is clearly recognised that funding the arts has many positive spin-offs for the economy. It is not just a question of funding the arts for art's sake, although I add that the arts are crucial for pursuing excellence in artistic terms, which is important and should not be understated either. Given the many benefits deriving from the arts, it is the Committee's view that all Departments should be looking at the ways in which they could fund arts-related activities and initiatives.

That was the view put forward by a range of arts organisations that gave evidence to the inquiry. They made the point that the work that they do meets the objectives of a variety of Departments. For example, ArtsEkta referred to the cultural diversity and section 75 work that it does through its programmes, yet it has found it difficult to secure funding from the racial equality unit in the Office of the First Minister and deputy First Minister (OFMDFM) because the accepted and conventional notion is that funding for the arts should come from the Arts Council. Similarly, Féile an Phobail spoke about the social development

and community regeneration aspects of its festival, yet my understanding is that it has not received any support from the Department for Social Development.

The consensus from the arts organisations was that the Department of Culture, Arts and Leisure needs to set up an interdepartmental group to encourage other Departments to invest in the arts. That would reflect the fact that the arts have an impact on all areas of government.

In the greater scheme of things, DCAL has a relatively small budget, which, as the Minister will no doubt say, must be spread across a range of areas: the arts, sport, language, museums, libraries, and so on. Other Departments have much larger budgets, and a significant impact could be made if they were to spend even a quarter of a percent of their budget on arts-related activities. The Committee is fully aware that budgets are stretched. Therefore, we are not coming cap in hand simply to ask for more money for DCAL or the Arts Council. We are asking that other Departments look seriously at how funding arts-related projects can help them to meet their objectives.

Arts groups also made the point that a cross-departmental approach would help to raise the profile of the arts and to embed them in people's everyday lives. The Committee recognised that other Departments have done some good work in relation to the arts; notably the Re-imaging Communities programme, which was funded jointly by DCAL, the Department for Social Development, the Department of Education and other partners. However, we believe that, although such ad hoc projects have great value, a more co-ordinated cross-departmental approach is required.

*12.00 noon*

The Committee recommends that more money should be spent on community and voluntary arts, which have a significant impact on communities and individuals. Investment has real and tangible benefits, because it helps to provide opportunities that develop individuals' creative skills, which can greatly enhance their employability. Communities are brought together and change can occur through regeneration.

The importance of community arts was emphasised by a range of witnesses who gave evidence to the inquiry, and not only by those who are in the community arts sector. The Arts Council told the Committee that the growth in funding for the arts in the South of Ireland resulted from investment in the arts at grass-roots or community levels. In the 1980s, the Arts Council of Ireland undertook a capital development programme, which focused on every major town having its own arts centre. In its view, that led to a normalisation of spend on the arts, as the arts became embedded in people's everyday lives. We have seen a similar type of



investment in a number of towns in the North, and that has been welcome.

Similarly, Liverpool, in making its bid for European capital of culture, recognised the potential for investment in the arts to regenerate some of its most deprived communities and to create a sense of civic pride. The Committee, therefore, came to the view that if funding for the arts is to increase over time, DCAL needs to target its current investment in such a way as to embed the arts in people's everyday lives. People need to be able to see the benefits that being part of a creative-led society can bring to their daily lives in respect of employment opportunities, social and leisure activities, and their sense of community and cultural belonging. Investment in community arts plays a vital role in that process.

It is, therefore, fitting that the Committee has chosen to mark the launch of its report by hosting a musical event to showcase a range of local talent in the community arts sector. Performers from the traditional Irish music scene and musicians from the Ulster-Scots tradition will be joined by a fusion band incorporating Indian, African, Polish and Irish sounds. The event will take place at 1.15 pm in the Long Gallery, and I encourage all Members to attend. That invitation to attend is extended to you, Mr Deputy Speaker, if you can be weaned away from the Business Committee meeting, or whatever it is that you tend to be at during Tuesday lunchtimes. Those present will witness at first hand one of the key messages that we are aiming to get across in our report, which is that the arts have a vital role to play in building a shared and better future for all.

At this time of economic downturn, the Committee firmly believes that the arts are even more important for our society and should never be regarded as a soft touch or an easy target in any proposed cuts that might lie ahead.

**Lord Browne:** I am a member of the Committee for Culture, Arts and Leisure.

In a survey that was carried out recently in the United States, it was interesting to note that 96% of those interviewed said that they were greatly inspired by various kinds of arts and that they valued arts highly in their lives. The survey also claimed that the majority of parents who were interviewed think that the teaching of arts is as important as the teaching of reading, maths, science, history and geography.

In the face of a changing global economy, economists believe that we will have to rely on innovation, ingenuity, creativity and analysis to have a competitive edge. Those are skills that can be gained and enhanced by engagement with the arts.

An article in an Education Resources Information Center journal states:

"The arts play an important role in human development, enhancing the growth of cognitive, emotional, and psychomotor pathways. Neuroscience research reveals the impressive impact of arts instruction, such as, music, drawing and physical activity, on students' cognitive, social and emotional development."

Although we all recognise the importance of the arts, we need to consider the implications of resources for the arts programme.

As part of the report on the Committee's inquiry into the funding of the arts in Northern Ireland, the Committee was interested in the comparison of funders between the government funders of the arts and in how Northern Ireland compared with Scotland, Wales and the Republic of Ireland in the distribution of those budgets. Unfortunately, the Arts Council informed the inquiry that that type of information was not readily available.

The arts councils in each United Kingdom region, and in the Republic of Ireland, support artists and art organisations through Exchequer and lottery funds. However, the compilation of a breakdown across the various regions represents significant research because of issues of consistency and comparability among budgets and systems of clarification.

In his evidence to the inquiry, the Minister of Culture, Arts and Leisure stated:

"It is important to understand and, where appropriate, learn from the funding-allocation process used by other organisations that provide public funding to the arts. However, every region is different and Northern Ireland, like other regions, has its own unique cultural demographic and social characteristics that are reflected in the allocation of funds to various art forms."

That view was also expressed by the Assembly's Research and Library Services, which pointed out:

"different regions have their own leanings towards certain art forms, perhaps as a result of their cultural history".

I agree with the Committee's conclusion:

"while this kind of comparative data across the regions would be of interest, it may not necessarily be required to assist public funders of the arts in Northern Ireland in allocating their budgets."

It would be useful to compare in detail the funding of arts by the private and public sectors in each of those regions. Northern Ireland falls behind the other regions with respect to private-sector investment and sponsorship for the arts, and there is tremendous potential to generate more funding from trust foundations, businesses and philanthropic giving. There must also be better linkages and partnerships between the arts and the business communities. Community arts groups, in particular, require greater help from the business community, because many have very limited staff resources.

As I stated at the beginning of my contribution, the arts have much to offer to, and are an integral part of, our society. We in the public sector must offer as much support as possible. However, there is a responsibility



on the part of the arts community to ensure that the ratio of public-sector investment in the arts reduces in comparison to sponsorship and investment by the private sector. I call on the arts community to explore all means of private-sector investment and sponsorship.

**Mr K Robinson:** I declare an interest not only as a member of the Committee for Culture, Arts and Leisure, but as a member of Newtownabbey Borough Council, which invests widely in the arts and is about to open its new Theatre at the Mill on the site of Mossley Mill. I hope that Members will take the opportunity of visiting that venue.

Having finished my commercial, I want to concur with the points that have been made by previous contributors to today's debate. I also pay tribute to the sterling work that was carried out by the Committee staff in handling an onerous burden and completing an undertaking that many believed could not be accomplished.

12.15 pm

I wish to bring to the attention of the House the manner in which the Committee approached the daunting task of completing the inquiry. It exhibited diligence, rigour, a marked degree of understanding and, most importantly, good humour, which made the lengthy process of the inquiry worthwhile. I hope that the House will acknowledge all that by supporting the Committee's motion.

I will focus my comments on the issue of funding cycles. We are all aware of the traditional funding regimes that Departments are required to operate. Those annual cycles have much to commend them in the way that they allow for the scrutiny of public funds. However, pages 13 and 14 of the Committee's report indicate that the groups that operate within the arts sector are faced with fundamental difficulties.

Many people would welcome the opportunity to develop projects — in most instances, worthwhile projects — well beyond the current three-year cycle, perhaps up to a five-year plan. However, the restraints of the departmental accounting process are not conducive to that, since it is based on the annual budget. Arts bodies indicated that such an extension would enable them not only to develop plans for festivals and other activities but to retain staff and attract key performers. Perhaps that sense of stability would then be reflected in increased participation and enhanced attendance figures, with a consequent rise in income generation and a decrease in bids for public funding in the long term.

The Arts Council finds that its room for flexibility is severely restricted, although it attempts to address the issues to which I referred by admitting three-year clients. The Lyric Theatre's evidence refers to that fact. Paragraph 51 states:

"We are part of a three-year funding programme with the Arts Council, but it is three-year funding in name only, because the Arts Council is wholly reliant on funding from the Department that is provided on a yearly basis."

Generally, that is the problem with funding cycles.

The timing of funding is another issue. At paragraph 52, the Arts Council refers to the problem:

"Often, our funding decisions are not confirmed until February."

I remind Members that the end of the financial year is March. The Department attempted to give three-year indicative funding, but the fact is that everyone is locked into an annual funding scenario.

The Committee recognises the fact that that sense of frustration is accepted by all witnesses who gave evidence with regard to longer funding cycles. We would like DCAL and the Arts Council to work together to ensure that decisions on budgets are taken as early as possible. Indeed, recommendation 6 reflects those concerns and states:

"We recommend DCAL and the Arts Council work together so that budgets for coming years can be finalised in the January ahead of the new financial year in April, so that arts organisations are given as much prior notice as possible of their funding position."

I urge the House to support the report in its entirety and to pay particular attention to the matter of funding cycles. I am pleased to see that the Minister is in the Chamber and is listening to Committee members' speeches. I hope that he and his Department will note what has been said.

**Mr D Bradley:** Go raibh maith agat, a LeasCheann Comhairle. Tá áthas orm páirt a ghlacadh sa díospóireacht thábhachtach seo.

I wish to focus my remarks on the balance of funding between community and voluntary arts groups and professional organisations, as outlined in recommendations 7 and 8 of the report. The relationship between community arts and professional arts is interesting, and the Committee heard about that relationship during its inquiry into the funding of the arts.

There is general agreement that there is a healthy interdependence between the community and the professional sector. Indeed, some warm and cordial comments were made from several quarters. Voluntary Arts Ireland pointed out that the big beasts of the jungle and the insects are totally reliant on each other. The Ulster Orchestra told us that it aims to be a classical symphony orchestra with excellent access and outreach. The Arts Council believes that the distinctions between the various branches of the arts, including the voluntary and professional sectors, have lost most of their definition and significance and that many practitioners would no longer recognise themselves as belonging to fixed categories of artistic practice.

The Arts Council told the Committee that the community sector delivers with a high level of professionalism and that high-calibre professional artists work in various community contexts. It is good to see that healthy respect between those two important sectors in the arts. We hope that that will continue, because, at the end of the day, the continuum of arts provision is interdependent, and no one sector functions in isolation to another.

The amateur, community and voluntary sectors are the nursery of the arts. Those sectors nurture the new talent that will fulfil professional roles in the future, whether in music, song, dance, drama, literature or the visual arts. The nurturing of young talent can, of course, be encouraged through young people's experience of the polished performances of great poets, dramatists, novelists, painters and professional artists in general.

The work of community arts goes beyond the nurture of future talent. It can help a community to view itself in a different light and to relate better to its neighbours, raise community self-esteem and cohesion, lift the spirits through laughter and humour, increase local pride through local achievement and, indeed, pose hard questions that need to be addressed within the community.

One could say that the professional sector fulfils a similar role, but on a bigger canvas — or, if you prefer, on a bigger stage. Both are of equal value in the context in which they work, and both perform important roles for their various constituencies, but they are interrelated and interdependent, and need to work in a spirit of mutual respect and co-operation.

In the course of the inquiry, the Committee examined the levels of funding that the Arts Council provides for community and voluntary groups, but the entente was not so cordiale when it came to the issue of funding. The voluntary sector claims that it receives only 9% of the Arts Council budget, whereas the Arts Council claims that that sector receives 20%. The reason for that difference is that many professional organisations contribute to community drama, and the Arts Council counts that as part of its contribution.

The Committee takes the view that the primary providers of community arts are those groups that are solely dedicated to delivering community arts on the ground, and that the funding of community arts should be assessed on the basis of the funding of those groups. On that basis, 9% of the Arts Council's funds go to community and voluntary providers. The Committee's view is that that figure is not acceptable, and we recommend that the Arts Council should raise the contribution that it makes to community and voluntary arts groups to ensure their sustainability and the sustainability of community arts on the ground.

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

**Mr D Bradley:** Finally, I congratulate both sectors for the work that they do in bringing the arts to our people. We congratulate them on the high standards that they have achieved, and look forward to enjoying the fruits of their labour again in the future. Go raibh míle maith agat, a LeasCheann Comhairle.

**Mr McCarthy:** Go raibh míle maith agat, a LeasCheann Comhairle. On behalf of the Alliance Party, I support the Chairman and other members of the Culture, Arts and Leisure Committee, of which I am also a member, on the presentation of the inquiry findings.

The report is a serious attempt to ensure that all people engaged in any of the many and varied arts activities throughout Northern Ireland have equal access to appropriate funding. Like other members of the Committee, I put on record my thanks to the Committee Clerk and all staff, including the Assembly's Research and Library Services, the Hansard staff and anyone who helped to produce the report. I also sincerely thank all those groups that, either through oral or written effort, contributed to our deliberations. I sincerely hope that the 14 recommendations made by our Committee will be acted on so as to make and sustain a lively arts sector right across Northern Ireland.

I also thank all those groups that we met on visits to their territory for taking time to show us and to explain the work that they were engaged in. I thoroughly enjoyed the presentations, particularly that from the Belfast Community Circus.

The day of our visit was brilliantly sunny, and, after watching performances inside, we moved to the cobbled stones of the Cathedral Quarter for some acrobatic stunts. Passers-by looked on in amazement, and, as usual, our Chairman, Mr McElduff, became physically involved. At one point, I thought that we were going to lose him. Pictures of what happened that day are on the Assembly website for all to see.

Everyone in the arts needs our support, and we continue to be fully behind them, regardless of their art form. We need such performances to brighten up what is, at times, a rather dull and dreary existence. We support the Arts Council and all other groups that distribute funding throughout Northern Ireland in their important roles.

The report shows, and it has been mentioned in the debate, that we lag seriously behind all other regions when it comes to funding for the arts. As detailed in chapter 1, per capita spending on the arts in Northern Ireland is £7.58, whereas a whopping €17.92 per capita is spent in the South of Ireland, which probably equates to double the amount. The jurisdictions are different, but I do not understand why there should be

such a wide gap between the funding of people involved in arts in Northern Ireland and those in the rest of the island.

Also in chapter 1, figures provided by the Arts Council show huge differences in the per capita spend of Northern Irish councils. A huge gap exists between the per capita amount of £28·94 that is spent by Belfast City Council, which, as I said earlier, is the richest council in Northern Ireland, and the mere 37p per capita that Magherafelt District Council spends. Even the smallest council, Moyle District Council, invests £7·97 per capita in its arts provision. I hope that the new councils will step up to the mark after the RPA.

The Arts Council of Ireland acknowledges the economic benefit that its provision of high funding brings to the region. It has supported the arts in enticing visitors and tourists to watch local films and to listen to local music in clubs, pubs and on the streets. Culture is one of the pieces of the jigsaw needed to attract and retain inward investment.

I am delighted that the Minister of Culture, Arts and Leisure, Mr Nelson McCausland, is present for the debate. In his contribution to the Committee meeting on 2 July 2009, he said:

“continued investment in the arts and in people in the creative sector generally will make an important contribution to economic recovery ... It is clear that there is much support for the arts sector and a genuine desire to ensure that appropriate levels of funding are allocated to the arts ... It is also apparent that there is widespread recognition of the many benefits to be gained from such funding.”

I hope that the Minister will continue to make such positive comments in support of the arts throughout Northern Ireland. Indeed, the —

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

**Mr McCarthy:** Oh gosh. There is so much to say because it is such an interesting subject.

I hope that the Minister will continue to support the arts, and I encourage everyone to join the Committee in the Long Gallery for the sing-song and presentation.

**Mr T Clarke:** I join other Committee members in thanking and complimenting the Committee Clerk and Committee staff for their work in producing the report. It has been a useful exercise that has unravelled some of the concerns and brought to light many issues. It is worth noting that not many Committee members have spoken about the same subject. Sensibly, we divided the issues between us and considered them separately. That approach proved more useful than having a repetitive debate.

I concentrated on the issue of transparency. There has been a feeling that arts funding is not transparent. People fill in applications for funding, but there is no appeal mechanism or transparency. It has almost got to

the stage at which people believe that they have to come from some form of academic background to fill in the forms, and that should not be the case. People from the voluntary sector apply for funding, and the process should be simple and transparent for everyone.

Therefore, I want a mechanism that allows unsuccessful applicants to find out where they failed. Such a mechanism would avoid the possibility of their not applying when another opportunity arises. There is money to be spent, and the voluntary sector is missing out if it does not continue to apply for that money. It is about transparency and feedback; feedback would encourage people to apply.

Even before the close of an application process, a workshop would be useful. That would ensure that people’s application forms contain positive elements that are directed at funding opportunities.

I commend the report to the House.

**Mr Deputy Speaker:** The Business Committee has arranged to meet immediately upon the lunchtime suspension. I propose, therefore, by leave of the Assembly, to suspend the sitting until 2.00 pm, when Mr Francie Brolly will be the first Member to speak.

*The sitting was suspended at 12.26 pm.*

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

2.00 pm

**Mr Brolly:** Go raibh maith agat, a LeasCheann Comhairle. I will speak about the necessity for the Arts Council to consider its role in deprived areas.

When Members talk about the regeneration of deprived communities, we tend to focus on physical upgrading, the renovation of houses and the general tidying-up of the built environment. The Department for Social Development is therefore seen as the one with the most significant role or primary responsibility.

I believe that the Department of Culture, Arts and Leisure has an even greater contribution to make towards helping to build vibrant sporting, cultural and artistic facilities and foundations to address the social, emotional and even spiritual needs of people who feel abandoned by the rest of society.

Take sport, for example. Local football teams, hurling teams and boxing clubs in relatively poor areas can make a great contribution to the profile of their communities and to the self-esteem and pride of their people. Look at what they have done in Belfast, for example.

Sport is not for everyone. The Arts Council must therefore consider how it can and must contribute to the cultural and artistic condition of areas where that is most needed. The arts do not belong to an elite group in society, despite the continuing perception that that is the case: they belong to all people.

Throughout the years, we have enjoyed the artistic excellence of individuals, groups and associations from every background — some less well off and some more well off — such as traditional musicians. Recently, we met Comhaltas Ceoltóirí Éireann, a voluntary association that promotes Irish traditional music, song and dance throughout the world, crossing all religious and political boundaries. A community's reputation for excellence in traditional music — such as County Clare and other parts of Ireland — is a great morale booster when money is scarce.

Similarly, drama groups and players bring credit to and are a source of pride in their communities. Recently, we met Gary Mitchell, who is a playwright from Rathcoole. He would welcome the Arts Council's support to develop his talent and, through his plays, to promote a fairer perception of the place from which he came.

The Bogside Artists have brought the world's attention to that enclave, which had been a byword for want. The Irish language has been a major element in raising and changing the profile of the Falls Road, for example. The Gaeltacht Quarter is testimony to the power of culture to motivate people who might otherwise sit idly by and lick their wounds.

The Arts Council must be made fully aware that people whose quiet and diligent work to raise the cultural and artistic awareness and content of their own and other people's lives in areas of social need are priceless. The Department for Social Development can build and renovate houses: the Arts Council must help to renovate and build people's morale in deprived areas.

**Miss McIlveen:** At the outset, I want to reiterate Members' thanks to the Committee Clerk and her staff for the work that they have done to prepare the report. In many ways, I feel a little fraudulent for even contributing to the debate, as the report was, essentially, completed before I joined the Committee for Culture, Arts and Leisure in September 2009. Nevertheless, I welcome the report and the Committee's clear intention to choose it as a topic for inquiry.

Obstacles were discovered during the deliberations, as the Chairperson highlighted. The greatest of those was the lack of information on how much the public sector, excepting DCAL, invests in the arts. Without that information, it is impossible to ascertain the per capita funding figures. The Minister is also concerned about the lack of clarity. Without that information, the report can merely scratch the surface.

One of the Committee's primary concerns is the number of arts groups that are community-based and have no history of receiving arts funding. The Committee and my party desire to ensure that those groups are proactively targeted and encouraged to access available moneys.

As is highlighted in the report, the Committee heard evidence from groups that found it difficult to access funding. Unfortunately, their experiences are not uncommon. There are groups across Northern Ireland that are unaware of the Arts Council's role. A perception exists that the Arts Council is interested only in:

“more upmarket projects, not the grass roots.”

The Arts Council needs to rectify that situation. This debate is not an opportunity for me to batter the Arts Council, and that is not my intention. However, the Arts Council should reassess how it interacts with groups on the ground.

The definition of “art” is incredibly broad. It encompasses a broad and diverse range of activities, yet the uninitiated regard it merely as meaning paintings, sculptures in a gallery, ballet or opera. In Northern Ireland, there are some 700 to 800 bands, which equates to approximately 20,000 musicians, who meet at least once a week to practise and perform. I speak of brass bands, marching bands and pipe bands. To many, what they do is not art, and until recently they received no funding for tuition or instruments. It is the most geographically diverse and socially cohesive range of organisations providing exposure to the arts in Northern Ireland, yet that community



generally feels that its music, performance and achievements are largely ignored.

It would be remiss of me not to mention the talent in my village, Ballygowan — also the home village of the Deputy Chairperson — which is home to the Ballygowan Flute Band and the Ravara Pipe Band. Their achievements are significant. Across Northern Ireland, there are world-class flute, pipe and brass bands. Bandmasters give of their time freely and without recognition. They channel youthful energy and creativity into something useful, which involves structured learning and instils discipline, social pride and a sense of responsibility. Surely that is volunteering at its best. I encourage the Arts Council to take the opportunity to meet directly with those groups to see at first hand the talent that exists and the great work that they do.

Another example of an organisation that receives no funding is the Young Farmers' Clubs of Ulster. Again, thousands of young people throughout Northern Ireland participate in dramas and organise events and festivals in a rural setting. It is my understanding that one of the Ulster Unionist Members is a product of that organisation, and that is without its receiving funding.

The Committee also received representation from the Ulster-Scots Community Network. Its contribution highlighted the need for the Arts Council to play a much more proactive, strategic role in identifying groups that need funding. For many groups, one of the main difficulties is their lack of capacity or ability to make applications. I have experienced that at first hand in my constituency. Some groups are entirely funding-focused — they draft in experts in completing application forms — yet there are others that do exceptional work at the coalface but are unable to present their projects using the latest jargon that is required to tick the boxes. Those groups need our help.

I welcome the fact that the Arts Council has decided to continue the Start Up programme, which was designed to give support and aid to local organisations. One of the Committee's recommendations to the Arts Council is to increase its budget for that programme and target groups that have received little or no previous assistance.

The Arts Council needs to demonstrate that it represents value for money; that it is delivering on its objectives; that it is continually reviewing those objectives; and that it is getting directly to the grass roots, where assistance is desperately needed.

**Mr Kinahan:** I am pleased to be able to speak in the debate. I declare an interest: I work in the art world. I congratulate the Committee, the Department and everyone involved in the arts in Northern Ireland. There is a mass of work that goes on, and a lot of it is done for free. We should, therefore, be congratulating

everyone involved. The arts play a vital role in society. Consider the ancient Greeks and Romans: art was very much a part of those great societies. Therefore, it is important to have and promote good art.

I welcome my colleague's comments about the need for business to invest in art. That is essential, and we must encourage everyone to get involved in the arts and to look at novel ways of helping, whether it be through European funding, tax breaks or other methods. I thank the organisations that do that at the moment.

I reiterate my colleague's comment about the cycle of funding. We must ensure that funding for the arts is smooth, that it keeps going and that it can be relied on. However, more importantly, there must be a great deal of funding for all levels of the arts. Although we are in the middle of the credit crunch, we must try to hold on to funding and improve it where possible.

When I briefly scanned the report — I am not a member of the Committee — I noticed that one thing was missing: the word "excellence". Excellence must be promoted at all levels of art, but there must be a system at every level to promote it throughout society. I will give two examples of excellence in the picture world. On entering the Senate Chamber, one sees the portrait by William Conor on the left. His master once caught him drawing on a wall, but, instead of punishing him, he sent him to have drawing lessons. His teacher realised how good an artist he was and promoted that.

The second example is John Luke. Had it not been for shipbuilding and the other industries here, we might never have had John Luke, who was a painter at Harland and Wolff. He painted fantastic murals in the City Hall and other buildings. He was so fastidious that, if he had got to the bathroom ahead of someone else, he would have spent an hour there ensuring that every little bit was clean, tidy, neat and perfect. He also aimed for excellence.

Every area of the arts needs finance. There needs to be excellence in the arts, and we need support from and for everybody.

**Mr P J Bradley:** Like Michelle McIlveen, I joined the Committee after all the work on the report had been carried out, so my comments will be brief. I also pay tribute to the Committee, Dr Bell and her staff for producing the report. Although I was not involved in the Committee's inquiry, the country boy is coming out in me, and I have a few comments to make.

I note the excerpts of evidence presented under the heading:

"Difficulties in measuring economic and social benefits".

The view is expressed that is difficult to make value judgements about how effective a play is. Another comment claims that measuring the exact impact of community events is a grey area. I do not believe that

we should generalise on matters of benefit to the community. Perhaps the views expressed in the report are those of urban dwellers. I, therefore, cannot question those comments and must accept that those witnesses were speaking from experience. However, had the question about what benefits artistic groups bring to communities been put to those with rural interests, I am certain that the answer would have been different. Just as Michelle McIlveen did, I will qualify my thinking by being a little bit parochial for a minute.

I am from the parish of Burren, which is a semi-rural area that is approximately equidistant from Warrenpoint and Newry. Since 1912, the area has had an active dramatic society known far and near as the Burren Dramatic Society. Were it 40-plus years ago, I would probably be declaring an interest as a member of that group. The group's twice- or thrice-yearly productions are eagerly awaited, and its plays are watched by full houses and run for four or five nights at a time. I agree with the observation in the report that benefits derived from some activities are more likely to be seen at local and community level, rather than providing an overreaching regional benefit. That backs up what I believe.

A long-time Speaker of the United States House of Representatives, the legendary Tip O'Neill, once declared that all politics is local. The same line of thinking can certainly be applied to the many artistic groups that bring great value to their local communities, particularly in rural areas, which is a point that Francie Brolly also touched on. Their commendable work should never be sidelined or overlooked —

**Mr Deputy Speaker:** Draw your remarks to a close, please.

**Mr P J Bradley:** They should be encouraged.

**Mr Deputy Speaker:** Your time is up.

**Mr P J Bradley:** That cannot be right. It must be two Members' speaking times added into one.

Their commendable work should never be sidelined or overlooked, and they should be encouraged by everyone, from the Minister down, to continue with that sterling work.

Perhaps someone can check the clocks for the next day.

2.15 pm

**Mr Deputy Speaker:** I am sorry about that.

**Mr McCarthy:** On a point of order, Mr Deputy Speaker. I could be wrong, but I think that the clock was not reset after Mr Kinahan spoke. Therefore, two Members spoke within five minutes. In my opinion, P J is entitled to extra time.

**Mr Deputy Speaker:** You are absolutely right, and I have apologised for that. If Mr Bradley wishes to finish his speech, he is more than welcome.

**Mr McCartney:** In keeping with the debate, Mr Bradley is rejecting an encore. He is very modest.

Ar dtús, ba mhaith liom a rá go bhfuil mé sásta an deis seo a bheith agam labhairt sa díospóireacht ar thuairisc an Choiste. Ba mhaith liom fosta mo bhuíochas a ghabháil le foireann an Choiste as an obair a rinne siad ar an tuairisc seo.

I want to preface my remarks by thanking the Chairperson and Deputy Chairperson for steering the Committee for Culture, Arts and Leisure through its inquiry. I echo the comments made by the Chairperson and other Committee members in thanking the Committee Clerk and her staff for their professionalism, dedication and, on many occasions, patience as we were going through the report.

The inquiry into the funding of the arts was one that allowed the Committee an insight into those who are involved in the arts world, be they administrators, participants or practitioners. We got an excellent and first-hand insight into the extent of the work that is being carried out by many groups, organisations and individuals to bring the arts and their direct impact on the social and cultural fabric to every part of the North.

The Minister is here, and he may find it ironic that, although he was part author of the report, he is now its recipient. I am sure that that irony is not lost on him. I acknowledge the support of the Minister's Department and the Arts Council for projects in Derry; in particular, I will highlight Cultúrlann Uí Chanáin, the Waterside Theatre and the Playhouse. Those organisations and institutions have had a wider impact than is sometimes expected, when people have a narrow definition of the arts. That impact is felt across the social and cultural fabric of the city and beyond. The emphasis should be on ensuring the continuation of those types of projects.

It is worth acknowledging that many of the people who gave evidence to the inquiry attended the Committee's event in the Great Hall. There is no doubt that, in many ways, the report could have gone unnoticed. However, the initiative that was taken by the Committee and its staff and the presence of the media at that event might mean that the completed report will get a wider audience.

It is important to point out that many people who gave evidence to the Committee, particularly those from the community arts field, said that funding was an issue for them. We were all enriched by their acknowledgement that funding is not everything, but it is an add-on that allows groups to bring a sense of stability and sustainability to a project. From my experience in Derry, I have seen the benefit of

community arts organisations, which do not fit into the narrow definition of the arts, and I know the impact that they have in areas that are plagued by deprivation and in which there is antisocial behaviour.

The report looked at trying to ensure that, when coming up with funding opportunities, the emphasis is not put on just one Department. The European Union and some of its Peace programmes were identified as possible sources of funding in the future. The Arts Council must be proactive — that is not to say that it is not — in assisting groups to find pathways to funding through European programmes. It must also ensure that its excellent Start Up programme proactively seeks out those well-established groups that do not always come to the Arts Council's door or that of other funders. Some Committee members have pointed out to organisations that funding opportunities do exist but are sometimes just not taken.

There has to be some recognition of the voluntary arts sector. The report commends and acknowledges the work of that sector, and Committee members spoke about its contribution. The sector provides excellent opportunities for many people who would not see themselves as part of the art world. The sector does a great job.

The fourth recommendation in the report is that the Minister should establish an interdepartmental group to look at how other Departments could fund the arts. Our Committee knows that funding of the arts should not be restricted to a single Department.

To finish off —

**Mr Deputy Speaker:** Please do.

**Mr McCartney:** Further to Danny Kinahan's point, I was once caught drawing on a wall, but I was sent to detention. I often wondered if I was a loss to the art world. Go raibh míle maith agat, a LeasCheann Comhairle.

**Mr Deputy Speaker:** I invite opinion on that.

**The Minister of Culture, Arts and Leisure (Mr McCausland):** I thank the Chairperson and the Committee for the useful research on the arts sector that they undertook in the preparation of their report. As has been indicated, I am in a somewhat unusual position: I was a member of the Committee up until the end of June, left it on 1 July and returned on 2 July in a different role to make a presentation. I obviously had such affection for the Committee that I could not stay away.

Having engaged a substantial number and a wide variety of stakeholders, the Committee has produced a report that provides an interesting insight into how the sector views current funding and support. It validates our approach in many areas and offers helpful direction on where budgets and efforts might best

be extended or targeted in the future. I am confident that the body of evidence gathered will become a valuable resource for my Department and for the wider creative sector. I am keen to weigh up the findings of the report in the context of significant work that has already been undertaken to develop the arts sector. I want to continue to build on our existing infrastructure, services and expertise. I also want to take some time to consider some of the different positions and views that the research has uncovered.

Budgetary pressures also need to be taken into account when we consider how best to implement the Committee's recommendations. I note that the Committee has not recommended an increase in central government funding for the arts. Instead, it recommends that existing budgets may need to be reassessed, and I noted the Chairperson's use of the word "prioritisation".

There are two key issues with regard to the arts: access and excellence. Many Members have raised the issue of access, and I will return to it later. Excellence is also important, and Danny Kinahan was right to highlight that. Those two themes should influence our thinking about arts infrastructure and funding.

The arts are a key sector and a key spending area for DCAL. I am conscious of the importance of the creative sector to society in promoting well-being, developing culture, generating economic growth and contributing to maturity and legacy, particularly given the unique history and backdrop of our country.

Recent capital projects funded by DCAL, such as the Grand Opera House extension in Belfast, the Playhouse refurbishment in Londonderry, major film productions and the successful transfer of funding to councils for the community festivals fund, play an important role in building our cultural wealth, educating us and assuring our place on the international stage. Many of the Committee's recommendations focus on the needs and expectations of community and voluntary arts organisations. My Department and its arm's-length bodies will continue to help to support organisations and individuals in finding appropriate funding and maximising value for money. The Arts Council's successful Start Up programme has proved an excellent model for assisting in areas that receive low levels of funding and for providing seed funding and support for small organisations.

We should also not overlook the contribution of our central venues and their services to those who are most in need. For instance, the Grand Opera House in Belfast records high attendance rates from those in the top 10 socially deprived areas and continues to undertake initiatives to reach out to the most disadvantaged groups in society.



I support the further development of the community sector with the aim of promoting greater consistency and a partnership approach. I agree that the community arts and voluntary arts sectors could benefit from additional support to build on their existing success.

I will pick up on a few points that Members raised. Michelle McIlveen mentioned bands. On Saturday, I attended a special convention in Lurgan that was organised by the Confederation of Ulster Bands and the Community Convention and Development Company. It brought together people from marching bands across Northern Ireland, and I found it to be a vibrant and inspiring movement that is intent on improving relationships, developing a positive vision and building confidence. Government must recognise the potential to learn from such organisations in developing access and excellence and cementing cultural identity.

Around 20,000 people learn music week-by-week through those bands; that figure was quoted earlier. Many of those people reach a high standard of excellence. Recently, I had the opportunity to attend a concert in the Waterfront Hall by one of those bands. The band's repertoire of local and international music was extensive, and the quality of music was extremely high. Those bands provide the access and excellence that I mentioned earlier. It would be remiss of me not to point out that, at this year's World Pipe Band Championships, 31 of the 62 prizes — exactly half — were won by bands and performers from Northern Ireland. In grade 1, Canada finished first, Northern Ireland was second, the Republic of Ireland was third, and Scotland came in a poor fourth. That is a testimony to the high quality of that sector of band music.

I will pick up on P J Bradley's earlier point about rural communities. I took the opportunity to meet the Young Farmers' Clubs, which run a considerable programme of artistic activities, including drama. We discussed, together with the Arts Council, how that body might obtain additional support to develop the arts in rural communities. Some Members have referred to community-based drama. A wide range of community arts activities should be supported and encouraged.

I am grateful that the Committee allowed me to share the report with the Arts Council of Northern Ireland. I have received preliminary comments from Arts Council staff on the report's recommendations. DCAL and the Arts Council will carry out further analysis of the final report, and I intend to consult Northern Ireland Screen in the context of its important contribution to funding the arts. A few weeks ago, I had the privilege of attending the set of a film that is being made at Castle Ward. I was impressed by the potential to develop our creative industries in that field. I had not been fully aware of the tremendous opportunity that it offers. Northern Ireland has the

necessary skills base, combined with many other positive assets, to encourage film production in Northern Ireland.

The Arts Council has an excellent track record in supporting community arts. It has worked extensively with partners to increase opportunities for participation at grass-roots level. It is also worth remembering that it has a wider remit and provides support to professional, creative and presenting organisations and individual artists. The calibration of an appropriate balance across the spectrum of arts activity in Northern Ireland is central to the work of the Arts Council, which has indicated that, in accordance with the Committee's recommendations, it will continue to promote European funding and private investment for the arts and to advocate the needs of the arts sector as a whole. Recommendation 14 states that the Arts Council should establish an appeals process. I can report that it has operated an appeals process for a number of years, and the details are available on its website.

*2.30 pm*

How do we move forward? Government funding for the arts is not only about more money being provided; how we spend the available money is equally important. Private sector involvement in the arts can result in mutually beneficial relationships, as is demonstrated by the work of Arts and Business Northern Ireland. I have spoken to that organisation about the encouragement and development of private sector funding and will continue to do so. We can do more in that field if we work more strategically, and I am keen to work with Arts and Business Northern Ireland, and I know that it reciprocates that ambition.

We also need to grow our audiences, contribute to the understanding of what art means and make the arts relevant by embedding them in our everyday lives. There is hardly an aspect of our lives that the arts do not touch, from design and planning to music, dance and the distinctiveness of our cultures. Everyone has artistic interests, but not everyone associates those interests with an interest in the arts.

I will relate two anecdotes in that regard. I attended an event recently at which the Arts Council had a stand. A lady approached the stand, whereupon an Arts Council representative asked her whether she was interested in the arts. The lady, whom I would respectfully describe as middle-aged and from middle Ulster, replied: "Not really." I wondered what the answer might have been if the question had been asked in a slightly different way. The problem is the one that I just identified: often, people are doing artistic things but do not recognise them as art.

We need to work on that and engage with communities that have not been reached in order to build audiences. Danny Kinahan mentioned John Luke, an artist from



my constituency of North Belfast. I attended an event some years ago in the Ulster Museum to which people were brought from the Duncrain area of north Belfast to see some of Luke's paintings. Those people were senior citizens who had lived most of their lives just a few streets away from where John Luke lived; some of them were, perhaps, from the same street. They were not aware that an artist of major repute had come from their community. They were not aware of his work, and it was a revelation to them. When opportunities such as that can be found to form links between communities and the arts, the likelihood of those people engaging thereafter with the arts is increased, and they see it as being relevant to them. Engagement and audience growth is important.

As I noted, my Department and its arm's-length bodies will consider the report in greater detail in the context of our current budget and priorities, and we will assess how the report can be used to inform future planning for funding of the arts. My Department will provide a formal response to the Committee's report in due course.

The issue of an interdepartmental group was raised in the debate. My one caveat would be that there is little point in having a group unless other Departments are keen to bring money to the table. I urge caution given that, in the past year, the Department of Education cut some welcome funding that had previously gone to the Arts Council of Northern Ireland for a traditional arts programme. The traditional arts organisations that were previously funded had to find money from other Arts Council streams. If we are to have an inter-departmental group, people will have to bring their money to the table.

I agree with the Members who spoke about the economic and tourism benefits of the arts and their contribution to our cultural, social and economic life. If 4.6 % of the workforce is now employed in the creative industries, there is considerable potential for growth. That is why it is important to engage hard-to-reach communities with the arts, because the creative industries will be involved in providing increased work opportunities.

The shared and better future agenda is one of my priorities, and I welcome the fact that the Chairperson referred to it. It is based on equity, diversity and interdependence, and those principles underpin anything that we will do in the future.

Comparisons were made with Scotland and Wales. I visited Scotland and spoke to representatives of its Arts Council, Scottish Arts and Business and its Minister for Culture to get their insights and perspectives. Having met the Welsh Heritage Minister at the British-Irish Council, I will visit Wales in the not-too-distant future.

Kieran McCarthy referred to each council's spend, which is an important point. We need to ask why some councils spend a lot more than others and what motivates them to do so. Northern Ireland is renowned for its reputation in participatory arts and their contribution to the local communities in which they are rooted. I hope that Northern Ireland will continue to be seen as a place that puts great emphasis on cultural identity and artistic merit as a means to nurture, develop and inspire ourselves and others.

**The Chairperson of the Committee for Culture, Arts and Leisure:** Go raibh maith agat, a LeasCheann Comhairle. It is clear from the debate that, whether from small community-based arts groups, local government representation or professional theatre companies, the breadth of experience and expertise that was made available to the Committee during its inquiry was invaluable. That helped enormously in the preparation of our report. A diverse range of groups had input to the process, and I trust that when they study the report in full, they will be able to see their contributions reflected therein.

I am grateful to members of the Committee and Members beyond the Committee who contributed to the debate. That was particularly welcome. It is important that I record the Committee's appreciation of the participation of Jim Shannon and Pat Ramsey, who are former members of the Committee. Michelle McIlveen and P J Bradley mentioned that they joined the action towards the end of the inquiry. Jim, Pat and the Minister, who was more radical as a member of the Committee than he is as the Minister, all made an important contribution to the inquiry.

Economic realities have changed even during the inquiry. During these difficult economic times, we must be innovative in our approach to the arts. It is clear that there is huge potential for the arts to help to rejuvenate the economy. As opposed to being a burden, the arts can make a contribution to the economy in giving people the diverse skills that they will need for the job market as we move forward.

If the potential of the arts to contribute to our society is to be fully realised, we need a commitment across all Departments to examine ways in which they can help funding of the arts. That strong message came from the inquiry.

Wallace Browne referred to a survey in the United States that showed that people value learning about the arts as much as they value science and maths. He also said that the creative skills that people gain by participating in the arts are exactly what will be required in the new global economy and job market.

**Mr Shannon:** I thank the Member for his kind comments about my contribution to the Committee's work. Unfortunately, I was not able to be involved in

the debate from the start, but Wallace Browne's comments were particularly concerned with help for the community. Those who need help do not always necessarily need educational help; they also need help with their health. Does the Member agree that people with health issues will be helped as a result of the inquiry into the arts? The arts can lead to better health, a better lifestyle and social commitment.

**The Chairperson of the Committee for Culture, Arts and Leisure:** I agree. The Department of Health, Social Services and Public Safety should invest in the arts because of the contribution that the arts make to health in our community, either to mental health or to physical health and well-being. It should not always be dismissed. It is difficult to make that argument because of pressures on the health budget, but the argument deserves to be made. I thank the Member for doing so.

I wonder whether Jim would be available to return to the Committee. Perhaps we could get him back if there was a transfer market.

Wallace Browne also mentioned that our level of private sector investment lags behind that in other regions. There is great potential for more funding to come from the business and community sectors here. Arts and Business NI have work to do to continue development in this area. Ken Robinson highlighted the importance of annual funding being agreed as early as possible in advance of the new financial year. Ken also referred to the importance of longer funding cycles and said that those would benefit organisations and assist their forward planning, staff retention and stability.

Dominic Bradley said that there is a healthy interdependence between the community arts sector and the professional arts sector; their interests are not always exclusive of each other. He said that both sectors are crucial and that both play a major role in enhancing communities' self-esteem, local pride and cohesion. Dominic said that the Committee believes that dedicated community arts organisations need more funding. He said that their receipt of only 9% of total Arts Council funding is too low, although I understand that that figure is disputed.

Kieran McCarthy said that equal access to funding is hugely important. He said that funding gaps exist within our councils and local government authorities as well as between regions. He highlighted that culture is important in attracting inward investment and contributing to economic recovery. Trevor Clarke said that there is a great need for transparency in the Arts Council's funding process. He said that unsuccessful applicants should be given feedback on why they were unsuccessful. That would place them in a more informed position and encourage them to apply again in the future.

**Mr McCarthy:** We listened to a group from Larne during the inquiry. Although that group needed funding for its particular art, it was not even aware that it could access funding through its local council or the Arts Council.

**The Chairperson of the Committee for Culture, Arts and Leisure:** The Committee made discoveries of that kind, and, indeed, we heard a similar story when we visited the Ullans Centre in Ballymoney. People did not seem to know where they could get help, so perhaps we need to be more proactive in getting the word out.

Trevor Clarke also said that it would be valuable to have workshops to give groups advice on making applications. Francie Brolly said that regeneration is not just about the physical and built environment. He said that DCAL and the Arts Council also have a vital role to play in renovating and building the morale of the poor. He said that the arts belong to everyone regardless of their background, whether rich or poor, and that the arts are key to the self-esteem and pride of people who live in areas of social deprivation.

Michelle McIlveen noted the Committee's recommendation that the Arts Council should proactively target groups that have no history of arts funding, which emphasises the point that Kieran McCarthy made in his intervention. Michelle reminded us that the Committee recommended that the Arts Council should continue with the Start Up programme. She also referred to the 20,000 people who are members of bands, including marching bands. She pointed out that those people are engaged in community arts and are, therefore, meritorious of funding.

Danny Kinahan said that the arts have a vital role to play in society. He said that investment from the business sector is essential and should be fostered and encouraged, and he emphasised the importance of funding levels and cycles. He said that, along with the Committee's recommendations, a system must be in place to promote excellence in the arts. Danny emphasised the word "excellence", because he feels that it did not appear often enough in the Committee's report.

P J Bradley's contribution was cut short because of a malfunctioning clock, but he had sufficient time to laud projects in the Burren area of County Down. I salute P J for his contribution and for highlighting all the good things that happen in south Down.

2.45 pm

P J Bradley also said that there was difficulty with measuring the social and economic impact of the arts. He said that the positive impacts of the arts can be seen at first hand in rural areas. For example, amateur drama companies can create real benefits at local level. I am very aware of that, given that I come from Carrickmore in County Tyrone, where the Mid Ulster

Drama Festival is particularly strong and vibrant. We were brought up on a diet that consisted of going to the theatre in Carrickmore nine nights in a row. Indeed, Liam Neeson and others graced the stage of the Patrician Hall in Carrickmore.

On one occasion, the Slemish Players from Ballymena came to the theatre on a Wednesday and the Gorey players from Wexford came on the Thursday. When the Gorey players arrived in Carrickmore, they asked the car park attendant whether the previous night's play had been any good. The car park attendant said that there had been a tremendous unity of lighting and pace in the play. *[Laughter.]* Mervyn Storey will have a lot to live up to in Carrickmore if he comes to the amateur drama stage; even our car park attendants know their drama. I think that that is important. *[Laughter.]*

Raymond McCartney referred to European funding. He said that, in the time ahead, the Arts Council will have an opportunity to be proactive in sourcing additional funding via the European Union. In fairness to the Arts Council, I know that it is well aware of that. He also mentioned the importance of establishing a cross-departmental group, and he encouraged the Arts Council to be more proactive in bringing in groups that have not accessed funding previously —

**Ms Anderson:** What about the Stand up for Derry campaign?

**The Chairperson of the Committee for Culture, Arts and Leisure:** That was not mentioned in the debate. Nonetheless, it is an interesting point. Raymond McCartney also emphasised the importance of the voluntary sector.

I am grateful to the Minister for attending this debate and for participating actively in it. I also thank him for participating in Committee meetings before he took up his current role. He pointed out that the report amounts to valuable research for his Department. He said that a balance between excellence and access must be struck and that his Department and the Arts Council will consider the report within existing budgetary pressures. I expected him to say that and to point out the financial constraints that exist, and he did so. He also said that he supports the development of the community and voluntary sector and that he will continue with further scrutiny of best practice elsewhere.

Although the debate represents the end of the Committee's inquiry into funding of the arts here, it does not signal the end of our interest in the matter. The Committee looks forward to receiving the Minister's formal response to the report in the very near future and to finding out how he intends to deal with the Committee's recommendations.

We hope that the report has helped to highlight the contribution that the arts can and do make to our society. However, if their impact is to be realised fully, more work is needed. In particular, a cross-departmental approach will be required. I commend the report to the House and ask Members to support the motion. Go raibh maith agat, a LeasCheann Comhairle.

**Mr Deputy Speaker:** We can safely assume that the car park attendants in Carrickmore do not wear red coats or hand out fines.

**The Chairperson of the Committee for Culture, Arts and Leisure:** Absolutely not.

*Question put and agreed to.*

*Resolved:*

That this Assembly approves the report of the Committee for Culture, Arts and Leisure on its inquiry into the funding of the arts in Northern Ireland.

## PRIVATE MEMBERS' BUSINESS

### Childcare Vouchers

**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 the motion and 10 minutes in which to make a winding-up speech. All other Members who are called to speak will have five minutes. I remind Members that we will have to break for Question Time at 3.00 pm.

**Mr Shannon:** I beg to move

That this Assembly expresses its concern at the proposed axing of the childcare vouchers scheme; recognises that the loss of these vouchers could have a significant detrimental impact on working parents in Northern Ireland; supports the Employers for Childcare campaign; and calls on the Prime Minister to continue this scheme and to give consideration to the enhancement of Government support for working parents.

The issue has touched a great many people, and every elected representative here has been contacted by constituents about it.

As I listened to Gordon Brown's keynote speech to the Labour Party conference in Brighton, I was anxious to hear his plans for turning the UK economy around. I wondered how the Province would be affected and how Gordon Brown would be able to finance all the promises that he was making. At no stage did I expect his promises to come at the expense of our children and our economy.

I was heartened, slightly, to hear him promise to focus on childcare provision through a commitment to deliver free childcare places for 250,000 two-year-olds in England. However, he promised no places for the rest of the UK, and he failed to point out that the 250,000 places will come at a cost to the 340,000 working parents throughout the United Kingdom who avail themselves of the childcare voucher scheme.

I was contacted by the ChildcareSOS campaign, which gave me an insight into what the reform will mean in practice. It made several points: the childcare voucher scheme operates on the basis that parents are offered the opportunity to pay for childcare tax free, providing that their employer is a member of the scheme. That saves working parents who pay the basic rate of tax approximately £900 a year and those who pay a high rate approximately £1,200 a year. In Northern Ireland, 10,000 working parents avail themselves of the scheme, so the proposal will affect many people in every Member's constituency. The childcare voucher scheme is critical, because offsetting the cost of childcare makes it feasible for both parents, and even single mothers, to return to work and to contribute to society. It ensures that parents do not work solely to pay for childcare.

According to Gordon Brown, the rationale for his surprise decision was to redirect money to where it is needed most: to help disadvantaged children to access high-quality childcare. However, on closer inspection, a number of consequences need further consideration, and that is why I seek support for the motion. The decision to abolish tax relief on childcare vouchers was made only a few hours before Mr Brown's speech. Who declares a new policy two hours before a speech? I am not sure whether anybody here does that, and I hope that none of our Ministers ever would.

**Mr Storey:** I would not be so sure.

**Mr Shannon:** Perhaps so; I stand ready to be corrected, although I am not aware of any such instance.

Mr Brown did not consult any of the devolved Administrations about the policy reform. He did not ask for opinions from Northern Ireland, Scotland or Wales. That cannot be tolerated, and I am sure that any discussion with my DUP colleagues or others in the Assembly would have left Gordon Brown in no doubt about how vital the voucher scheme is to all classes in Northern Ireland, particularly now that we know that the 250,000 places are for two-year-old children in England only.

He will disadvantage 10,000 children in Northern Ireland to help 250,000 children in England. I am not against 250,000 children in England being advantaged, but I am against 10,000 children here being disadvantaged. The places will be available for up to 10 hours a week, which will not accommodate the majority of parents who require childcare to enable them to work.

Tha everage feemily haes maer than jist a twau-yeer-oul waen, en ther er nae allowancis fer lurger feemilees. Jisteekekation fer tha refoarm is tha heich heed yin's — tha Prime Meenistar — assershun that a voucher scheem firstly benefuts aw theim oan heich incums. Hooiver, efter lukkin intae tha tak-up o' chiel vouchers, it wus fun that tha maist which is 60 % o' users o' tha scheem wur bottom rate taxpayers. It's tha middle incum tha herd wroucht feemilees whau er jist abin tha threshoul o' meens-tested benefuts that er set tae loas oot maist. Agaen, this is anither crafty tax oan tha woarkin cless, an yin which canny keep gaun oan.

The average family does not have only one two-year-old child, but there are no allowances for larger families. The justification for the reform is the Prime Minister's assertion that the childcare voucher scheme primarily benefits those on a high income. However, research into the take-up of childcare vouchers found that the majority — 60% — of scheme users are basic rate taxpayers. The middle band of people on means-tested benefits is set to lose out most. The reform is another stealth tax on the working class, and it cannot be sustained.



In 2005, Gordon Brown created the present childcare voucher scheme when he was Chancellor. Despite being its creator, he now wants to do away with it. To ensure that the scheme benefits those who are most in need, it could be capped at a certain level of income. The reform is likely to have a greater impact on women, who bear the main childcare responsibilities, and thus it will increase the gender pay gap. Indeed, the proposal will hit young women hardest. Unless they are helped by their employers, who will no longer receive tax relief, they will not be able to pay for childcare. If there is no benefit to employers, the likelihood that they will replace the voucher scheme with something similar is negligible.

No consideration has been given to how much the local economy benefits from both parents being able to work. The decision will force many families into a position in which one parent has to stay at home. Therefore, the Government will lose out on tax and National Insurance contributions from salaries. Again, there is a real loss to the economy. The social security benefits system may come under strain, and the local economy will lose the skills and experience of key employees. That will create a domino effect throughout the entire system.

Even were the Prime Minister to extend the scheme to the Province, a two-hour placement is of no use to any working parent. Let us examine why it is of no use to the working parent here. I think especially of those living in rural areas of my constituency who work in the Civil Service, which is a major employer. It takes people who live in Portavogie, for example, more than an hour to get to work in Belfast and more than an hour to get home. The scheme would simply cover people's travel time, and by the time that a full-time childcare place were taken out of their wages, it would not be not worth their while to work. Right away, 10,000 families in Northern Ireland would be disadvantaged directly, and that is not acceptable.

The proposed removal of the childcare voucher scheme is not addressing the welfare reform policy and is not encouraging people to get back into the workplace. For those who do return to the workplace, it is not encouraging the use of fully qualified childminders. We will find that more 14- and 15-year-olds are left to care fully for younger brothers and sisters. That is not what we are trying to achieve, and it has serious implications for child safety. We are also faced with older parents taking responsibility for young, active children for extended times, which also has serious implications. Again, there is a knock-on effect.

There are also implications for the quality of childcare that parents will be able to afford. Research has proved that employees with inadequate childcare are more likely to be late for work, absent or distracted on the job than parents who are confident about their

children's care arrangements. That is a practical consideration: if people are worried about where their children are and what they are doing, they are not concentrating on their work. Employees may be forced to spend less time at work owing to the need to handle childcare concerns. The proposed removal of the voucher scheme will have consequences for the quality of childcare that parents can access.

The voucher scheme is also an important source of income for nurseries and childminders in Northern Ireland. I know of one nursery in a rural area that was hoping to run an after-school scheme, with funding to facilitate childcare voucher users who wanted their children to partake in a homework club. That would not be possible under the proposed new scheme. I am sure that that situation is mirrored across the Province, as other Members may confirm when they get the opportunity.

At present, employers also save money. In the past 12 months alone, parents and employers in Northern Ireland saved £4 million. That £4 million helped to create jobs and boost the economy. It is absolutely unacceptable that the Prime Minister wants to take that money away and put it in the Treasury coffers.

Just last week in the Chamber, we debated the UK Child Poverty Bill, with its aim of eradicating child poverty in the Province by 2020. That is a very good idea in thought and focus, and a target for which to aim. However, when we consider what Gordon Brown wants to do, we must wonder whether that target is achievable. A major aspect of ending child poverty is parents' ability to bring income to the home. That can be done only if the children are cared for, allowing parents to work and bring home enough cash to make a difference, not simply enough cash to pay the childminder.

There is no doubt that the proposed scheme is laudable, but it cannot replace the existing scheme. We cannot allow that to happen without playing our part. All Members will have received an e-mail today from Employers for Children's ChildcareSOS campaign. Attached to the e-mail are letters that Employers for Children has drafted to the Prime Minister and to David Cameron; that is, the man who is in office and the man who may be in office, although the polls are showing that they are much closer in popularity than they have been for a long time. I ask Members to sign those letters and send them off. David Ford has suggested that letters should also be sent to Nick Clegg. Yes, send them to Nick Clegg as well. It is highly unlikely that he will become Prime Minister after the next general election, but he has influence. Members should send a letter to all those in positions of power. Gordon Brown appears to have backtracked, but it has been a very watery back track at best — he must have had his wellies on — and David Cameron's response

has not been what we would have hoped for. I ask that we leave them in no doubt over the Province's feeling and response.

Gordon Brown has attempted to portray himself as robbing from the rich to give to the poor — a modern-day Robin Hood. He has been likened to Robin Hood, and I can almost picture him wearing green and with a bow and arrow. However, he has taken money from the people who need it most. He is reducing a system, and it is unacceptable for that to happen.

There are 340,000 working families in the UK, including 10,000 in Northern Ireland, and since 2005 —

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

**Mr Shannon:** Since 2005, more than 600,000 parents have availed themselves of the scheme.

I urge Members to support the motion. I know that we will have a consensus of opinion in the Chamber, and I look forward to everybody's contribution.

**Mr Deputy Speaker:** The debate will continue after Question Time, when the next Member called to speak will be Ms Sue Ramsey.

*The debate stood suspended.*

3.00 pm

## Oral Answers to Questions

### CULTURE, ARTS AND LEISURE

#### Irish-Language Strategy

1. **Mr McKay** asked the Minister of Culture, Arts and Leisure to provide an update on the development of a strategy to promote and enhance the Irish language. (AQO 432/10)

**The Minister of Culture, Arts and Leisure (Mr McCausland):** My officials provided an update on the issue to the Culture, Arts and Leisure Committee on 22 October. Since taking up office at the beginning of July, I have been actively considering the issue surrounding the enhancement and development of the Ulster-Scots language, heritage and culture and the enhancement, protection and development of the Irish language. I have also been taking into account the position of other regional or minority languages across the United Kingdom, especially in Scotland, which has close parallels to Northern Ireland, albeit with some differences, in respect of regional and minority languages. I intend to bring a paper to the Executive in the near future on the high-level principles on which the indigenous or regional minority languages strategy might be based.

**Mr McKay:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his response. Will he elaborate on what he means by the phrase “near future”? Will he provide us with a timescale for bringing that paper to the Executive? The promotion of languages, including Irish, Welsh and Scots Gàidhlig, through legislation and other government strategies, was discussed at the recent British-Irish Council meeting in Jersey. Does the Minister accept that he and his Department, because of their deliberate go-slow, obstructionist approach to the promotion of the Irish language, are out of step with the Administrations in Wales and Scotland?

**The Minister of Culture, Arts and Leisure:** One of the difficulties with bringing proposals to the Executive is that, sometimes, after being brought to the Executive, they seem to fall into the ether. I refer in particular to the sports strategy, which I brought forward and which has, I think, been sitting in the office of the deputy First Minister for quite a long time. Therefore it is almost impossible to provide a timescale for getting things through to the Executive.

The answer to his third question is no.

**Mr G Robinson:** Will the Minister assure the Assembly that equal respect and funding will be given to the Ulster-Scots language?

**The Minister of Culture, Arts and Leisure:** I could answer yes, but I want to go a little further than that. In my view, the key principle has to be a shared and better future based on equity, diversity and interdependence. It is recognised that there is linguistic diversity in Northern Ireland, because there are two minority languages; Ulster Scots and Irish. There are also their attendant cultures. I want to see those elements of linguistic diversity taken forward on the basis of equity. That was the position taken by my predecessor, and it is one that I intend to follow.

**Mr D Bradley:** Go raibh maith agat, a LeasCheann Comhairle. Gan aon amhras tá an Chairt Eorpach um Teangacha Réigiúnacha nó Mionlaigh ar cheann de na gléasanna is tábhachtaí dá bhfuil againn anseo leis na teangacha dúchais a chur chun cinn agus a chaomhnú. Ní raibh aon chur isteach fós ón Tuaisceart sa tríú tuairisc thréimhseach de chuid coiste na saineolaithe. Arbh fhéidir leis an Aire a mhíniú don Teach seo cad chuige nach raibh aon chur isteach ag an Tuaisceart sa tuairisc sin? Cén chnámh spairne atá ag cur baic ar ionchur an Tuaiscirt?

One of the most important mechanisms for the protection of indigenous languages here is the European Charter for Regional or Minority Languages. However, there has not been any input from Northern Ireland into the third periodic report by the committee of experts. In response to a question for written answer, the Minister told me that that was because of disagreements.

**Mr Deputy Speaker:** The Member should come to a question.

**Mr D Bradley:** Will the Minister outline the nature of those disagreements and tell the House when it can hope to have agreement on the issue? Go raibh míle maith agat, a LeasCheann Comhairle.

**The Minister of Culture, Arts and Leisure:** I am not sure whether that was a question or a thesis. However, I will assume that it was a question.

The Northern Ireland input into the UK's third periodical report on regional and minority languages was not agreed in time to present to the committee of experts. It was not agreed by the deputy First Minister and did not proceed to an Executive meeting.

The Foreign and Commonwealth Office issued the UK report on 26 May. That included the Northern Ireland Office input in relation to Ulster Scots and Irish but was without the Northern Ireland Executive's input. If and when that input is agreed it will be sent to the Council of Europe as a supplement to the United Kingdom report.

I met representatives of the committee of experts on 21 September. We had a frank and open discussion that I found to be useful, and it was a positive and constructive meeting. The representatives asked me about those matters and I gave a forthright explanation of my assessment of the current situation.

My understanding is that the report is meant to be just that: a report on what has been done during the period on which the document is reporting. It is not meant to be a prophecy. Some of the issues to which the Member alludes may, in some way, relate to those two different perspectives.

## Ulster-Scots Agency

2. **Mr Dodds** asked the Minister of Culture, Arts and Leisure what recent discussions he has had with the chief executive of the Ulster-Scots Agency regarding its future work programme. (AQO 433/10)

**The Minister of Culture, Arts and Leisure:** Since my appointment as Minister, I have met the chief executive of the Ulster-Scots Agency on two separate occasions: on 10 July 2009 and on 24 September 2009. Those meetings were called to discuss various issues relating to the agency's future work programme.

In October 2009, the Ulster-Scots Agency presented its draft 2010 business plan to my Department and the Department of Community, Rural and Gaeltacht Affairs in the Irish Republic for consideration. A draft business plan is to be presented to the next meeting of the North/South Ministerial Council in language body sectoral format on 2 December 2009.

**Mr Dodds:** I am grateful to my honourable friend for his answer. In light of the Minister's experience of the Ulster-Scots Agency, does he regard it as being entirely fit for the purposes for which it was created?

**The Minister of Culture, Arts and Leisure:** During my time as Minister and before, many individuals and groups within the Ulster-Scots community have expressed concerns to me about the internal and external operation of the Ulster-Scots Agency. Concerns have also been raised by the Northern Ireland Audit Office, and I share those concerns.

The agency is a body that uses public funds, and I want that money to be used in an efficient and effective way. It is essential that the Ulster-Scots Agency uses the resources allocated to it effectively and for the benefit of the community. It must also deliver value for money, because that is what is best for the community that it serves.

It is clear that there are issues regarding the strategic direction of the agency and issues around its governance and administrative processes. I am aware of the issues, and I will be taking steps to try to address them.

I am determined to ensure that the Ulster-Scots Agency is fit for purpose and provides value for money. That is good for the community that the agency serves, and that view is shared by Minister Ó Cuív in relation to both the Ulster-Scots Agency and Foras na Gaeilge.

**Mr Brolly:** Go raibh maith agat, a LeasCheann Comhairle. Will the Minister state whether the Ulster-Scots Agency's strategy is specifically aimed at promoting the Ulster-Scots language, or is it aimed at promoting the wider Ulster-Scots heritage and culture?

**The Minister of Culture, Arts and Leisure:** The remit of the Ulster-Scots Agency, as originally set out in legislation, covers both the Ulster-Scots language and Ulster-Scots culture. Both aspects should be within the remit of the Ulster-Scots Agency.

### Townland Names

3. **Mrs McGill** asked the Minister of Culture, Arts and Leisure how his Department is promoting the use of townland and other place names. (AQO 434/10)

**The Minister of Culture, Arts and Leisure:** I note that the question refers not only to townland names but to other place names, and I welcome that. We need to consider the importance of minor place names, as well as townland names, as part of the rich fabric of our shared cultural heritage. There is no formal Executive policy on townland names, and my Department does not have lead responsibility for legislation, strategy development or promotion of that issue.

In 2001, the Northern Ireland Assembly debated a motion that called on each Department to adopt a policy of using and promoting names in all government correspondence and official documents. That motion gained cross-party support and was agreed unanimously. My Department uses townland names in responses when such information is used in correspondence to it.

**Mrs McGill:** I thank the Minister for his response. I note that he said that his Department does not have lead responsibility to take the matter forward. Is his Department reluctant to do that? It would seem to be the natural home for the promotion of that type of cultural and heritage project, and I would welcome it taking a lead. Go raibh maith agat, a LeasCheann Comhairle.

**The Minister of Culture, Arts and Leisure:** The matter spreads across a number of Departments and is not solely the remit of the Department of Culture, Arts and Leisure. Indeed, our relationship to it is probably more tangential than that of some other Departments. However, I have indicated that I see townland names and all other place names as part of the rich fabric of our shared cultural heritage. Around 98% of townland names are of Irish/Gaelic origin and around 2% are of

Ulster Scots and English origin. However, the percentage of minor place names that come from a non-Gaelic origin is considerably higher. Therefore, that area has relevance for both the Irish and Ulster-Scots languages and is meritorious of study. However, the broader issue of place names, in particular townland names, is not the sole responsibility of my Department, and it will not be taken as such.

**Miss McIlveen:** In many respects the Minister has answered my question. However, I want him to clarify his and his Department's position on townland and other place names.

**The Minister of Culture, Arts and Leisure:** There is no agreed Executive policy on the use of townland names. It is not a priority for my Department, and there are no direct departmental funds available for it. However, if the Northern Ireland Executive decide to develop that policy area, responsibility for taking the matter forward will be cross-departmental. It is not a matter purely for my Department, and other Departments will have their part to play.

**Mr McCarthy:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his answer, but it is simply not good enough. The Minister recognised that, in 2001, the Assembly unanimously agreed a motion to promote townland names, and he acknowledged that that has not been carried out.

**Mr Deputy Speaker:** Could we have your question please?

**Mr McCarthy:** How long can the Minister and his Department step back from carrying out the profound wish of the Assembly in 2001? He referred to Minister Ó Cuív. Minister Ó Cuív agreed to provide £50,000 a year for the next three years to promote place names in conjunction with Queen's University —

**Mr Deputy Speaker:** Come to the question, please.

**Mr McCarthy:** The Minister has failed to provide equal funding.

3.15 pm

**The Minister of Culture, Arts and Leisure:** I can repeat only what I already said, which obviously did not register with Mr McCarthy. There is no agreed Executive policy on the use of townland names; however, if the Executive were to decide to develop such a policy, it should be noted that the responsibility for taking it forward would be a cross-departmental one. It is not purely a matter for my Department; others will have to play their part as well.

**Mr McFarland:** The Minister is responsible for culture. In the Assembly and elsewhere, there is enthusiasm for the use of local townland and place names. I cannot quite understand why he does not see that some sort of lead from his Department on the



cultural aspect of that could make a substantial contribution to a shared future.

**The Minister of Culture, Arts and Leisure:** I have no difficulty in recognising the cultural significance of place names in all their variety, including major townland names and minor place names. They form part of our shared cultural heritage and there is potential to do some work in that field to promote a shared and better future. It is an illustration of shared cultural heritage, as place names can be seen to have an input from the Irish language, the English language, the Ulster-Scots language and, indeed, from other languages. Indeed, they contribute to our cultural wealth, which can be supported in various ways, but there are those who want to go much further in that regard, and when we go there, it is certainly outside the remit of my Department.

### Football: Amateur Clubs

4. **Mr Hamilton** asked the Minister of Culture, Arts and Leisure what funding schemes are available to amateur football clubs. (AQO 435/10)

**The Minister of Culture, Arts and Leisure:** Sport Northern Ireland is responsible for the development of sport in Northern Ireland, including the distribution of funding. Amateur football clubs are eligible to apply to Sport NI for funding on the same basis as any other type of sports club. Those clubs can therefore apply to a range of club-based funding schemes that are operated by Sport NI, including a new Awards for Sport scheme, which recently opened for applications.

Of course, even when funding is available to football clubs, there can be issues about the capacity of the sport to access such moneys. In that respect, I always expect the Irish Football Association (IFA), as the governing body of football in Northern Ireland, to take the lead in building the necessary capacity throughout all levels of the game so that clubs are in a position to take full advantage of the opportunities that arise.

**Mr Hamilton:** I thank the Minister for his reply. I am sure that he will agree that amateur football is the grass roots of the game in Northern Ireland, and, as he will know, the Strangford constituency is home to some of the best amateur clubs in Northern Ireland. Clubs such as Comber Rec, Ards Rangers and Killyleagh YC are at the forefront of the amateur game in Northern Ireland. The Minister spoke of the need to develop capacity. Does he believe that the IFA is in a position to offer the support and leadership that is required to develop the amateur game, and, indeed, football at all levels in Northern Ireland, to the standard that we all hope for?

**The Minister of Culture, Arts and Leisure:** I was trying to work out whether there was a connection

between the Strangford constituency and the list of clubs that were named; I think that there possibly was. I recognise that there have been some developments in the governance of the game and improvements in youth football and at grass-roots level in recent years, which were largely as a result of the demands that were placed on the IFA under the soccer strategy. However, progress needs to continue, and, indeed, should be accelerated. For example, the association could do more to ensure that football generally is punching its weight in accessing public funding.

Members will have seen the recent press articles highlighting the fact that football has been attracting less funding from existing schemes than other sports in recent years. That is largely a reflection of the lack of capacity within football clubs at all levels and is an area that the IFA could be doing more to develop. Members will also have seen the recent media reports that the association has had to make a substantial payout to its former chief executive for unfair dismissal. That will be the second time in less than 10 years that substantial payments have been made by the IFA to senior employees. Members will understand my concerns from the point of view of governance and accountability that that money could have been put to good use for the benefit of the game at all levels.

**Mr McElduff:** Go raibh maith agat, a LeasCheann Comhairle. The Minister will know that when I hear the phrase “amateur football” I think of Gaelic football. I know that Thierry Henry was trying to play Gaelic football last week.

Is the Minister’s Department considering the reopening of the Places for Sport programme for 2010-11? In the past, that programme has greatly helped football clubs at community level across the codes of GAA, rugby and soccer to develop their facilities. There is a cry for the reopening of that programme.

**The Minister of Culture, Arts and Leisure:** I welcome the Member’s endorsement of and support for the actions of a certain French footballer. I am sure that that will be noted widely.

There have been two rounds of the Places for Sport programme. I have looked carefully at the outcome, and I am making an evaluation of it. I have had further conversations with Sport NI, but no decisions have been made yet.

**Mrs M Bradley:** Is the practice of paying footballers to play the game a deterrent to the development of their clubs?

**The Minister of Culture, Arts and Leisure:** It depends on whether a club has the money to pay players. There is a place for amateur football and a place for professional football. It is outside my remit to dictate on that: those matters are for the IFA. It is

important that clubs have the money if they have promised to pay players.

### Public Record Office

5. **Mr Kennedy** asked the Minister of Culture, Arts and Leisure what arrangements will be made by the Public Record Office for people researching their family ancestries during the closure, from September 2010 until May 2011, to relocate the office to the Titanic Quarter. (AQO 436/10)

**The Minister of Culture, Arts and Leisure:** To minimise the disruption to researchers, the Public Record Office of Northern Ireland (PRONI) has been working with Libraries NI to identify a suitable location in the greater Belfast area to relocate the self-service microfilm facility for the period of the closure. That will provide continued access to some of the most popular sources for genealogy and local history research, such as church registers.

PRONI has also taken steps to increase the volume and range of the material that is available online to researchers. In September 2009, the nineteenth-century street directories became available online, and additional resources for family history research are scheduled for completion in the coming months. Sources for genealogy are not restricted to PRONI, and a signposting pack is being compiled to provide guidance on alternative sources of information. That will be made available on the PRONI website, [www.proni.gov.uk](http://www.proni.gov.uk).

Therefore, a range of material will be available for researchers to work with while they are unable to access the PRONI premises at Balmoral Avenue. PRONI will also continue to provide a limited correspondence and telephone enquiry service for as long as possible.

**Mr Kennedy:** I welcome the Minister's reply. He will be aware of the widespread concern that has been expressed about the temporary arrangements. Given the significant interest that people have in researching their ancestry, does the Minister have any plans to expand the service and to promote it on a more meaningful and positive basis, perhaps even on an international front?

**The Minister of Culture, Arts and Leisure:** The new premises for PRONI will enable it to provide a much more extensive and user-friendly service than at present. The Member referred specifically to genealogy, in which there is a worldwide interest, particularly from families around the world who have their ancestral roots in Northern Ireland. That area can be developed. It has the potential to assist our cultural tourism, because when people start genealogical searches elsewhere, there is always an incentive for them to visit the places

from which their ancestors came and to see what additional records are available in those locations.

**Mr Kennedy:** Cavemen.

**The Minister of Culture, Arts and Leisure:** I thank the Member for that unhelpful comment. *[Laughter.]*

There is work to be done on that area. It has huge potential, because tourism is a growth area and genealogy is a particularly fruitful area for growth.

**Mr Storey:** I thank the Minister for his comments about the Public Record Office. I suggest that he consider relocating the facility to Ballymoney, given that the museum there has an excellent genealogy facility that can be found at [www.ballymoneyancestry.com](http://www.ballymoneyancestry.com).

On a serious note, will the Minister give an assurance that there will be co-ordination between website facilities such as those that are provided at the Public Record Office and Ballymoney Museum? Given the number of visitors that the [ballymoneyancestry.com](http://ballymoneyancestry.com) website receives each week, there must be co-ordination across Departments to ensure that we maximise the benefit that the tourist potential of visitors coming to Northern Ireland can bring.

**The Minister of Culture, Arts and Leisure:** I welcome the Member's point about the potential for a more joined-up approach. If we are to maximise the potential of genealogical tourism and research, we need to make all the accessible information as widely available as possible and in a user-friendly way. Therefore, a more strategic approach can certainly be considered, and I commend that body in Ballymoney for its ongoing work in placing information about family and local history on the Internet.

**Mrs D Kelly:** The Minister gave a general outline of some of the benefits that the Public Record Office move to the Titanic Quarter will create. Will he give further details on what those benefits will be for the public? Will he also give the House some idea of how many hits the Public Record Office's website gets each month?

**The Minister of Culture, Arts and Leisure:** The storage arrangements at the current site are simply not suitable for the long-term preservation of Northern Ireland's irreplaceable records and archives, and spatial restrictions have limited facilities for researchers and visitors.

Locating the new Public Record Office in the Titanic Quarter will provide greater and easier access for current and future customers. The current site has been in use for quite a number of years, and the situation now is very different from that 37 years ago when the building that the Public Record Office is in was first used for that purpose. The current site is really not fit for purpose, and the new building will provide a much more user-friendly experience, an enhanced service,

state-of-the-art exhibition space and an Internet café. It is also adjacent to the Odyssey arena, approximately 10 minutes' walk from the city centre, close to major bus, road, sea and rail links and to the George Best Belfast City Airport. I do not have the number of hits that the Public Record Office's website receives, but I will forward that information to the Member.

**Mr Brady:** Go raibh maith agat, a LeasCheann Comhairle. I understand that this will be the second recent closure of the Public Record Office. The office obviously deals with matters other than genealogy. Why have the closures been happening?

**The Minister of Culture, Arts and Leisure:** There has been comment on and correspondence about the fact that PRONI may be closed for a maximum of eight months. The opening of a brand new, almost £30 million state-of-the-art Public Record Office will be highly significant in the cultural history of Northern Ireland. It is a major investment.

The estimated eight-month closure is based on the results of a pilot exercise that was carried out two years ago and on discussions with the removal contractors. Two years ago, there were approximately 14 linear kilometres of material to relocate. That is a very large amount of material. This time, 40 linear kilometres of material are to be transferred.

That amounts to millions of individual documents, many of them unique, priceless and irreplaceable. We carried out comparisons with institutions elsewhere. For example, Wiltshire and Swindon Archives closed for six months when it relocated, and PRONI is moving four times the amount of material that was involved in that move. Therefore, in comparison with other areas and institutions, and taking into account the advice that we have received from professionals in the field, the time frame seems reasonable. Officials from PRONI will ensure that the move is completed as quickly as possible, and the sooner the better. However, in the meantime, as I indicated earlier, every effort will be made to accommodate the substantial number of people who visit PRONI for genealogical research.

3.30 pm

**Mr Deputy Speaker:** That concludes questions to the Minister of Culture, Arts and Leisure.

**Mr Hamilton:** On a point of order, Mr Deputy Speaker. During Question Time, Dominic Bradley asked a question initially in Irish, which he translated into English. In so doing, he took well in excess of one minute. Will you convey to the Speaker a request that guidance be issued to the effect that, if Members are intent on being as self-indulgent as Mr Bradley, they exercise the same brevity in asking their question that is expected of the rest of us?

**Mr McElduff:** Further to that point of order, Mr Deputy Speaker.

**Mr Deputy Speaker:** I will deal with the initial point of order first, if you do not mind. Every Member is entitled to speak in the language of his or her choice. Those are the rules of the House.

**Mr Hamilton:** My point of order was not about the Member's choice of language; it was about the time that it took for him to ask the question in Irish and then to translate it into English. It took well in excess of one minute, but, if I were to take one minute to ask a question, you would, rightly, Mr Deputy Speaker, rule me out of order.

**Mr Deputy Speaker:** I remind all Members that they should be brief and to the point when asking questions.

**Mr McElduff:** Go raibh maith agat, a LeasCheann Comhairle. Further to that point of order, Mr Deputy Speaker, some time ago, I asked the Speaker to investigate the practical feasibility and possibility of extending the availability of the headsets that the Speaker or Deputy Speaker and Clerks have access to. The Speaker was asked to look into that matter. No additional time would be required for translation if the headsets were available to all Members.

**Mr Deputy Speaker:** That is not a point of order.

**Mr McElduff:** I think that it is.

**Mrs D Kelly:** On a point of order, Mr Deputy Speaker.

**Mr Deputy Speaker:** I hope that it is a point of order.

**Mrs D Kelly:** During Question Time, Mr Hamilton gave quite a lengthy preamble to his question. Under Standing Orders, he has to ask a question.

**Mr Deputy Speaker:** I do not intend to take any more points of order on this issue. The Speaker has consistently and frequently asked Members to be brief when asking their questions.



## PRIVATE MEMBERS' BUSINESS

### Childcare Vouchers

#### *Debate resumed on motion:*

That this Assembly expresses its concern at the proposed axing of the childcare vouchers scheme; recognises that the loss of these vouchers could have a significant detrimental impact on working parents in Northern Ireland; supports the Employers for Childcare campaign; and calls on the Prime Minister to continue this scheme and to give consideration to the enhancement of Government support for working parents. — [Mr Shannon.]

**Ms S Ramsey:** Go raibh maith agat, a LeasCheann Comhairle. I welcome the opportunity to speak in the debate. My party supports the motion. I take the opportunity to commend Gem, I mean Jim, and the other signatories. Maybe he is a gem.

**Mr Shannon:** Sometimes.

**Ms S Ramsey:** I commend Jim on tabling the motion and securing the debate. I was in the process of trying to secure an all-party motion, but, fair play to Jim, he got there before me. Nevertheless, I am aware that most if not all parties are willing to support the motion. That shows that, when we work collectively as a team, we can address issues more quickly.

**Mr Shannon:** Although some Members may not have put their names to the motion, through their support today they make it an all-party motion. That is the important thing.

**Ms S Ramsey:** Absolutely. This is a campaign that all the parties are involved in, and fair play to Mr Shannon and his party colleagues for being quick off the mark. I give credit where it is due. I am trying to commend; I could have taken the huff and said that we would not support the motion.

I take the opportunity to commend the campaigning groups. Sometimes, we lose sight of the hard work that has been done before issues come before the Assembly. Groups have been highlighting this issue, keeping people up to date, informing people and generating a lot of public support. Fair play to them.

The proposal to axe the childcare voucher scheme, which was announced by the British Prime Minister, was a shock to many of us. As Chairperson of the Committee for Employment and Learning, I have taken a keen and active interest in the matter. It struck me that decisions are made elsewhere that can impact negatively on our work.

Earlier, the proposer of the motion, Jim Shannon, highlighted the fact that the proposal was made at the Labour Party conference. There is speculation that the announcement was agreed only two hours prior to the conference. Where are the policy and its outworkings? What impact will that policy have on many people,

including working parents? It is important that society and politicians take a keen interest in the matter.

The result of the announcement will impact negatively on working parents. The British Prime Minister said:

“for all those mums and dads who struggle to juggle work and home, I am proud to announce today that by reforming tax relief we will by the end of the next parliament be able to give the parents of a quarter of a million two-year-olds free childcare for the first time.”

Although no one would disagree with that sentiment, its impact raises concern. It is OK to make that statement; however, as it turns out, on the ground, it offered just 10 hours of nursery provision each week for 250,000 children from low-income families and only in England. Once again, that sends out a clear message that children in our communities and constituencies are ignored by the British Government.

It just so happens that the Assembly will later debate the neglect of children and young people. It has had several debates on child poverty. Therefore, rather than making sweeping statements, it is important that the British Government put their hands in their pockets and give us millions of pounds for the public services that they have underfunded. Let the Assembly be the master of its own destiny and deal with poverty, neglect and similar issues, which it discusses daily.

The Assembly must send out the clear message that, if thousands of working parents, the majority of whom are women, and the people whom the Assembly wants to encourage into work through the Department for Employment and Learning, the majority of whom are in low-paid jobs, do not get help with childcare, they will be forced to stay out of work. The Assembly must get it right, especially for working parents, particularly working mothers.

I also want to mention the campaign. I had the good fortune to host our meeting with the group when it visited Parliament Buildings. By chance, I met the Minister of Finance and Personnel outside the meeting. He was unsure about what was happening. If announcements are made in England that will have a negative impact on society here, it is important that the Executive take note.

I ask Jim Shannon to contact the Minister of Finance and Personnel, or, indeed, maybe the Minister could be sent the Hansard report of the debate, so that Members can find out exactly what his Department is doing and whether it will be impacted in any way by Gordon Brown's recent announcement. I agree that his announcement to possibly pull back that proposal seems to be watered down. Therefore, it would be useful for the Department of Finance and Personnel (DFP) to update the Assembly on whether it is being proactive. In fairness to Sammy Wilson, he was still unsure of the impact of the announcement on people here.

I am conscious that my time is nearly up. Once again, I want to commend Jim — Gem — and the



campaign group. I encourage people to sign those letters and keep up the campaign; not only the community but ourselves as political representatives. We must inundate Gordon Brown with letters.

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

**Ms S Ramsey:** The Assembly must send the clear message that it wants the money that his Government failed to invest in our public services.

**Mr McCallister:** In common with other Members, I support the motion. I apologise to the House if I must leave before the end of the debate. It is certainly no disrespect to the House or to the debate's importance.

It appears that Gordon Brown made the announcement to scrap the existing tax break on employer-provided childcare vouchers at the Labour Party conference, without consultation with employers, working parents or the devolved Governments of the United Kingdom.

I have some sympathy with the reasons that the Prime Minister gave for scrapping the scheme. His intention to give free childcare to 250,000 low-income families in England for the first time is commendable. However, the actions that he intends to take to deliver that outcome are indefensible and will do untold damage to hard-working parents throughout the United Kingdom, especially in Northern Ireland. I note that the 250,000 free places referred to by the Prime Minister are, as Ms Ramsey mentioned, for England only. That means that the Prime Minister will be stripping some 10,000 working parents in Northern Ireland of their tax exemptions, without anyone else benefiting.

Secondly, Mr Brown's reason for scrapping the benefit — that it is badly targeted — suggests that middle-class families who can afford childcare are the main beneficiaries of the scheme. However, that ignores research which suggests that the majority of users of the scheme are basic-rate taxpayers. Middle-income, hard-working families who are just above the threshold for means-tested benefits will lose most. It is clear that the Prime Minister's argument is deeply flawed.

The vouchers are also of major benefit to local nurseries and child-minding groups in Northern Ireland. The flexibility of the current scheme means that parents can gain places for their children in nurseries close to their homes or places of work. If the Prime Minister goes ahead with his proposals, the ramifications of his actions will be far-reaching. Removing the benefit is likely to have a greater impact on women, who bear the main childcare responsibilities, and, therefore, it will potentially increase the gender pay gap. There is a danger that mothers will not return to work after maternity leave, which means that businesses will lose experienced employees. When one takes a step back, it becomes clear that the economy will lose out at a time when it can ill afford to lose any part of its workforce.

There is also a danger that families in which both parents work and who are just above the benefit threshold, will be forced to claim benefits if one parent drops out of employment to look after the children. Any savings that the Prime Minister hopes to make with this initiative could be lost due to extra benefit uptake. That will also put paid to the message that it pays to work. The Labour Party is again about to penalise people who want to provide for their families by suggesting to them that it will be more affordable to stay at home. That is bad for the economy, bad for families and bad for public finances.

There has been much speculation of late as to whether the Prime Minister will make a U-turn on this issue. There has been talk of raising the threshold to ensure that middle-income earners are not discriminated against. I would welcome such a decision by the Prime Minister; yet there has been no concrete evidence to back up those rumours.

I welcome the opportunity to take part in the debate. I want the Assembly to send a clear, strong and united message to the Labour Government that they have not taken into consideration the needs of Northern Ireland and that they are fundamentally wrong on this issue.

**Mrs M Bradley:** I support the motion. Too often, we find ourselves having to defend the retention of benefits that directly affect the vulnerable. In this case, a vulnerable group that is mostly forgotten about will be directly affected. I refer to the working poor.

In too many instances, the working poor are kept outside the benefit arena because they are working and attempting to make life better for their families and themselves. They are also helping to build the economy. However, for that, they are punished financially, and we see the Government chastise those who work. It becomes more and more apparent that the Government are not interested in encouraging parents to work.

We are told day and daily about how much inactive benefit recipients are costing the economy and how important it is that people with jobs continue to work so that the economy can be repaired and rejuvenated. However, many of my constituents who have concerns about the withdrawal of childcare vouchers have said that, if the scheme is withdrawn, one or both parents will either have to give up their employment or at least reduce their hours of work, which will equate to less money coming in, thus creating a poorer household.

3.45 pm

More importantly, if one parent leaves work, the likelihood is that the other parent's salary would still mean that the family could not claim for benefit assistance. However, if a single parent were to leave work, he or she would have to resort to benefits, and the income from those benefits would probably leave a

substantial gap between his or her salary and his or her benefit income.

Last week, the House unanimously supported a legislative consent motion on the UK Child Poverty Bill. However, just seven days later, we are discussing the withdrawal of childcare vouchers by the same Government who deemed child poverty to be a scourge on society. The Government are trying to allay the furore by stating that the removal of childcare vouchers will be phased over the next five years and that they will be replaced by a scheme extending free nursery places to more than 250,000 two-year-olds from low-income families. However, we must remember that that applies only in England and Wales. What about Northern Ireland? There are no guarantees for Northern Ireland that that money will be redirected into early-years education or other schemes. Therefore, we will be hit with a double whammy.

It has been reported — I have no doubt that this is accurate — that middle- or lower-income families benefit most from the scheme and that the hardest hit will probably be people such as nurses, whose only option will be to leave the Health Service. Local pressure groups have made their voices heard, and we need to support them.

My colleague and party leader, Mark Durkan, in his capacity as MP for Foyle, has tabled a ChildcareSOS motion in the run-up to the pre-Budget report. That motion was signed by 88 MPs and has been resubmitted to put pressure on the Government to stop their plan to cancel childcare vouchers.

We must not forget that the removal of the voucher system will adversely affect not only working parents but the many nurseries and childcare facilities that accept the children of working parents. In effect, it will create a “rob Peter to pay Paul” scenario. As a public representative, I am inundated each year with complaints from working parents whose children cannot get into a nursery class as most of those places are taken up by the children of parents who are in receipt of benefits. Although benefit-dependent families certainly need help, there must be equality in the treatment of all citizens. Working families all too often get left behind when financial aid packages are being distributed. The UK seems to be becoming more and more isolated in the EU, while other member countries seem to assist working families in order to maintain their economy base and encourage economic stimulation.

The abolition of vouchers is such a bad move that even the Labour Party's own MPs — in particular, the female MPs — are extremely worried about the withdrawal of the scheme and have apparently voiced their concerns privately to Gordon Brown.

I view the removal of the scheme as an attack on families, on women and, most shockingly, on children,

because the parents who either cannot afford childcare or who do not want to claim benefits will look for cheaper childcare. In fact, they may be forced to employ childminders who are not even registered, which would be a recipe for disaster. People who do not have family members who are able or, indeed, young enough to mind their children face a scary situation. Children and their needs are being sidelined on an agenda of proposed savings that will be exposed as a false economy.

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

**Mrs M Bradley:** I hope that there is a positive conclusion to this mess. The House must unite in its objections to the issue.

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

**Mr Deputy Speaker:** The Member's time is up. You missed the boat, Mr McCrea.

**Mrs M Bradley:** I am sorry; my time is up.

**Ms Lo:** I support the motion and thank the Members who tabled it. The withdrawal of childcare vouchers is another of Gordon Brown's half-baked ideas. We need to send a strong message from this House saying that we oppose the proposal because it will not help our economy or our hard-working families.

Northern Ireland has the highest level of child poverty in the UK, and research has often shown that one way of getting out of poverty is to help parents get back to work. The proposal is not going to do that. Further, Northern Ireland does not have a childcare strategy; that is still sitting in OFMDFM as it debates who is going to be responsible for childcare in Northern Ireland. Also, we still do not have an early-years strategy to help young children.

For parents, there are enormous difficulties getting quality, accessible and affordable childcare. Therefore, why is anyone talking about trying to scrap a scheme that is working? Parents in Northern Ireland also have great difficulties getting registered childminders. There has been a decrease in the number of registered childminders rather than an increase. Scrapping childcare vouchers will hamper only the development of the childcare sector.

Axing the childcare voucher scheme will affect around 10,000 working parents here, most of whom are basic-rate tax payers and are not, as some people think, rich parents who can cream something off the system. Mostly, they are hard-working middle-income families that are just on the threshold for means-tested benefits. Those families are going to be caught in the dilemma between staying on at work to pay for childcare, paying enormous sums if they have a number of children, and giving up work and staying at home.

MPs at Westminster have raised the question of capping the childcare voucher system at a given level so that undue benefits do not go to parents on higher incomes. That is a much more sensible way of dealing with the issue, rather than having a blanket ban on the whole scheme.

**Lord Morrow:** I welcome the fact that the motion appears to have universal support in the House. That in itself sends out a powerful message on the issue.

There have been some startling headlines, in the local press and elsewhere, in relation to the matter. One paper carried the headline:

“100,000 will lose childcare vouchers; Middle class miss out despite Brown U-turn”.

It was reading headlines such as that and meeting those who came to Stormont — ironically, on the same day that Prime Minister Brown was here — that prompted Jim Shannon, Simon Hamilton and me to go forward with the motion.

As I said, I am thankful that the motion has met with universal support. Indeed, some Members said that had we not tabled the motion they would have done so themselves. Others said that it would have been better had it been tabled as an all-party motion; however, as the motion has received all-party support, I take that to mean the same thing.

One of the issues around childcare support is that, typically, a full-time place in a private day nursery costs approximately £650 a month. That is a fair slice from any pay packet or salary.

I suspect that, apart from a mortgage payment, £650 for private childcare will be largest outgoing for any family. Working-class families and those who earn just above the average salary can hardly afford such an outlay. They will welcome that the Assembly has taken that on board and is aware of the pressures and worries that are being inflicted on working-class families across Northern Ireland.

Alas, the Government of the day do not seem to care too much. Although this Assembly is often noted for its negative aspects, it can send a positive message to the whole community and Gordon Brown's Government by saying that it is united in its support for the retention of the childcare voucher scheme. However, can we be sure that Mr Brown is listening? He seems to speak with a forked tongue on the issue.

The scheme was introduced by the Labour Government and Mr Brown, so is it not ironic that he is the one putting it under threat? That policy is from a supposedly socialist Government who are allegedly looking after working-class people. All the parties in Northern Ireland are better skilled in looking after the working-class people of Northern Ireland than any Labour or Conservative Government. I hope that our

colleagues in the Ulster Unionist Party take cognisance of that, because they have hitched their wagon to the Conservative Party.

I was delighted that John McCallister was able to support the motion. I hope that he lets his new leader, Mr Cameron, know that the Conservative Party is at odds with its local wing here on the issue. I have my doubts about whether Mr McCallister's boss in London, Mr Cameron, will be too concerned about working-class families. However, we will leave that for another day and not fall out about it.

**Mr McCallister:** My party leader is Sir Reg Empey.

**Lord Morrow:** The Member can take it from me that he has two party leaders. I am sure that he will not let the issue go unnoticed by either Mr Cameron or Mr Empey, whoever he prefers, and will constantly bring to the attention of one of them the importance of retaining the childcare voucher scheme.

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

**Lord Morrow:** Yes, I will. The good news that we are sending from the Assembly is that we are totally united on the issue and want the retention of the childcare voucher scheme.

**Mr Butler:** Go raibh maith agat, a LeasCheann Comhairle. Tá áthas orm tacaíocht a thabhairt don tairiscint seo inniu. As other Members have said, there is all-party support for the motion. We should, as best we can, try to keep party politics out of our discussion on the issue. As some Members said, the proposed ending of the childcare voucher scheme is another ill-conceived and ham-fisted proposal from Gordon Brown. He clearly has not thought out the ramifications of the policy and how it will impact on families. As has been said, the notion that families here will benefit from the redirection of money is wrong: the 250,000 free childcare places will be in England, so working parents in the North will not benefit from them.

Gordon Brown is feeling a lot of heat from his own party on the issue. Many Labour MPs and ex-Ministers are giving him a hard time about the policy and rightly so. We need to send out the message that the Assembly is totally opposed to abolishing childcare vouchers, because we were not even consulted. The proposal is a populist one from Gordon Brown to try to win the next election, and it has not been thought out properly. Gordon Brown is trying to bring in the proposal while telling us that he will regenerate the economy and create more jobs; yet parents, childcare providers and businesses are the three groups that will be most affected by the policy.

Parents, particularly mothers, will have to give up employment. That will widen the gender gap and bring



about more inequality for women, because parents will not both be able to work.

4.00pm

Businesses will suffer. Some of the material from the Employers for Childcare's vouchers campaign outlines that childcare vouchers are one of the most popular employee benefits in the country. In the current economic climate, businesses survive because people are in stable jobs. However, those people benefit from childcare vouchers and use them to place their children in childcare. The proposal will also affect childcare providers, because it will remove a key source of income from them. It will lead to unregulated practices, with people placing their kids in the care of unregistered and unqualified childcare providers. Gordon Brown has got it wrong for parents, employers and childcare providers.

As Jim Shannon, Sue Ramsey and other Members said, Gordon Brown must listen to the Assembly and reverse the decision. He must keep this sought-after benefit in place so that both parents can continue to work. As Lord Morrow said, it is a misconception that childcare vouchers are a middle-class benefit. They are not; people on lower incomes will suffer if they are scrapped.

**Mrs I Robinson:** Does the Member agree that if the Government were to stop benefits simply because they also reach middle- to upper-bracket earners, no one would receive those benefits? It is a bogus excuse.

**Mr Butler:** Yes; I agree entirely with the Member. The notion that other people will benefit is ill-conceived, and what Gordon Brown is trying to tell us is wrong. I hope that, in the coming days, Gordon Brown listens to the Assembly and its clear message that we want to retain childcare vouchers for parents and childcare providers and for businesses, which are trying to survive in the economic climate.

**Miss McIlveen:** At the stage of the debate when everyone is in agreement, there will be a certain amount of repetition. However, that does not mean that the points should not be stated over and over again.

When the Prime Minister first proposed to abolish the tax relief that employees receive for childcare, the public was, quite rightly, outraged. Given that the replacement for the scheme will not extend to Northern Ireland, that outrage was more acute here. At the Labour Party conference, the Prime Minister said that, in its place, the Government would provide free early education and childcare places for 250,000 two-year-olds in England. Incredibly, Gordon Brown is proposing to scrap a UK-wide scheme and replace it with a scheme that applies in England only. That represents a potential loss to the Northern Ireland economy of a minimum of £8 million.

As Members have said, the vouchers enable working parents to make significant savings on childcare costs. They can opt to receive up to £243 of their pay in vouchers each month before income tax and National Insurance is deducted. For many families, the receipt of that amount of childcare, which is free of income tax and National Insurance contributions, through the scheme is an important means to allow, primarily, mothers to work. Members who spoke previously said that we should not forget that, even in today's society, which talks so much about equality of the sexes, the biggest impact of the proposed scrapping of the tax relief will be on women and their ability to work.

A question must remain about whether the effect of the proposal amounts to indirect discrimination. Like other Members, I have been contacted by many constituents about the matter. One constituent, who has two very young children and benefits from the childcare vouchers, told me that if the scheme is withdrawn, it will be impossible for her and her husband to both continue to work. As my colleague Lord Morrow said, such a decision will be felt deeply here because of the recognised need for quality low-cost childcare places.

Fortunately, the Government appear to be backpedalling, which is somewhat justified, given the anger that has been expressed. It seems incredible that it should ever have been contemplated in the first place, given the current economic crisis and the fact that such a measure would have had a negative effect on a significant section of the workforce.

**Mr Shannon:** Michelle McIlveen, Simon Hamilton and I wear different hats, as councillors on Ards Borough Council. Recently, council officers asked the council to endorse their opposition to the removal of childcare vouchers. That illustrates the depth of dismay and concern that exists in the Province on this issue.

**Miss McIlveen:** I thank the Member of his comments, and I reiterate them. The only difficulty that I have with the Government's U-turn is that the soft words of Ed Balls on the subject seem only to hint at a partial compromise, by saying that it is good for the Treasury to listen. My guess is that it is more of an L-turn than a U-turn. It appears that it was more the threat of a further Back Bench revolt by more than 50 Labour MPs that has spurred things on. I doubt that the boast of closing the Tories' poll lead would last much longer if the Labour Party were once again to be seen in disarray.

Of course, we simply do not know who the Treasury is listening to, or whether Northern Ireland will continue to be left out of the reckoning when it comes to addressing the issue. We wait with bated breath to hear what the Chancellor will say in his pre-Budget speech on 9 December, but it is necessary for the Assembly to lend its voice to the protests against the current proposals to scrap the childcare voucher



scheme. I am proud to support the ChildcareSOS campaign, which is led by Employers for Childcare, and I am more than happy to support the motion.

**Mr Attwood:** I concur with Lord Morrow; there is universal support in the Chamber for the motion. I acknowledge Jim Shannon's contribution as the proposer of the motion. He has again demonstrated that he has a good feel for the public good and for the causes of anxiety in the wider community.

As a middle-aged parent of two children under four years of age, I have some appreciation of the need for childcare. I would miss the childcare benefit that I get as an MLA under the Assembly's childcare allowance scheme. However, given my income level and the fact that my wife and I are working parents, our benefit is so much less in the grand scheme of things than the benefit for those on much lower incomes, especially lone parents, of having the childcare allowance scheme.

**Mr Brady:** Does the Member accept that on this issue, the British Government have demonstrated their ability to be both disingenuous and contradictory? With the introduction of employment and support allowance, lone parents in particular are being targeted and pressurised into going back to work. The rules relating to being at home to look after children of a certain age have changed. The age limit has dropped from 16 years to 12 years. It will reduce to 10 years and eventually to one year.

**Mr Attwood:** I appreciate the point that the Member makes, but those matters have been discussed previously in the House and, no doubt, will be in the future. I will address the point of contradiction in the Member's intervention shortly, but I will return to my speech.

Perhaps it was an unfortunate moment to ask for an intervention, but the critical point that I wanted to make is that as a working parent on a much better income than many working parents, I can appreciate, as other parents here and elsewhere can appreciate, the needs of those who are in receipt of childcare vouchers. As Members have properly outlined, there are thousands of people on much lower incomes than me and many others, who, if it were not for the availability of the scheme, would be putting their income and their ability to go to work in jeopardy.

We all know what the Member was getting at when he made his unfortunately timed intervention. It was a quite inappropriate intervention, given that there is unanimity in the Chamber on this issue. I hope that the Member will reflect on that. However, he made one accurate point, which is the contradictory position of the British Government. The British Government cannot, on the one hand, table legislation on targets to deal with child poverty until 2020 and at the same time propose to withdraw childcare vouchers. Offering people childcare support to help them to get back into

work is one of many mechanisms that need to be in place to deal with child poverty.

If the Member was correct, he was correct in only one regard, which is that there is a contradiction between the British Government's legislation on child poverty and their proposal to withdraw childcare vouchers. One cannot have it both ways; that sends out mixed messages and creates anxiety among working families and parents. The British Government should reflect on that.

However, there is a wider obligation on this Chamber, which may prove to be a deeper contradiction. If we are to deal with child poverty, and childcare vouchers are only one mechanism of that, in the next Budget or Programme for Government we must put in place resources and strategies to deal with childcare and child poverty, so as not to leave us open to the same charge of being contradictory as has been levelled at the British Government.

We must put meat on the bones of the childcare strategy. Ms Lo rightly pointed out that there is a lack of childminders in the North, and that has been amply demonstrated by organisations such as NICMA. A lack of childminders in the North means that there is a lack of people on whom working parents can spend childcare vouchers.

We have to fix that problem, and part of doing so is to put in place the now long-overdue childcare strategy. We have been promised that the strategy will come before the Assembly, and there is a ministerial subcommittee dealing with it, but we have not yet seen the meat on the bones of that strategy, which everyone endorses. Without that, we are failing working parents in the North by not ensuring that we have sufficient childcare provision and an adequate numbers of childminders.

The debate has been a healthy one, although it was unnecessary, wrong, absent-minded and foolish to try to introduce a discussion about wider issues.

**Mrs McGill:** Go raibh maith agat, a LeasCheann Comhairle. I support the motion. Many of the key points have been covered at this stage of the debate.

The comments from Lord Morrow about working-class parents were valuable. The motion refers to working parents, and having listened to the contribution from Mr Attwood, I have some sympathy with Gordon Brown in his intention. *[Interruption]*

Sorry, I just want to make this point. My colleague Paul Butler made the point that, rather than the problem being Gordon Brown's intention, the problem is the outworkings of his proposal. I could be wrong, but I believe that he wants any new scheme to be targeted at parents who will have serious difficulties if the childcare voucher scheme is axed.

As Mrs Robinson said, that does not mean that others cannot benefit. Mr Attwood underlined that it is working-class parents who will suffer serious problems. It will be detrimental in a big way for those people, particularly lone parents who have serious childcare problems.

4.15 pm

I wish to refer to two reports that were published in 2009. A Committee for the Office of the First Minister and deputy First Minister report on the gender equality strategy described childcare provision here as being the worst in western Europe. Therefore, there is a problem with childcare provision. A report titled 'Women Living in Disadvantaged Communities: Barriers to Participation', which was commissioned by the Women's Centres Regional Partnership, highlighted lack of childcare provision as the biggest single barrier to women's engagement in education, training and work.

I reiterate the comments that my party colleagues made about the outworking of the Prime Minister's intention to scrap the childcare vouchers scheme. Gordon Brown is wrong to propose the axing of that scheme. The ramifications and implications of his proposal have not been fully analysed. However, a message of cross-party support for the motion will be sent from the Chamber today. I commend Jim Shannon and his colleagues for bringing the motion to the House, and, as my colleague Sue Ramsey said, our party fully supports it.

Mary Bradley referred to the legislative consent motion on the Child Poverty Bill, which was debated in the Chamber on 16 November 2009 and about which we spoke at length. The contradictions are ironic, because there has been no consultation with the devolved institutions here on the matter. We must think of those who are most in need, and of working-class parents in particular. It is wrong that those people will lose out. I fully support the motion and the sentiments that have been expressed in the debate.

In January 2009, the 'Belfast Telegraph' quoted a study that calculated that it costs £9,227 a year to rear a child from birth to the age of 21.

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

**Mrs McGill:** How can working-class parents afford that? Furthermore, what if they have more than one child? That is a real problem. Go raibh maith agat, a LeasCheann Comhairle.

**Mrs I Robinson:** I support the motion and congratulate my colleagues for bringing it to the House today. The motion is timely and addresses an issue that is very important to our constituents. Scrapping the childcare vouchers scheme will directly affect families who are in the low-income bracket. Gordon Brown and, indeed, his predecessor, Tony Blair, have done

enough to destroy family life and the family unit in the United Kingdom without adding insult to injury. The realisation of the Prime Minister's intention to scrap the scheme would be utter folly, and it would have a devastating effect on low-income families.

The scheme was introduced in April 2005 to help parents to make a contribution to childcare through tax relief. Under the scheme, up to £55 a week, or £243 a month, goes towards paying for registered childcare. Although it is a tax-relief scheme, parents put aside up to £243 of their salary every month in exchange for electronic vouchers that are used to pay for childcare.

The scheme is a great help to the 340,000 working parents across the UK who benefit from it. The argument that the Labour Government sought to use to support scrapping the scheme was that it benefited the people who could afford it. However, the Government's own figures dispute that. They show that 92% of voucher users are from low and middle-income families. Therefore, the evidence supports the need for the scheme to be retained, given that it is doing what was intended, which is to help working parents.

As I said to the Member on the opposite Benches, if we are to use the Government's guidelines, no benefits would be paid out. That is because we would always be above the cut-off line that the guidelines suggest, meaning that middle-class and upper-class persons would be able to benefit. We must also remember that those parents probably contribute a great deal through the taxes that they pay. Therefore, I would not be seen to deny them their right to have that benefit if they are on a parallel to receive it.

When Gordon Brown first mooted scrapping the scheme, my office was inundated with queries. I am sure that many Members experienced something similar. I have never seen such a flurry of activity in my office than that in the aftermath of the realisation of what scrapping the scheme could mean to low-income families. I received many letters and phone calls, and parents came to the office with their children in buggies. There was literally a line of people at my constituency office in Newtownards. I wrote to the Prime Minister to voice my opposition to his very poor and ill-thought-out plan. I must say that I am still waiting for a reply. I can only assume that he was swamped by a deluge of mail from irate Members of Parliament, Members of the Assemblies across Scotland, Wales and Northern Ireland and by the electorates of those bodies.

Today is a good day because we can see the depth of support for the motion across all parties in the Chamber. We can send a message to Gordon Brown saying that the situation is not acceptable. The Government should accept that they really have got this one wrong. They

will have to do a U-turn, just as they have had to do many times before.

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

**Mrs I Robinson:** I do not think that it is asking too much to ensure that low-income families in particular get the help that they need to get back to work, given that that is what this Government have been trying to achieve. They want to get people out of the benefit culture and back into the workplace.

**The Chairperson of the Committee for Education (Mr Storey):** I apologise to the Members who proposed the motion for my absence for part of the deliberations this afternoon; I was involved with other duties in the House. However, as the Chairperson of the Education Committee, it is important that I put on record the steps that the Committee has taken since it was lobbied by Employers for Childcare. Indeed, many Members mentioned that. I pay tribute to the excellent way in which that organisation brought this matter to Members' attention. Those who have received the most up-to-date briefing from ChildcareSOS are indebted to that body for the way in which it has approached this issue.

The Education Committee considered the consequences of the Government's announcement to axe the childcare voucher scheme. Having received the Employers for Childcare campaign document, we asked the Department of Education for a detailed response to the issues that were raised. That process proves the value of this Assembly's Committee system. This issue is of importance to so many people and impinges on so many families, and a process was put in place that brought about a degree of clarity and allowed some useful information to be given.

The Department's response was useful, for it clarified the Government's plans while making the point that the Department of Education has no policy link to proposals for tax and benefits for parents and their employers. The Department would not have expected the proposals to have a direct impact on the number of preschool childcare places.

On that subject, the Department of Education emphasised that the Government's original announcement stated that the money generated from the change would be used to provide free childcare for families on lower incomes in England, which is a point that several Members made. In Northern Ireland, however, as Members also pointed out, the Office of the First Minister and deputy First Minister (OFMFD) is taking the lead on work on access to childcare, and there will be public consultation on a new childcare strategy, which will apply to all nought- to 14-year-olds.

Of course, we are still waiting on the Department of Education's proposals for a strategy for nought- to six-year-olds, which is an issue for the House, because

we often aspire to having joined-up government and to ensuring that Departments' policies are linked. In this case, it is vital that the Department of Education, in consultation with other Departments, have a clear policy on dealing with all facets of childcare provision in Northern Ireland.

On 15 November 2008, the Secretary of State for Children, Schools and Families said that the United Kingdom Government were in "listening mode" over concerns about the abolition of tax relief for childcare vouchers, and Employers for Childcare has given that statement a cautious welcome.

Speaking as a Member, rather than as the Chairperson of the Committee for Education, like other Members, I have been approached in my constituency office by parents who make an invaluable contribution to the Northern Ireland economy and who, despite all the challenges and difficulties, endeavour to provide for their children. I was surprised by how important those parents consider this issue to be. For them, the bottom line was that if childcare vouchers were not available, it would be increasingly difficult, if not nigh impossible, for them both to continue working.

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

**The Chairperson of the Committee for Education:** The Member for Strangford gave an example of the benefit and coherence that such a scheme brings to family life.

I support the motion, and I am glad to have been able to speak on behalf of the Committee for Education.

**Ms Purvis:** I thank my colleagues in the DUP for tabling the motion. When we heard about the Government's plans to phase out the childcare voucher scheme, Sue Ramsey, Naomi Long and I drafted a cross-party motion along similar lines, so I am happy to support the motion.

I sincerely hope that the objective of the motion — to save the childcare voucher scheme — has already been achieved and that we are merely validating the Prime Minister's decision not to scrap such a valuable programme. Like others, I was shocked when the Prime Minister announced that he would end the childcare voucher scheme and redirect the resources to nursery provision for two-year-olds in England. When the Prime Minister was here some weeks ago, I raised the issue with him directly and, like Claire McGill, he was concerned that vouchers were being used in England and Wales for skiing lessons, ice-skating lessons and horse-riding lessons.

**Ms S Ramsey:** I know that that is an issue. However, we need to ask why those who are on benefits should be penalised rather than targeting those who are



allegedly making money on the scheme. I do not think that anyone would disagree with such an approach.

4.30 pm

**Ms Purvis:** I thank the Member for her intervention. I was going to come to that point. She is exactly right. Although any additional assistance for the parents of young children is to be welcomed, programmes for children in England cannot be introduced at the expense of those in Northern Ireland. Rather than robbing one programme to fund another, the Prime Minister should be supporting both.

The nursery provision that he was heralding in England, to which Members have referred, offers extremely valuable early childhood development services. I would like to see more of that in Northern Ireland, particularly in disadvantaged communities. However, we are not trading like for like. The types of nursery placements that the Prime Minister is proposing for two-year-olds for ten hours a week — essentially two hours a day — will offer a real boost to the children who participate in them and meaningful support for their families, but such programmes cannot possibly be classified as childcare. I struggle, as I am sure many others do, to think of any lucrative employment that any parent could secure at less than ten hours a week.

In Northern Ireland, we are in a particularly vulnerable position on the issue and cannot afford to lose childcare programmes in any form. We are already dealing with woefully inadequate childcare provision that is unable to meet current demand for services. The situation is getting worse: the number of childcare places is actually falling. Despite that, our Executive have been slow to move on the issue. We continue to wait for a national childcare strategy and for a Department that is willing to take responsibility for that critical issue. To lose childcare vouchers in such an environment would be a serious blow.

The evidence is irrefutable that the primary barrier to women's full participation in education and employment is childcare. As Claire McGill outlined, the impact on women from disadvantaged communities is particularly profound. Women who have children at home and who want to work cannot do so if they do not have access to appropriate, affordable, quality childcare; it is as simple as that.

The effect of this issue really knows no social or economic boundaries. The lack of appropriate childcare poses a major stress in many households. Childcare programmes must meet the needs of the families that they are supposed to support, and the childcare vouchers scheme is perfectly matched to meet the needs of those who use it. The Government's attempt to frame their decision to remove the scheme as an attempt to shift resources to low-income families is insincere. If the

Government were indeed committed to supporting the most vulnerable families, they would not be forcing single parents onto jobseeker's allowance on the one hand and taking away support for childcare on the other. It is either very poorly co-ordinated or very poorly thought-out policy, but the end result could easily be an impossible choice for many parents: hardship in work or hardship out of work. A large number of parents will have to decide whether they can actually afford to work simply because of the cost of childcare.

In Northern Ireland, we are paying the price for having marginalised the issue of childcare for so long. We have failed to fully appreciate its impact on our society and economy. If the recession brings anything good, perhaps it will be a better understanding of the support and flexibility that working families need, not only to pursue a career and raise a family but simply to make ends meet.

I am delighted by any investment in early childhood development, but diverting funds away from a successful and critical scheme to support working parents is not the way to do it. I support the motion.

**Mr Hamilton:** About halfway through the debate, Michelle McIlveen said that everything had more or less been said at that stage, so the chance of me saying anything different at this juncture is very limited. However, I welcome, as other Members have done, the widespread support for the motion that has been shown across the Chamber; unanimous support has been shown by Members on all sides today. I hope that that is some encouragement to those who would be most adversely affected by any change in tax relief or childcare vouchers. I hope that those people who fear the worst will see some encouragement in their representatives in the Northern Ireland Assembly speaking up for them with one voice.

I will touch on some of the broad themes that have been drawn out by Members' contributions. The first consistent theme relates to the nature of Gordon Brown's announcement. We all get bright ideas, and we get them in weird and wonderful places, but, after a while, we realise that they may not be as good as we had thought. However, most of us do not go to a party conference, which is being broadcast on national television, and blurt out the idea without any thought, background work or analysis. That appears to be what the Prime Minister has done in this instance.

Nobody will disagree with some of the motivation behind what he is saying. I think that there might be a hidden agenda to what he said, but, on the face of it, it is not a bad thing to try to amend policy and divert resources to offer free childcare for 10 hours a week for every two-year-old in England, but the unforeseen or foreseen consequences of that for others are widespread.



There will be consequences not only for people in Northern Ireland, Scotland and Wales; the scheme will not be much good for people in England if their child is not two years old. The scheme will not be much good to anyone who needs childcare or assistance with childcare for more than 10 hours a week, which is required in most cases. The scheme is not good for everybody in England, and it is certainly no good for people in Northern Ireland. There is a lot of opposition to the mechanism of the change and its consequences.

I do not entirely subscribe to the view that the Prime Minister did not do his homework. I think that an opportunity was seen in the run-up to an election to try to throw out a populist line, which, on the face of it, looked good but, in reality, was not. Members should factor in that the announcement was made at a Labour Party conference. It was an old-fashioned, outdated, soak-the-rich type of mantra that one would expect from socialists, and it was thrown out by the Prime Minister to try to pacify itchy, nervous members in his party.

The consequences, particularly for Northern Ireland, are widespread. As all Members who spoke in the debate have identified, the proposal will hit low-income families and low to middle-income families most severely. There is social division in Northern Ireland, but it is not as acute here as it is across the water. We have a broad swathe of individuals who fit into that low- to middle-income bracket, perhaps because of the predominance of the public sector in Northern Ireland. Therefore, it is likely that the proposal will affect us more than it will affect others.

I want to stand up for those people in the low- to middle-income bracket, who always seem to be most adversely affected by changes in the tax system or whatever else. They always seem to bear the brunt. In relation to other policy areas, the Assembly has tried to stand up for those people and consider their incomes; when debating the rates system, for instance. It does no harm to stand up and say that those people have taken too big a hit through the years and that sometimes they need a bit of help. Childcare vouchers are one way in which they were getting help.

A lot of Members talked about the success of the existing scheme. In a country where the average childcare costs are about £600 a month, we have a scheme that allows an annual relief of around £1,200 for an individual or twice that amount for couples. We are not talking about a lot of money. If someone is spending an average of £600 a month on childcare, such an annual saving will not make a big dent, but it will make a big difference. It is not a massive amount of money, but it is a major contribution for many people.

Members have said that some 10,000 parents in Northern Ireland are availing themselves of the vouchers. The vouchers allow parents to get into the workplace

and make a contribution to society, because for many of those people, childcare is a key consideration.

Mr Attwood declared his interest as a middle-aged father of two children under four years of age, and I can declare my interest as a young father of two children under four years of age — *[Interruption.]* It must be the sleepless nights. *[Laughter.]* I know and appreciate that not everyone is as fortunate as my wife and me, in that our parents — the children's grandparents — are fit and active and able to help out. Not everyone is in that position: the grandparents may not be with us any more, or geography may have an impact. Childcare vouchers have allowed people without such support to get into work and make a contribution to society.

It is little wonder that fewer women are economically active here. There is a difference of some 5% between men and women's economic activity rates in Northern Ireland, even when we take into account the recent substantial changes in the labour market.

During today's debate, many Members have called for the creation of a childcare strategy. I do not want to get into the detail of that, and time does not permit it. However, the overall need for greater childcare in our country must be addressed, not least because of the imminent changes that will be made through the Welfare Reform Act 2009. I have been made aware of the impact that that legislation will have, particularly on single parents, through my work with the Committee for Social Development.

Childcare plays an important role in encouraging more people to get into the workforce and make a greater contribution to society. We cannot simply tell someone that they need to get a job or their benefits will be removed, without at least offering them some assistance to help them get into the workforce.

If the childcare voucher scheme is abolished there will obviously be an effect on business. Members have spoken of the £8 million contribution that childcare vouchers make to the economy. If those vouchers are lost, there will be an impact not only on the childcare industry, but on the businesses that the parents work for, which will lose experienced, valuable workers.

As Jim Shannon said, there will be an impact on the public sector. I can testify to that as well. It seems that an increasing number of officials in Ards Borough Council are women, as is the case with every organisation that I have met recently, and the loss of childcare vouchers could, therefore, have a devastating effect on workers in the public sector.

The whole point of our argument must be that we want people to work. We do not want people with skills and a contribution to make to society, having their skills and attributes underutilised. In many cases, those workers need assistance to utilise those skills. In terms of value for money, the childcare voucher

scheme has been a great help and stands the test of scrutiny. Instead of scrapping the scheme and replacing it with something that will only help a small proportion of parents in one region in the United Kingdom, the Prime Minister must wake up and see the benefit that his Government have brought to the whole kingdom through the scheme.

I hope that the much-rumoured U-turn — and we should look at the significance of some of the names attached to it — does happen. We have seen U-turns from the Government before, on issues such as the 10p tax row, and I hope that this one prevails.

In conclusion, I want to commend Employers for Childcare on its ChildcareSOS campaign. I know that that organisation is up for an award elsewhere this evening, and I am sure that it would very much like to win. However, I am sure that it would rather win this argument and retain childcare vouchers. Through the debate, and the widespread unanimous support that has been shown by Assembly Members, I hope that we can also make our contribution to winning that argument.

*Question put and agreed to.*

*Resolved:*

That this Assembly expresses its concern at the proposed axing of the childcare vouchers scheme; recognises that the loss of these vouchers could have a significant detrimental impact on working parents in Northern Ireland; supports the Employers for Childcare campaign; and calls on the Prime Minister to continue this scheme and to give consideration to the enhancement of Government support for working parents.

## PRIVATE MEMBERS' BUSINESS

### Neglect of Children and Young People

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

**Ms Purvis:** I beg to move:

That this Assembly expresses concern at the level of neglect of children and young people; recognises the significant impact of neglect on the lives of children and young people; and calls on the Executive to give greater priority to tackling this issue through early intervention and prevention.

*4.45 pm*

I apologise in advance to Members because I may have to leave before the end of the debate. However, my colleague and Deputy Chairperson on the all-party Assembly group, Michelle McIlveen, will make the winding-up speech. I commend the members of the all-party group on children and young people who worked together to table this cross-party motion with the support of seven political parties. I thank Action for Children for its instrumental research, and its work on the motion in particular.

The motion expresses concern at the level of neglect of children and young people. Neglect is the persistent failure to meet a child's basic physical and psychological needs, which can have serious consequences for that child's health or development. Neglect can take many forms, including a lack of appropriate food and clothing, an unsafe or insecure living environment, insufficient attention for medical needs, or the absence of the warmth, security and love that is necessary for emotional and psychological development. Those needs are fundamental and may appear simple, but neglect is a complex issue.

Neglect can be difficult to identify because it is often a symptom of other long-term or complicated problems in a family, rather than an easily recognisable incident or event. There is no single cause of neglect; a series of factors and family difficulties contribute to the situation. Neglect can be linked to depression, mental ill health, domestic violence, addiction and substance misuse, parents who are socially isolated, and the stress of poverty and deprivation. However, poverty and deprivation do not lead to neglect. Many families struggle with those pressures without the result of neglect. Poverty and deprivation can be factors in situations where neglect is present because they place additional stress on families who may be dealing with other problems that make it more difficult to cope.

Neglect knows no bounds. Like the problems it can be linked to, neglect is not limited by income, background, education or ethnicity. Families may face a crisis and need support to prevent those problems from impacting seriously on children. Neglect can be difficult to distinguish and, therefore, more difficult to address because it is often a part of complex family issues. Despite those complexities, it is critical for neglect to be addressed.

Neglected children are more likely to suffer problems that can cause long-term damage, such as emotional and mental-health problems, limited school attendance, and poor educational attainment and social skills, which can make it difficult for them to make and keep friends. Poor social skills can also make children more likely to experience bullying and isolation. If those situations are not dealt with, children who have experienced neglect will bring those problems with them into adulthood, where they can have a profound effect on their ability to participate fully in society.

Neglect is the primary reason for children being placed on the child protection register in Northern Ireland. In 2007-08, almost half of the children who are listed on the child protection register were there because of neglect — that is more than 1,000 children. However, that is not the complete picture. Because of its complexities, neglect is frequently under-reported and underestimated. Several studies have found higher incidents of neglect and abuse experienced by children in the general population than those of reported figures. Incidents of neglect appear to be on the increase, and recent research suggests that up to 10% of our children could be affected. Swift response and early intervention are critical in addressing and reversing that trend. Front line professional staff and public awareness play key roles in making that happen.

Recently, Action for Children surveyed almost 2,000 primary school, preschool, nursery and health professionals across the UK to gauge their understanding of child neglect and its causes. More than half of those surveyed said that being able to report less serious suspicions earlier would be helpful when dealing with suspected child neglect, and 44% said that clearer guidance from the Government or employers on when to intervene would make a difference. Because neglect can be hard to define, it can be difficult for professionals to identify the point at which to make a referral. It is therefore critical that front line staff receive the support, guidance and training that they need to allow them to recognise and feel comfortable intervening in the early stages of possible neglect, before a problem becomes serious.

Because the situations of families in which neglect is present are varied and complex, there is a need for a joined-up, multi-departmental approach. It is not just teachers and health visitors who come into contact

with those families, but all levels of government services and professionals.

Public awareness is critical, and Action for Children is to be commended for its recent campaign on the issue. In the case of Victoria Climbié in England — and we all remember that pretty smiling face in the photograph shown on TV — despite the number of professionals that that little girl had seen, it was ultimately a taxi driver who reported the neglect. Again, because of the complexities of neglect and the challenges in identifying when it begins, it is vital that our approach is a comprehensive one which leaves no proverbial stone unturned and no opportunity to tackle it unmet.

I am aware that the Office of the First Minister and deputy First Minister (OFMDFM) and the Department of Health, Social Services and Public Safety (DHSSPS) have put together a number of statements and action plans related to neglect and the factors associated with neglect. Those include the Family Matters, Care Matters, Safeguarding Children and Lifetime Opportunities strategies, as well as the ever-anticipated strategy on cohesion, integration and sharing. I have read those that are available, and there is no doubt that they are very good strategies. I am particularly pleased to see the shift to early intervention, as it is both a more meaningful and a more cost-effective approach to a number of challenges that we face as a society.

What concerns me is not what is written, but what is implemented. Those policies look great on paper, but can look very different, and can even seem to disappear, when it comes to making them actually happen. I know that there are serious financial considerations, particularly for the Minister of Health, who is facing severe constraints, but what concerns me is that our attempts at efficiency savings now are going to turn into crisis not far down the road. Crises are always expensive.

I thank the Minister for his presence here today, and I commend him for his allocation of £20 million for services for children and families, but can that be enough? Failing to fully implement a number of those policies, which are designed to safeguard children and remove inequalities in our society, will mean that we will not address those issues until they are much more traumatic for those involved, and much more expensive for government Departments. I look forward to our discussion this afternoon on this very important issue, and to the Minister's remarks, and I commend the motion to the Members of the House.

**Mr Easton:** Children are our most valuable resource. Any investment in their future is money and time well spent. The return on our investment in young people, I venture to suggest, may well be in excess of any other return this House invests in finite resources in the future. In those terms, it is indeed money well spent.



We saw at the weekend the disgusting face of terror, which reminds us sadly that those involved in it are still out there — those in our society who are incapable of progress; those who would, indeed, neglect our children and condemn them to lives ruined by the evil of terrorism in the past. In repudiating those criminals who would, through terrorism, neglect the children of Northern Ireland, I underline the maxim that those who will not learn from history are destined to repeat it. Terrorism, as we know, has neglected a generation of our children. Let us redouble our efforts to ensure that this generation is not also neglected.

To put all of that into perspective, there are over 400,000 children in our society — we are talking about one in four people. We hear so often that people are our most valuable resource. Therefore, we must sit up and take note of a quarter of our people.

I pay tribute to the social workers who deal directly with young people who are the victims of abuse, whether physical, sexual, emotional or neglect. While this House rightly acknowledges shortcomings where they exist, and demands and ensures rectification, equally we must acknowledge that many dedicated social work professionals help children at the point of the individual need, and encourage and assist them through healing therapy to address the consequences of abuse and go on to fulfil their God-given potential.

Equally, we cannot turn away from the reality that, in 2007-08, 21,000 children were referred to social services a staggering 28,000 times. I pay tribute to the Police Service and social services, who, either together or separately carried out a staggering 2,300 child protection investigations under joint protocol procedures. I also acknowledge that 2,070 children on the child protection register each have their own tailored child protection plan. The benefits of the multidisciplinary process have been utilised to formulate a plan that is in the best interests of the young person.

We need a reality check, and, no matter how painful and distressing that reality is, we must act. When I say “distressing”, I mean it. A staggering 58%, or three out of five, of sexual offences were reported against teenagers. The agonising remainder of 42% of offences that were reported were against children under the age of 12. If that does not prompt action, nothing will.

The difficult fact is that six in every 100 young people will experience severe emotional maltreatment, and a similar proportion will experience a serious absence of care at home. We rightly recoil in horror at those who sexually abuse children, and I take on board the fact that one in 100 children will, sadly, experience sexual abuse from a partner or carer. Some three in every 100 of children will experience sexual abuse by some other relative. It is for those heroic — a term that I use deservedly and advisedly — survivors of sexual

and other abuse that we must ensure a comprehensive and appropriate social work service. They deserve it, and, assuredly, they must get no less.

Let us look at sense, get selfish and look to getting a return from our investment. I will set out the case for why investing in children is so wise. The negative reasons for doing that are crime, mental health, family breakdown, drug abuse and obesity — an issue that the House addressed last week. Is it acceptable that the United Kingdom is bottom of the heap compared to its European counterparts on each of those issues? The cost to the UK economy of addressing those issues will be a staggering £4 trillion over the next 20 years. A proper dual investment package that will aim at interventions, universal childcare and paid maternity leave will reduce that debt by £1.5 trillion. Is that not a prize worth striving for?

Not everything comes down to pounds, shillings and pence. This House must lift its game and recognise that the research base informs us that proper investment can actively promote the psychology and social well-being of children. That would be a legacy that the House could be proud of. I commend the motion to the House.

**Ms S Ramsey:** Go raibh maith agat, a LeasCheann Comhairle. I apologise for the fact that I will have to leave the debate shortly to travel to Dublin on Committee business. I thank the Minister of Health, Social Services and Public Safety for his attendance, and I ask him to ensure that a transcript of the debate is given to other Ministers. It is important that we focus not only on the health aspect of this issue, but on the aspects in which other Ministers and Departments have a role and a responsibility to play. I am proud to be one of the magnificent seven members of the all-party group who signed the motion. We did that to ensure that the Executive collectively and other Ministers play their parts to deal with the issue of neglect.

I thank Action for Children, the NSPCC and Barnardo's for the briefing paper that they provided for the debate, and I thank the Assembly's Research Services, which provided a comprehensive paper that highlighted some of the issues. We were provided with OFMDFM's children and young people's action plan, which states:

“An enjoyable childhood should be a reality for all, not just for some. Every child should grow up feeling safe”.

We should all support that, and, as a society, we must ensure that children are protected from harm. The action plan states that we should give:

“particular focus to those who are vulnerable or at risk”.

Although there is a commitment and policy in place at the top level — the Executive — there are still issues, and that is why we agreed to table the motion.



5.00 pm

We should all take on board the duty of protecting the most vulnerable, as should all Departments and Ministers. It does not fall to only one Minister, and I do not want to appear to be critical of just the Health Department. That Department has an important part to play, but so do all Ministers, because, as Mr Easton said, it is a question of investing for our future.

The document says:

“Every child has a right to grow up in a loving home with the support and care of their parents and we should help those families who need support to provide a stable environment for their children.”

Again, that is the responsibility of everyone, even at local government level and through the local community and voluntary sector. Dawn Purvis was right to mention the recent cases in England that received a lot of publicity here. There are a number of no-day-named motions, including one from me, seeking assurances that we will not be faced with similar tragedies.

In a recent press release, the Minister of Health said:

“reviews of child protection services were an essential measure to ensuring safe and effective services.”

The recent Regulation and Quality Improvement Authority (RQIA) reports highlighted some stark concerns. I do not want to appear to be negative across the board, because a lot of genuine good work is going on, and Alex Easton was right to highlight the positive work that is done by social services and others in the community.

The Minister said that the RQIA reports included some examples of good practice, but:

“reports have identified a number of deficits where expected standards were not being met during the time these reviews took place. This is clearly not acceptable.”

That shows why devolution can, should and will work. We have a local Minister who is aware of local needs and issues, which he deals with when they come up. I ask the Minister to keep Members updated on developments with regard to the concerns that the RQIA highlighted.

I am conscious that the Assembly is today debating a number of motions relating to children and young people, and I am very happy that they are getting all-party support. That sends out a clear message. I want to cover a lot of things, but I cannot do that in five minutes.

I wanted to raise the issue of neglect. I still have a concern, as I know other Members do. The RQIA raised the issue of unallocated cases —

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

**Ms S Ramsey:** I do not want to get into recent named cases, but there is an issue about neglect, and a parallel issue of unallocated cases. Let us not have a tragedy on our hands, and let us put resources and money into addressing the unallocated cases.

**Mr Beggs:** I want to thank Action for Children, which recently published a document entitled ‘Child Neglect: Experiences from the Frontline’, which was one of the catalysts for the debate. I also want to thank the NSPCC and Barnardo’s for their useful background supporting information.

According to Action for Children, neglect is an ongoing failure to meet a child’s basic needs, which are a secure environment, food and clothing, and feeling loved and safe. Neglect can have the most profound effect on a child’s development, and, ultimately, influence its future development and long-term expectations.

That was best illustrated for me about a year ago when I attended an Investing for Health conference, at which the Chief Medical Officer for Scotland was speaking. He had delivered the same message two days earlier to the entire Scottish Executive. When he said that, I knew that I needed to listen very carefully to what he was saying. He indicated that they were trying to remove health inequalities in Scotland, and had noticed that life expectancy was lower in areas of higher deprivation, but that the excess mortality levels were not explained by deprivation alone.

Of course, there are health issues involved, and smoking, excess alcohol and drugs are contributors. However, he made the point that neglect can also affect health in the long term. He provided several pieces of evidence, which I will touch upon briefly. He mentioned a study on hopelessness and risk of mortality by Everson et al in 1996. He discussed how the stress of neglect can cause thickened arteries and increased cortisol levels. He said that it could result in biological changes in body chemistry that can have long-term implications for a child or young person’s development.

Of his three fascinating conclusions on what would improve life expectancy in Scotland, one is to consistently support and nurture early life, which would provide the basis for successful social and physical development into adulthood. He illustrated clearly that neglect is a key feature that affects people’s long-term health and development.

Barnardo’s runs a similar programme to the YMCA-run Parents and Kids Together (PAKT), which aims to increase the bond between parents and children and to offer parents support and knowledge so that they can better understand their children’s needs. It is important that mothers are supported. Frequently, they need that support in many situations.

The NSPCC has indicated that there is a range of areas of neglect, and we all must look out for areas of neglect and try to assist. However, to assist someone who may be in need is a sensitive area.

In 2009, Demos published a study entitled 'Building Character', which states:

"Parents are the principal architects of a fairer society".

The study's key message is that although deprivation has a significant impact on a child's success, the crucial factor is parenting skills. It is difficult for the Government to intervene in that area. However, better steps can be taken.

The study also states:

"Character capabilities – application, self-regulation and empathy – make a vital contribution to life chances, mobility and opportunity... The development of these character capabilities is profoundly shaped by the experience of a child in the pre-school years."

Children's early years are, therefore, vital to their development. That is why parents must be supported during those years. I declare that I am a member of Horizon Sure Start, because, for some time, I have recognised the importance of that support and have tried to assist.

The study also recommends that goals should be to:

"Strengthen provision of *support and information* to parents to help them incubate character capabilities in their children; Focus support on *disadvantaged* children...ensure *quality control* and *value for money*",

of that expenditure through review.

**Mrs M Bradley:** There can be no doubt that the rate of child neglect is ever-increasing. Action for Children states in its research document dated 13 October 2009 that 11% of professionals who work with children have witnessed an increase in suspected cases of child neglect during the past year. However, an even more worrying statistic is that 19% of those professionals have been given no training or information about what to do in those situations.

When we consider child safety and protection in today's society, we automatically think about child abuse, whether it be of a sexual or physical nature. Given the recent media coverage of certain high-profile cases, that is unsurprising. According to recent surveys, child neglect is now the most likely reason for the application of a child protection plan.

Neglect can mean many things for the child or young person who suffers it. It can be demoralising, opinion-forming, and dangerous, as sufferers can develop self-harm habits during their formative years.

A child's life is a blessing. However, for some children, it is a burden. In such cases, it is essential that the proper strategy, structures and trained personnel are available to identify and assist sufferers.

I am concerned that the proper staffing structures, budgets and identification tools are not in place.

It is essential that appropriate training is put in place for the staff who deal with what is a stressful situation for both child and staff. Also, it is vital that the victims feel supported and safe in the knowledge that they will be helped along the road to recovery, rather than simply being removed from danger and left to flounder should they be nearing the age at which they must leave care.

The Programme for Government states that it is the Executive's goal to reduce by 20% the number of abused or neglected children who need to be placed on the child protection register. However, given the present economic situation and the fact that economic disaster was not factored into the Budget of the day, what will happen to that promise now?

Efficiency savings could have a catastrophic effect on children and young people who are neglected, in need or simply forgotten. Although I recognise that efficiency savings are a sore point for most of us in the House, a people-centred debate such as this should tug at the heart strings of the Minister of Finance and Personnel. I make no apologies for stating that. I hope that he will listen to and take heed of Members' appeals for the health budget to be exempt from efficiency savings and/or bolstered because of the pressures on it.

The neglect of children harbours the sad and blinkered outlook on life of those involved, and, in many cases, it can become a cycle that continues from generation to generation. However, that must stop, and we must help it to stop. The young people affected need help and guidance to acknowledge that what has happened to them is unacceptable, so that they can embark on adult life with a balanced view and an improved vision of what they can achieve.

Neglect often leads to behavioural problems, which, sadly, are prominent in both primary and secondary schools. It can also lead to eventual drug and substance abuse, bullying and isolation.

Often, disabled children are neglected, and that gives rise to a totally new set of problems. In our education system, special needs are always pushed aside through budgetary restrictions or, more worryingly, political stalemate.

Even if one child suffers from any of the various problems to which neglect can lead, that is one child too many. Children need to be loved, nurtured, cared for and shown compassion by example. They should not be tortured, forgotten or disbarred from any true and genuine affection. This is not somebody else's —

**Mrs I Robinson:** Will the Member give way?

**Mrs M Bradley:** I am nearly finished; I will run out of time.

This is not somebody else's problem; it is a shared social problem. It requires a shared solution that spans the entire spectrum of government, because the neglect of children affects every Department.

I thank the Minister for being present today, and I now give way to Iris.

**Mrs I Robinson:** I thank the Member for giving way. She will have another minute to expound on her presentation. Does the Member agree that an area that requires urgent attention is that of teenage pregnancies? Many of those young girls have been abused or brought up in dysfunctional family units. They have no parenting skills, and a vicious circle is created when their children are subsequently abused.

**Mrs M Bradley:** I accept that.

**Ms Lo:** In the 1990s, I was a social worker in a family and childcare team. I also worked in Barnardo's with families and children and, therefore, I know its Parents and Children Together (PACT) programme well. In those days, social services were very much the poor relation and received only a small share of the overall budget for health and social services. I understand that the position may be getting worse because of the efficiency savings being demanded of the Department.

Nowadays, social workers often have huge caseloads and deal with serious cases of abuse and neglect of children on the child protection register. The many constraints put on social workers mean that their work is often limited to firefighting, rather than the adoption of a systemic approach to help problem families to improve their situations.

5.15 pm

It is often more difficult to detect child neglect than physical or sexual violence, which can be proven by clear medical evidence. Having said that, 49% of the children on the at-risk register in Northern Ireland were included on it because they were neglected. Very often, cases of child neglect are reported by teachers in schools and nurseries, health visitors or neighbours, because those are the people who see children on a regular basis.

There are many causes of neglect. From my experience, parents, regardless of whether they are rich or poor, usually have natural instincts to love and protect their young. I concur with Dawn's point that poverty does not drive parents to neglect their children. Often, when parents are absorbed in their needs or problems, they fail to put the needs of their children first, which is when neglect can occur.

Factors that can lead to neglect include alcohol or drug abuse, mental-health problems and domestic violence. However, neglect may also occur if young parents do not have the skills, knowledge or patience

to look after children, or if the parents themselves were neglected or abused in childhood.

I recall one very sad case that I worked on as a fairly new social worker. I had to take a two-year-old child into care after I discovered that his mother had been drunk in the house for five days. I went upstairs to lift the child out of his cot, only to discover that he was soaked in his own urine and dirt and that the bed clothes and mattress were dripping wet. I took the child downstairs and gave him some food. He was so hungry that he ate like an animal, and when I tried to clean up some food that he had spilt on the floor, he growled at me. After the child was placed in foster care, it was discovered that he had depression. I am talking about a two-year-old child who had developed depression because he was neglected.

The consequences are dire for children who are subjected to long-term neglect. It can cause physical and emotional health problems, poor school attendance, poor educational attainment, poor self-esteem, unemployment, and an increased likelihood to get involved in antisocial behaviour or even crime.

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

**Ms Lo:** Neglect not only causes an economic cost to society but a human cost to the victims who lose their potential to enjoy life and to contribute to society. We need to talk about the wider issue of prevention, and we must realise that parents are the problem and that children are the victims. Social issues such as deprivation, mental-health problems, alcohol and substance abuse, and domestic violence all need to be looked at.

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

**Ms Anderson:** Go raibh maith agat, a LeasCheann Comhairle. Eirim chun tachaiocht a thabhairt don mholadh seo.

I support the motion. Recently, Members in the Chamber rightly expressed their outrage at the historic abuse of children and young people in state and religious institutions here. However, the neglect and abuse of children is still going on.

Earlier this year, the press reported on a number of case management reviews, which health trusts carry out when a child dies, is seriously injured or is abused, or when neglect is suspected. One of the cases related to a 14-year-old boy who raped his 12-year-old sister. He was able to do so despite social services knowing that he had a history of sexual assaults. Another case concerned a three-year-old girl on the child protection register, who ended up in a coma after taking her mother's medication. Another case concerned a two-month-old baby, who died after falling asleep in her mother's arms. Around 45 health and social care professionals had been involved with that mother over



a two-year period. Another case involved a baby being seriously injured by his father, a man who had been convicted of the manslaughter of another of his children. Another case involved a child living in foster care being forced to scavenge for food in bins.

There have been other awful tragedies, such as the death of the mother and daughter, Madeline and Lauren O'Neill, or the death of the McGovern and McElhill family in a house fire in Omagh.

The Health Department has confirmed that the number of children referred to social services has risen by 24% in the past five years. That is an absolute scandal and is an alarming and concerning figure. The apparently deteriorating situation is underlined by Action for Children, which says that 11% of professionals working with children have seen an increase in suspected cases of child neglect in the past 12 months. However, almost one in five of those professionals has had no training or information on what to do in such cases.

In the North of Ireland, there are 2,071 children on the child protection register, with 665 children registered as suffering from neglect. I recognise what other Members have said: it is not just one Minister who can address that, and the Executive have adopted positive interventions, such as the children and young people action plan and strategy.

However, the statistics that I outlined demonstrate that more needs to be done and, in particular, that the failings identified by the UN Committee on the Rights of the Child need to be addressed. Last year, that Committee criticised the British Government for failing to provide clarity regarding the amount of money that is being spent on children. Consequently, the Committee found that it was impossible to say whether the state was fulfilling children's economic, social and cultural rights.

More and better training is needed to assist professionals in their work, to make appropriate use of assessment to support neglected children and to ensure that appropriate decisions are made about when to intervene. I acknowledge the dedication of front line social workers, which has already been referred to. Social workers work in extremely difficult circumstances; morale is often low and there are problems around the retention of staff. The necessary support and resources must be put in place to help social workers to do their jobs.

Improving the context of children's lives is crucial. Addressing the issues of housing, childcare, benefits, substance misuse, mental health and domestic violence has the potential to reduce the likelihood of children being neglected.

Similarly, a bill of rights for the North offers the potential to establish an overarching legislative mechanism for the promotion and the protection of children's rights. A bill of rights would reflect internationally recognised children's rights standards and would provide the greatest possible protection for

children and young people. That is something that other parties should consider.

It is important to note that in our equality legislation, we already have a strong legislative basis on which to tackle neglect. For example, the NSPCC is lobbying for new laws to impose a positive duty of care to promote the welfare of children. That would mean that not only would those who abuse and neglect children face criminal prosecution —

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

**Ms Anderson:** New laws would also mean that there would be an expectation that the well-being of children would be actively promoted.

I would like us to take account of the Equality Impact Assessment (EQIA) process, which should not be a procedural exercise. Section 75 should be used effectively to identify changes that can be introduced to assist those who are most in need. We must demonstrate, in a measurable way, how the EQIA process can bring about the changes that are called for in policies, practices and priorities.

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

**Ms Anderson:** I support the motion.

**The Minister of Health, Social Services and Public Safety (Mr McGimpsey):** I thank the Members who spoke in the debate, specifically the Members from the all-party group on children and young people who were responsible for tabling the motion. I have been asked to respond on behalf of the Executive and, at the outset, I can say that I have no difficulty in supporting the motion.

As I speak, children are being neglected and are suffering experiences that will often shape their entire future and quality of life. Many victims of neglect are also condemned to visit the same experiences on their own children.

Highly committed staff in trusts and staff and volunteers in the voluntary and community sector are working with families in crisis. Those families are often overwhelmed by economic circumstances, physical and mental-health problems, dependence on alcohol or other substances, experiences of domestic or sexual violence or perhaps by personal tragedy.

More than 21,000 children are referred to social services in Northern Ireland every year. At any point, more than 2,500 children are in care and more than 2,000 are on the child protection register. More than 50% of children are on the child protection register because of neglect. However, those statistics tell us only part of the story about the number of families and children who need help.

In Northern Ireland, more than 100,000 children live in poverty, and 40,000 live in a family where there are substance misuse problems. At least 11,000



children are living daily with domestic violence, and two thirds of the 21,000 cases referred to social services require further assessment and action. Neglect is recorded as the primary reason for a third of the children on the child protection register. In 50% of cases, neglect is either the primary reason or a contributory reason for a child being put on the register.

Every year, more than 1,000 children have their names added to the child protection register, and more than 1,000 have their names removed from it. Every year, social services staff undertake more than 2,000 child protection investigations. There are also 1,800 initial child protection case conferences each year, not all of which end with registration.

The story behind those figures is that staff and volunteers are working tirelessly with families and children to meet their needs, often with a great deal of success. Those staff and volunteers have a vocation to help families in need and to protect children. Although it is unfair in many ways to single out any part of the workforce, I want to speak about social workers in our child protection and family intervention teams.

Last week, the Regulation and Quality Improvement Authority published a series of reports into those services, and I recommend that Members take the time to read them. Those reports will tell Members that, overwhelmingly, we have a well-qualified and dedicated workforce that does a very difficult job and that, overwhelmingly, they do it very well. Those social workers work with children and their families to help them to solve their problems and difficulties and to stay together.

However, there are also people who take the lead in protecting children by putting them on the child protection register or by placing them into care. In both cases, the staff involved must make difficult judgements based on the evidence before them. In the midst of those judgements are the children. Even in cases where children have been abused or neglected, there is often a strong bond between parent and child. If a parent suffers from an illness, a disability or substance dependence, the child can be deeply concerned for their well-being. Intervening in the wrong way at the wrong time can cause children more harm than good.

The issues are complex, and we require staff to make very difficult judgements on behalf of society. We all know that there is no magic wand to make the problems in the families concerned disappear. The majority of families involved simply need help with parenting, but there is no simple way of separating them from the few who pose a serious risk to their children. There is no simple diagnostic test to differentiate between those who will harm their children and those who will not. Social workers can only make assessments and balance risks. Overwhelmingly, they do that job very well, and we are fortunate to have the workforce that we do. Sometimes, terrible things happen, and it is human instinct to want to find someone to blame.

Too often in the recent past, social services have been seen as convenient scapegoats for the ills of society. Social services do not create the problems but are expected to deal with them. They should not be blamed when individuals in our community decide to behave in extreme, unpredictable, unreasonable and, sometimes, violent or abusive ways.

5.30 pm

Today's debate is not about how we respond to crisis; it is about taking a longer-term view and investing in the future fabric of our society so that fewer families reach crisis point and fewer children suffer harm. A growing body of research and evidence shows that prevention and early intervention help to save spending on dealing with the impact of later problems. Prevention and early intervention should and must be our long-term focus. Moreover, we must acknowledge and understand that protecting children from neglect often means helping to address the needs and problems of the vulnerable adults, usually their parents, who care for them.

Historically, services to families and children in Northern Ireland have been under-resourced by some 30% compared with those in other parts of the UK. Although I inherited that situation, demand for social services does not stop; in fact, it continues to grow. Over the past five years, the number of children who have been referred to social services has increased by 24%. Everyone knows that I have been warning the Assembly for the past two and a half years about the dangers of underfunding health and social care services. Governments across the world, including the UK Government, are experiencing extremely difficult times, as are the devolved Administrations in the UK.

If we are serious about using prevention and early intervention to protect children from neglect and to deliver wider benefits to society, we must prioritise services in that area. We must address broader structural issues such as child poverty, poor housing and poor educational outcomes for some children as well as issues such as mental health, substance abuse, domestic violence, sexual violence and neglect. That is a difficult challenge for the Executive and the Assembly.

As Minister of Health, Social Services and Public Safety, I have already taken decisions to bolster services for those populations. In addition to providing mainstream health and social care services, my Department has put strategies in place to promote prevention and early intervention. Families Matter is a strategy to support parents in their role as first educators, primary care givers and, most significantly, role models to children and young people. It also helps parents to be confident and responsible and to help their children to reach their fullest potential. Care Matters outlines a cross-departmental strategic vision, which is led by my Department, for wide-ranging improvements in services to children and young people who are on the edge of care, in care or have left care.

The Hidden Harm action plan aims to address the harmful use of alcohol and drugs and to ensure that our services deal appropriately with the needs of adults and children. The suicide prevention strategy, Protect Life, aims to tackle that issue in the general population and has actions that are targeted at individuals and communities at most risk, particularly young males. Our domestic violence strategy is aimed at tackling violence at home, and our sexual violence strategy aims to reduce sexual violence and abuse. As Minister, I co-chair the interministerial group on domestic and sexual violence, which provides leadership and ensures joint working across the relevant Departments.

The Bamford review included almost 700 recommendations that, together, represent a composite vision for the reform and modernisation of law, policy and services for mental health and learning disability. In particular, mental health problems can compromise parents' capacity to care for their child. Amid the decision to prioritise and invest in services and strategies that address many factors that contribute to child neglect, my Department will by March 2010 have increased expenditure on family and children's services by 14% in two years. That sum includes some £20 million to underpin arrangements for the Families Matter and Care Matters strategies. My Department provides annual funding of £3.2 million to support the Protect Life strategy and a further £3.5 million for Lifeline, the 24/7 crisis response telephone line, and associated support services, which include counselling for children and young people.

I have allocated £87 million over the three-year comprehensive spending review (CSR) period in new investments in mental health and learning disability in support of the recommendations of the Bamford review. Those are just some examples of allocations that I have made to improve those services. Despite that, much more is needed. I can only imagine how much more difficult it is for the professionals who work in those services and for families and children who desperately need help and support.

The Assembly and the Executive must be mature about the difficult choices that we face. How we invest in and protect our children speaks volumes to the outside world about the type of Government that we are, the sort of a country that we are and what we hope to be in the future. We must look for opportunities when they arise and try to make things better.

One example that is worthy of consideration is the issue of dormant bank accounts, which is being investigated by the Minister of Finance and Personnel. I would like some of those funds to be channelled through faith-based organisations and voluntary and community groups to help vulnerable adults, families and children in need.

The debate has presented us with a useful opportunity to raise the important issue of neglect of children and young people. We all have a duty to ensure that children in Northern Ireland are protected from not only neglect but all forms of harm or abuse. That is an issue that should have an effect on policy priorities across a number of Departments, and I hope that it will be reflected in the current and future strategies and funding priorities of those Departments and Ministers. I hope that, collectively, we can find ways to translate the vote on the motion into actions that can genuinely make a difference to families and children across Northern Ireland.

**Miss McIlveen:** I would have been amazed had any Member objected to the purpose of the motion. It is heartening that the Assembly can once again join together with one voice to condemn what is happening to children and young people across Northern Ireland. I thank all the Members who contributed to the debate and the Minister for his attendance and his support for the motion.

Almost half of all children on the child protection register are there because of neglect. Approximately 1,000 children are on that register in Northern Ireland, as the Minister said, and those children have been severely enough neglected to require intervention and support. Too often, however, neglect is a category of child abuse that can remain hidden and unseen in comparison with physical or sexual abuse, but all the figures indicate that it is much more prevalent and is equally damaging to the children who suffer as a result.

Given that such a proportion of our children are at risk, this issue should attract greater attention. As we have heard, the children suffer in silence, and it is often information about neglect from concerned friends, teachers and neighbours that enables the statutory agencies to get involved.

It is of immense concern that, although the statistics quoted by Ms Purvis may be disturbing, the real figure could be much higher. Mr Easton quoted the staggering number of incidences of neglect, and Mrs Bradley expressed concern that child neglect is ever-growing. The difficulties surrounding the under-reporting of neglect have been identified by children's sector organisations, and a particular concern is the problem of finding a definition of neglect, given the myriad variables involved. That can inevitably result in cases of neglect falling through the net. Ms Lo made the point that neglect is difficult to detect, and, as Ms Purvis said, neglect is not limited by income, background, education or ethnicity; it crosses all sectors and boundaries. Mrs Bradley went on to make the disturbing observation that some children's lives are a burden to them, and she warned of the cyclical nature of child neglect, which the Minister reflected in his comments.

The consequences of neglect are probably as numerous as the types of neglect. However, it is evident that, in its most severe form, neglect can result in loss of life. As Members said, neglect can lead to a wide range of physical and mental health problems, as well as developmental problems and low educational attainment. Even if those difficulties affect a child only in its early life, the fundamental importance of development in those early years means that the child would be placed at a significant disadvantage and may never catch up with his or her peers.

Mr Beggs highlighted the fact that neglect is a key feature affecting health and long-term development. The most publicised recent case of neglect was that of baby Peter. That case illustrated the difficulty that professionals have in recognising and identifying neglect. Despite a level of disarray and chaos and a clear failure to provide for baby Peter's physical needs, no intervention was made to take him into care. If that had happened, it might have saved his life.

Recognising and acting on neglect may well save children's lives. Neglect on its own is a serious indicator of a failure to provide for children at the most basic level. That threatens their well-being and sometimes their life. It is an issue that requires further focus and strategy.

Ms Lo gave a personal example, based on her experiences as a social worker, of how a child of only two years of age suffered depression as a result of neglect. Ms Anderson listed a number of disturbing cases of neglect, but what was most alarming about them was that those cases occurred on our doorsteps. They did not occur in England, Wales or Scotland but were cases of neglect in Northern Ireland.

We heard some clear models of good practice throughout the debate, including Ms Lo's emphasis on good practice for addressing neglect with parents. Ms Purvis said:

"It is therefore critical that front line staff receive the support, guidance and training that they need to allow them to recognise and feel comfortable intervening in the early years of possible neglect, before a problem becomes serious."

She also highlighted the campaign run by Action for Children to create public awareness of the issue of neglect. I echo her condemnation of the need for that campaign.

Members, including the Minister, Mr Easton and Ms Ramsey, paid tribute to the dedicated social services professionals who work tirelessly with those who experience neglect and abuse. Ms Ramsey also voiced concern over the level of unallocated cases, which was highlighted in the RQIA report. She emphasised the need for early intervention and protection.

An example of such work is the Barnardo's Parent and Children Together project, which Mr Beggs mentioned. The project works with young mothers and

their children in a residential setting when neglect has clearly been identified. Its success has demonstrated that follow-up support in the community is absolutely necessary. It is essential that the level of service provision to address serious neglect be increased. Children who are experiencing serious neglect cannot afford to wait.

We heard how neglect can be linked to parental alcohol and drug misuse. There has been a recent focus on that through the DHSSPS Hidden Harm strategy and a recognition of the need for all agencies involved with people who are alcohol-dependent or drug-dependent to take account of whether they have children. We welcome that approach and emphasise the need for further services.

A number of policy and service responses have been suggested that could help the children most at risk of neglect. Those include developing a pilot programme of proven models of intensive family support, such as the nurse-family partnership or the Incredible Years programmes, which could specifically focus on those most vulnerable families. That could be developed under the forthcoming child poverty strategy and address the children most at risk, ensuring that children who experience neglect are seen as children in need under the terms of the Children (Northern Ireland) Order 1995 and are provided with additional support and resources.

Other suggestions are to undertake a review of regional guidance and definitions of neglect from professionals, provided under the DHSSPS guidance 'Co-operating to Safeguard Children', and to ensure that the ministerial subcommittee on children and young people establishes a working group to co-ordinate policy and strategy on neglect.

Ms Purvis stated that she was not concerned about the policies themselves but about their proper implementation. Ms Ramsey further highlighted that. She said that the issue is not just an issue for the Department of Health, Social Services and Public Safety but that the responsibility should be shared across Departments. It is a duty that we should all take on board.

I extend my gratitude and that of all members of the all-party Assembly group on children and young people to Action for Children for working so tirelessly on the issue to ensure that the matter is given just attention. I am also grateful for the assistance that Barnardo's and the NSPCC have given. I commend the motion to the House.

*Question put and agreed to.*

*Resolved:*

That this Assembly expresses concern at the level of neglect of children and young people; recognises the significant impact of neglect on the lives of children and young people; and calls on the Executive to give greater priority to tackling this issue through early intervention and prevention.



5.45 pm

*Motion made:*

That the Assembly do now adjourn. — [*Mr Deputy Speaker.*]

## ADJOURNMENT

### A8 Dual Carriageway

**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 five minutes.

**Mr Kinahan:** I thank the Minister for attending the debate and for listening to me speaking about the A8 again. I am pleased to have the chance to properly debate the choice of route for the A8. Before I do that, I wish to make it clear that Roads Service has been absolutely excellent to work with throughout my time as a councillor and during my brief time as an MLA. Roads Service always listens, and I hope that it will take on board what I will say today.

We need better roads, and we need key roads such as the A8. The A8 is a vital road to Larne for the haulage industry and for people going on holiday or travelling across the water. The things that I am asking for today should not cause any problems or delay for Larne. We are supposed to be getting people out of cars, and we want to improve our rail service, our park-and-ride facilities and the roads for cargo. We are in the middle of a credit crunch or whatever we call it — financial difficulties — and financial considerations should drive our decision.

Some Members might remember ‘The Hitchhiker’s Guide to the Galaxy’, which is one of the BBC’s top 20 books. There is a scene which is relevant: the Vogon spaceships arrive at Earth and say that we are in the way of a galactic hyperspace route, the plans for which have been on show on planet Alpha Centauri for 50 years, and that the process will take only two minutes. That is what is at the back of people’s minds. It may be unfair, but they see the Government as bulldozing through — pardon the pun. They see a juggernaut that they did not really take seriously when it arrived initially. From the perspective of the rural community, the project is an urban juggernaut brought about by a blinkered set of urban decisions.

Look at the history of the A8. There was a study in the late 1990s, there were budget controls, and it was decided that the road would go through the centre of the village of Ballynure. Following a second set of studies in 2004, it was decided that the road should go

east. People who live in that area would have had that decision in mind. However, in 2008, the EU wanted us to have a key route. There was Irish money coming and a need for that key route, and suddenly it was decided to go via the west. The farmers were not ready for that.

The world has become much more environmentally sensitive in the 11 years since the publication of the guidelines on how to deal with roads. We know more now than we did then about how important farms are to feed not just Northern Ireland but the entire world. Councils have biodiversity plans, and the planning section has a requirement to build on brownfield sites rather than on greenfield sites. We have changed, yet six routes for the A8 have been suggested, and all of them go through the countryside. Yes, they considered going through the middle of Ballynure village, but in my view they did not look at it properly.

Most of the Members who are present know Ballynure. The village is already divided by the A8. There is a single road, around which there is a great deal of space. A good designer could come up with a plan for a new road, of the right standard, through the middle of the village. There are a school, a church and some houses on one side, to the west. On the other side, there is another church, some shops and the main roads to Belfast through the country. At the far end, just outside the town, there are bus stops near the station. As I said, it is the key route to Larne. It has a speed limit of 40 mph, so it takes only three, four or five minutes to go through Ballynure. There is constant traffic, but it is always moving so there is very rarely a traffic jam. My point at the beginning was whether we should do the work at a time when we are short of money.

I ask for three things today. I want the Minister to consider whether the road could go through the centre of the village. I also want to see whether we can adopt the code of practice of the Ulster Farmers’ Union, which I mentioned last week and have with me, during work on the A8 and use it as an example for all other major road schemes. Finally, I ask the Minister to think about how public inquiries work in the long term. I will go into that matter in more depth later.

Last week, I hinted that the decision on the preferred route may not have been the correct one. The Minister said that he would consider the perspective of the Ulster Farmers’ Union, for which I am grateful. There was a public information day in May 2008, and we were told that everyone was written to. However, all eight of the farmers who are affected by the plans were not written to. The only way that they heard about the proposal was through advertisements. The original study recommended that the road should go through the middle of the village, and the second recommended that it should go east, so the farmers were happy and did not get involved. November 2008 was the first



time that they discovered that the route could go their way, by which time, it was too late. In August 2009, it was announced that the preferred route was to the west of Ballynure.

I raised the issue in the Committee for Regional Development and made lots of points, mainly about why the road would not go through the middle of the village. I was told that, for safety reasons, a road with a 70 mph speed limit was needed. If the road went through Ballynure, the speed limit would have to remain at 40 mph and there would be problems with cyclists, pedestrians and everything else. I was told that trying to put the whole road through the middle of Ballynure would be too noisy and would destroy the village's general characteristics. However, the road has already destroyed those characteristics. If a good road were designed and built through the middle of the village, it would do that village a great service. There could be underpasses and overpasses, and it could be done in a very slick way to improve the town.

We know that building a road through the centre of Ballynure is the cheapest route. However, what I suggest today is probably a slightly more expensive version of the cheapest route. The reply that I received stated that traffic lights and roundabouts will not be needed if the road is designed properly. If the designer was given the will and was told to design a route through the centre of the village that works, it would be possible.

One of the answers that I received regarding engineering stated that only one property in the village would need to be acquired but that it was better to go round Ballynure and through the countryside than buying one property. In October, in an answer to my colleague from South Antrim Mr Burns, it was revealed that four properties would have to be bought.

There are many matters to go through. If the designer was given the will to look again at the issue, it would be seen that there is plenty of width. It is possible to put the road through Ballynure and build underpasses and overpasses. That would be easier to live with. The Department stated that the traffic cannot be stopped going through the village because it is a major route and it has to be kept going. That is even more of a challenge. I still believe that it is possible, whether that is done half-and-half or over and under. It has been done in other parts of the world. The decision was made from an urban point of view, as if the countryside did not matter.

Eight farms are affected. Once the road is through them, it is there forever. The building of the road cannot be changed. The Sixmilewater provides valuable spawning for the dollaghan and other wildlife and plants. The problems with the work on the A4 demonstrate that it is not always easy. The Sixmilewater was badly

polluted twice in the past year. If the current route is the one that will be built, we need to get things absolutely right.

Two years ago, I went to Sheffield to see how an incinerator was installed. Liaison groups with local householders were created, and they met all the time. At the beginning, the householders were totally against the incinerator proposals. When they learned about how clean and non-risky the incinerator would be and about the benefits, they were happy. Many years later, those liaison groups still exist, and they meet the company to talk through their differences. We should adopt a similar arrangement to make it always possible to talk to farmers, fishermen, villagers and traders.

When the road at Toomebridge was being considered, local farmers produced a code of practice, which they handed to the Ulster Farmers' Union. I have copies of that, and I will forward them to the Minister and the Department after the debate, although I know that the Minister has a copy with him. The code of practice has been sitting for two years waiting for someone to agree on how to move forward. Although there is a great deal of good practice in the Roads Service and the Department, many things could be done better.

When building roads, there are obviously great environmental concerns to consider. That is why I mentioned setting up liaison groups. For example, there are concerns about whether cement or concrete gets into rivers, whether the Sustainable Drainage Systems (SUDS) strategy is applied properly or whether we monitor water quality. There are many more points to consider, but I will not go into them all here.

There are many good ideas in the code of practice, including having a liaison and lands officer to help with the communication with farmers and, if necessary, townspeople. That officer could explain the planning system, the vesting system and other relevant matters. There could also be a land agent to help people deal with compensation and valuations. We should remember that most people with whom the Department and its agencies will get involved do not know anything about the process. Consequently, they come to their politicians, who pass them on to other professionals. Therefore, a land agent would make life much better.

The public need to deal with other matters when a proposal has been made to put a road through the countryside. Those include what to do with animals, fencing, septic tanks and drains. However, I will not go into them all.

I admit that I am the new boy here. I arrived in June, and I was appointed to the Committee for Regional Development. I am grateful for that, and I thoroughly enjoy being there. Nevertheless, the first outside matter that came to me was farmers' worries about the A8 going through their land. I asked whether there was

any way to change the preferred route. One or two Committee members told me that, once the preferred route has been decided, that is it. Another told me that, once the public inquiry is in its final stage, the route can be changed. However, public inquiries are held after the preferred route has been chosen, the design finished and the bridges and everything else worked out. All the expense will have been incurred by that point. Surely that is the wrong time to have the public inquiry; all the decisions have been made and the Department would be unlikely to go back on them. Would it not be better to shift the timing of the public inquiry to just after the preferred route has been chosen, which is when most of the major decisions are made, or to split the inquiry into two parts, so that people can at least argue their case properly?

I thank the Minister for listening to me. I ask him and the Department to reconsider putting the preferred route through the centre of the town. I am talking only about changing part of the route, not all of it. I also ask them to put in place the Ulster Farmers' Union's code of practice in a way that works for the Department and the public. Finally, I ask the Minister to look at the timing of the public inquiry, because it seems as though the door has been closed until the end of the process. I am not trying to stop the road; I am trying to protect the countryside and farmers and to find a better choice.

**Dr W McCrea:** I thank Mr Kinahan for securing the debate. I raised the matter during the previous Department for Regional Development (DRD) Question Time and in the Committee for Agriculture and Rural Development, which is looking further into it.

As Members will be aware, I am not a late convert to opposing the preferred route for the A8. I have made my opinion known consistently to the senior DRD personnel who have been commissioned to progress the route. I have met a large number of local residents who are deeply affected by the Department's decision and who believe that they have a serious case that requires answering before there is any further expenditure on the promotion of the preferred option. I held a meeting at County Hall, Ballymena, at which the most senior DRD officials who are leading the project, as well as objectors, were present. A further meeting is planned with the team that provided the research on which the Department based its decision for the preferred A8 route.

*6.00 pm*

The residents have outlined serious flaws in the process; they believe that the Department started with a predetermined objective and that the report sought to confirm that end. That is nothing new; it has happened on other road projects. I have no doubt that the Department will strenuously deny that claim, but we intend to dig deeper to find the truth.

The objectors are not simply saying "not in my back yard"; they do not suffer from Nimbyism. They are not totally unwilling to accept the scheme in their backyards. In fact, they believe that the scheme is necessary, but they do not accept a scheme that destroys everything for which generations before them worked hard.

I would be gravely concerned about the impact on farms and farming families if the Department continues with the preferred route option. The Department for Regional Development gives little consideration to the agriculture industry when road schemes are being brought forward.

The economic development of Northern Ireland is very important, and the Government must take it seriously. However, the economic impact that the siting of roads has on the agriculture industry must not be overlooked. It is still Northern Ireland's primary industry, and, during this recession, it is worthy of acclaim, because farmers have risen to the challenge, and they have led the way by spending their own money on modernisation plans for farms and by building tanks to meet the European nitrates directive. Even in the midst of a recession, they are leading the way and helping local industry and the local economy. However, farmers and homeowners at Bruslee and Ballynure have been horrified by the Department's dismissive attitude to their concerns. Lip-service has been paid to the farming industry, but there is little proof that the Department has considered the detrimental effect that the preferred route will have on the community.

I have before me a file of objections lodged by angry and frustrated farming families who feel that they are not being listened to. The Department is willing to talk to those families only about accommodation works, yet it seems oblivious to the depth of feeling in the community.

My constituents and I are not against the A8, but we are against parts of the proposed route, namely at Bruslee and Ballynure. Farms are being raped, and the environmental damage will be irreparable if the Department does not listen. There is a demand for online upgrading of the route at Ballynure rather than the proposed Ballynure bypass. Indeed, houses and land were purchased some years ago for the purpose of providing a dualling scheme, but those plans seem to have been scrapped.

If the preferred route goes ahead, it will inevitably wipe out the homes and smallholdings that my constituents have enjoyed for years. I appeal to the Minister to give serious consideration to rejecting the preferred route and to speak to farmers. I believe that a suitable and appropriate scheme can be provided for the betterment of the whole community, including farming families.

**Mr Burns:** I am delighted to speak about the dualling of the A8. I thank my South Antrim colleagues Danny Kinahan for securing the Adjournment debate and William McCrea, who has raised the issue continually at the Agriculture Committee and has told us how the proposed road will devastate farm land. A dual carriageway will cut through farms, which will make the movement of cattle impossible. It is sad that land that farmers have worked for so long will be cut up. The announcement that the road will go through their land leaves them in a terrible position.

The matter is topical and extremely important for the people of South Antrim and East Antrim. However, the project has implications far beyond those constituencies. The thrust of the debate is about the concerns that the construction of the bypass will raise for the people of Ballynure, but the issue is not only local. Most if not all Members present will know that the A8 runs from the M2 at Glengormley to Larne. The route connects the port of Larne with Belfast and Dublin via the M2 and the M1. Therefore, it is strategically important and is a vital component in our regional development strategy.

Most Members will agree that the upgrading of the A8 is long overdue. About one third of the road is dualled already, and some sections have been upgraded at the Belfast and Larne ends. However, it is mostly a single carriageway between Ballynure and Larne. It is a good road, straight and well built, with climbing lanes and turning spaces at junctions. However, it is an extremely busy road, with huge volumes of heavy goods vehicle (HGV) traffic from Larne harbour, which means that typical speeds are lower than average. The high number of vehicles using the road every day puts it at almost full capacity for a single carriageway. It is clear that the project needs to be completed in full.

I understand that there has been some unease in Ballynure and Bruslee, and particular concern in Ballyclare, about the bypass. The chosen route will go to the west of Ballynure, but that is not the only option that was considered. Five other routes were rejected. Route B1 was the most expensive and would result in the greatest environmental impact. Route B3 was also rejected for environmental reasons because it would have damaged the Ballynure Water. Route B2 would demolish residential property, so it was ruled out. Routes B4 and B5 to the east of Ballyclare were non-starters because they would have removed much less HGV traffic from the village. That would have a purely economic return and defeat the point of the project, which is to deal with the HGV traffic that straddles the A8.

It is sad to say but, with a project of this scale, it is not easy to help everyone. The Department has made many efforts to consult as widely as possible. At the end of the day, the farmers will feel the awful brunt of

the new road that is being forced through. Every effort will be made to help them, but the underpasses that are being offered are not really satisfactory. Once a farm is divided, it is hard to operate on both sides of a dual carriageway.

Motorists and HGV drivers will feel great benefits. However, I ask the Minister to reconsider not all but some elements of the project. As Dr William McCrea said, we are not against the A8; we are for the A8. The problem is that the road will go through Ballynure, and we have the greatest sympathy for the farmers who will be affected by that.

**Mr Ford:** I welcome the fact that we are having this debate and congratulate my friend Danny Kinahan, the new boy in the constituency, on being so lucky in the ballot for Adjournment topics at such an early stage.

A major economic issue affects a number of routes into the port of Larne, such as the A36 from Ballymena and the A57 from Templepatrick, but the A8 from Belfast is the major route. Full account must be taken of the economic case for ensuring that there is free access to the port of Larne for goods vehicles. However, in the context of today's debate, the effects on road safety and environmental issues in and around Ballynure must be taken into account.

There is a major road safety problem. I was almost hit by somebody who was unable to see the indicator of my car when I was turning off the A8 in Ballynure, so I sympathise with the people who live in Ballynure and who have to put up with that type of risk frequently and, in some cases, more than once a day. Such problems arise because of the layout of the village and the fact that the school and church are on the opposite side of the A8 from the main part of the village. That creates difficulties for those who live there. Therefore, it is understandable that DRD considered moving the road away from the village, but, in doing so, it has done little to make things better, when one considers the detrimental cost that will affect local farms, important local businesses and the local environment, particularly in the region of the upper reaches of the Sixmilewater river.

Danny Kinahan outlined the history of this project, which has led to the current preferred route, and that does not need to be repeated. However, the point that Mr Kinahan made about the significant losses to eight farms and the potential detrimental effect that the building of the road at such a height will have on some houses as it goes over the lower parts of the valley has not been acknowledged.

Earlier today, I spoke to someone whose land, which is half a mile outside the village, is affected. Those who imagined that there will be some type of a bypass will not have imagined that it would have made such a sweep through open countryside and through



good farmland, the like of which we can ill afford to lose. Neither will those people have considered the detrimental effect that it will have on a significant number of farms, which will lose land to the route of the road. Another major issue is the farms that will be cut by the road. As William McCrea highlighted, the offer of accommodation works to deal with that issue is not an acceptable substitute.

I know that no farmer likes to lose land, but I suspect that most farmers who farm along main roads accept that, at times, a strip of land will be taken to widen that road. The loss of a 10-metre strip or even a 20-metre strip along the edge of the road is a loss, but it is one that can be accommodated and dealt with and one that leaves the basic structure of the farm intact. These are the same problems that others have raised in connection with the A5. The proposed route will lead to a complete severance of some farms, and the losses that those farms will incur will leave them with borderline viability.

There is also an environmental impact. I understand that there has been little consultation with the local angling community. On a number of occasions in the Chamber, we have heard about the pollution that the Sixmilewater river has suffered. The thought of raising other potential pollution sources in that part of its headwaters is distinctly worrying.

We have yet to hear why a solution cannot be found using the existing route, which was improved some years ago. Even if the bypass is built, it will leave a wide route that will sever the village. It would be better to put the road into a cutting on a four-lane basis and to put adequate connections over the top of it so that the people of Ballynure will be free from having a large, wide road going through the village, which will continue to be an environmental issue and a traffic hazard. Such a road will continue to carry a certain amount of traffic.

That is the sort of continuing issue that the current plans do not address. The people in the village will not necessarily get the best possible solution and neither will the farmers, who believe themselves to be suffering. The matter should be reconsidered by the Department.

**Mr K Robinson:** I declare an interest as a member of Newtownabbey Borough Council. We have heard other Members say that there is a conflict of interest in this situation.

There are two conflicting views, one of which is the agriculture view. Farmers whose land has been in the family for generations are concerned about their land being taken away and about the damage that may be caused to their land should the preferred route progress. On the other hand, organisations such as the Freight Transport Association and the Port of Larne

and construction employers are talking about the benefits that will flow from the construction of the road. They say that the road is a trans-European network route that will provide employment and help our freight industry, which is faced with a variety of problems.

The Minister's problem is that he has to try to find not only a preferred route, but one that can in some way accommodate those two conflicting interests. I do not envy him his task. I thank the Member for South Antrim Mr Kinahan for bringing this matter to the Floor of the Assembly, because it affects my constituents in East Antrim and my fellow citizens in Newtownabbey. Since first becoming a councillor in Newtownabbey in 1985, I have been seeking the dualling of the entire strategic A8 route.

*6.15 pm*

Previous contributors to the debate referred to the "itsy-bitsy" progress on the route throughout the years: a roundabout has been built here, a dualling has taken place there, and a climbing lane has been constructed somewhere else. Its progress reminds me of a children's fairy tale. Bits and pieces of the jigsaw are in place, but the job must now be completed. As many as possible of the conflicting interests should be brought on board, but I will leave it to the Minister and his departmental officials to work the oracle on that.

My reasons for seeking the vital upgrading of the A8 centre on road safety, economic necessity and quality of life. Over the years, the route has had an appalling record of death and serious injuries. The last major attempt to address that saw the introduction of climbing lanes adjacent to Ballynure, which improved safety levels. However, it failed to prevent the further loss of life and many collisions. The single carriageway stretch near Bruslee that other Members mentioned is, in fact, adjacent to Newtownabbey Borough Council's landfill site. That generates a great deal of cross-route traffic, and, recently, two workers from India, who were resident in Newtownabbey, were killed there, which brought desolation to their families.

The dualling of the remaining stretches of the A8 and the subsequent junction improvements, wherever they are eventually located, will address many of those preventable road safety issues. Dualling will also bring economic benefits to the whole of Northern Ireland. We must face the fact that, as we face the worst economic slump in a generation, we need to maximise any possible advantages.

As was mentioned, the port of Larne directly or indirectly provides a basic core unit for thousands of jobs: in the port, the transport industry, vehicle maintenance, distribution, agriculture and farming. Our foodstuffs are exported to Great Britain and onwards to the European Union via Larne. That port is



the premier roll-on/roll-off facility on this island, one of the reasons for which is its quick turnaround times for vessels. The port, therefore, requires the most modern road infrastructure possible to enable us to compete with our rivals across the UK and other ports in Ireland. The economic downturn in the South saved us from a serious threat to the ports of Larne and Belfast. Some Members, including the Minister, will know exactly what I mean.

The continuous thundering, by day and night throughout the year, of heavy freight lorries in close proximity to homes and businesses, does not improve anyone's quality of life; nor does it improve the sense of security for those who live adjacent to the existing route.

There is no doubt that the preferred route will impact on the farmland adjacent to it. However, the measure of that impact can be nullified. I ask the Minister to re-examine the preferred route to establish whether some way can be found to narrow the gap between the concerns of the landowners and the needs of the economy.

I am sure that there will be one-to-one discussions between departmental officials and landowners. However, as the Minister will have heard during the debate, there is some reticence about that being the best way to proceed. Something more than one-to-one discussions is required; a more coherent approach must be taken.

The worst-case scenario for everyone affected by the current proposals would be the suspension of the project. As I said, I have been working for the best part of 25 years with the aim of seeing the road completed.

I was pleasantly surprised when I heard that the Government of the Republic of Ireland were willing to donate money towards the project. However, I am concerned that, given their economic woes, we could lose that money at such a late stage.

Increasingly heavy lorries and heavier farm machines are using the A8, which means that not only are traffic volumes increasing daily, but a convoy system is now in evidence. If anyone has ever been caught in a convoy system, particularly on that road, with people trying to meet deadlines in Larne or distribution deadlines at the other end of the road —

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

**Mr K Robinson:** I will. Over the years, we have seen the fatal consequences of people taking a chance and pulling out of those convoys. I appeal to the Minister to re-examine the issue and consider the conflicting viewpoints that I outlined in my contribution.

**The Minister for Regional Development (Mr Murphy):** Go raibh maith agat, a LeasCheann Comhairle. I welcome the opportunity to debate the

issues surrounding the A8. I thank the Member for raising the Adjournment topic, and other Members for their contributions. No doubt, as with any major infrastructure scheme, there is a variety of views and a range of concerns about the impact on the residents who live along the preferred route for the A8. I welcome the points that have been raised and I hope to address Members' concerns. However, I will examine the Hansard report and if any points have not been addressed, I will be happy to respond to Members in writing.

As Members said, the scheme to dual the remaining sections of the A8 between Belfast and Larne is identified in the investment strategy as one of the key milestones in working towards the goal of upgrading the key transport corridors that connect our major towns and cities to regional gateways, the Belfast metropolitan area and the road network in the South. In addition, the regional development strategy includes a priority to promote regional gateways such as Larne.

In July 2007, the Executive confirmed their acceptance, in principle, to take forward the A8 dualling alongside the A5 scheme, both of which, as Members have said, are being part funded by the Irish Government. The 14-kilometre section of the A8 under consideration runs between Coleman's Corner roundabout and the Ballyrickard Road on the outskirts of Larne. That section of the A8 forms part of the eastern seaboard key transport corridor and the Euroroute network. It is mainly rural in nature, although the existing road bisects the small settlement of Bruslee and the village of Ballynure.

Sections of the road carry traffic volumes of up to 17,000 vehicles a day, and the road suffers surges and flows at times that coincide with ferry arrivals and departures at the Port of Larne. The daily proportion of heavy goods vehicles on the road is also high. There have been 10 fatalities on that section of the A8 since 2004, with three fatalities in the village of Ballynure.

My Department's Roads Service and consultants have undertaken assessments to consider the route options in accordance with accepted best practice by using the guidance in the 'Design Manual for Roads and Bridges' as well as the transport assessment guidance introduced by the British Government's White Paper, 'A New Deal for Transport: Better for Everyone'. The five overarching objectives take account of the environment, safety, economy, accessibility and integration of the scheme, and they form the basis for those assessments.

The scheme assessments included the development of a traffic model that provided a forecast of future traffic volumes. That model demonstrated that, without improvement to that section of the A8, there would be a resulting impact on journey time reliability and the carriageway would be congested during peak periods.

The stage 1 assessment considered online and offline opportunities for improving the A8 along the whole route, including the options of dualling the existing road through the village of Ballynure and options for providing a bypass.

The option to expand and widen the existing road through Ballynure was fully assessed as part of the stage 1 assessment and was rejected for the principal reasons of increased severance from the village and poor economic performance. On engineering grounds, the impact of that option would have required the acquisition of one residential property at minimum. However, the required movements to the junction in the centre of Ballynure, the impact on private access arrangements for residential properties and businesses, and the need to incorporate disability-compliant pedestrian facilities and bus stops would have resulted in further significant impacts on properties. The construction required to dual the existing road in the centre of the village would have resulted in considerable traffic delay and disruption for residents during the construction phase.

With regard to environmental issues, the impact of the option to widen the existing road through the village would have resulted in an increase in traffic volumes through the village and, consequentially, an associated increase in noise levels. It would also have had a negative impact on the townscape of the village, adversely changing its general characteristics.

Another objective that was taken into consideration in respect of the route through Ballynure was the negative impact that it would have on communities, particularly in relation to severance for people in the village with access to vehicles and those who do not. There are churches on both sides of road, a primary school, a war memorial park to the west, and shops and a petrol station to the east. As Ballynure has expanded to the west and the east, the option to widen the road through the village would have resulted in a reduction in accessibility to community facilities because of greater difficulties in crossing the road.

The purpose of the scheme was to provide a high-speed route with a speed limit of 70 mph to reduce journey times, improve journey-time reliability and improve safety. The option to provide a 70 mph dual carriageway through Ballynure would represent a significant safety risk, given the number of properties that face the existing road and the presence of the Church Road junction in the middle of the village. Therefore, for safety reasons, a speed restriction of 40 mph would be required through the village. The implementation of such a restriction would also significantly reduce the economic benefits of the scheme.

In addition, even with a reduced speed limit, a dual carriageway with increased traffic passing through the

middle of the village was still considered a significant safety concern, as the road would pass through an urban environment, with pedestrians and cyclists in close proximity to the road, and there would be a significantly higher probability of road-traffic accidents.

The economic appraisal of road schemes is based on their overall economic performance, comparing costs to benefits over a 60-year assessment period. Although the option of going through the village would have been the lowest capital-cost option, the need to limit speed to 40 mph through the village and for a traffic-signal control junction or a roundabout in the centre of the village resulted in a poor overall economic performance. That meant that the option would not have delivered enough benefits — primarily journey time savings — to justify the capital expenditure.

In summary, the outcome of the stage-one assessment was that the option of dualling the existing road through the village performed substantially worse than bypass options on either side of the village when assessed against the Government's key objectives.

In November 2008, I announced the preferred corridors for the A8 scheme, which predominantly comprised online widening of the existing road, with the possibility of an online solution or bypass settlement at Bruslee, and the option of a bypass to the east or west of Ballynure. The stage-two assessment considered a range of route options at Bruslee and Ballynure. Four routes to the west and two routes to the east of Ballynure were developed within the stage-one corridors. The limited number of routes on the eastern side reflects the more restrictive geometric constraints on that side, and do not reflect any design preference.

The preferred route to the west of Ballynure was considered to perform best of all options economically assessed and had the least environmental impact compared to other routes. The preferred route would remove the greatest volume of traffic through Ballynure, while incorporating an all-movement junction at either side of the village to allow motorists to leave the A8 and use local services in the village without incurring a significant diversion. The reduction of traffic in Ballynure will create a safer environment in the village.

In addition, the preferred route around Ballynure does not require the demolition of any residential properties, although it will affect agricultural land and the land attached to some residential properties.

Public consultation and engagement with the public and key stakeholders has played a significant part in the development and subsequent announcement of the preferred route for the scheme. Roads Service has been, and remains, committed to engaging with local residents and landowners, to the extent that it undertook extensive one-to-one meetings during the

stage-two assessment process. Three formal public consultation events have also been held to date; the first two-day public consultation event in May 2008 was attended by more than 250 people. That event provided an introduction to the scheme, presented the environmental and engineering constraints and the assessment process and programme.

Following that, a further two-day public consultation event in November 2008 was attended by more than 350 people. That event provided an update on the work undertaken as part of the stage-one assessment process, and provided opportunities for the public to indicate a preference and provide comments. In August of this year, a two-day preferred-route exhibition was held, which was attended by more than 590 people. That event provided an update on the work undertaken, and presented the preferred route and junction strategy for the scheme.

In addition to the formal consultation events, Roads Service has had a considerable number of one-to-one consultation meetings with landowners to ensure that specific concerns or comments are considered during the assessment process.

Following the announcement of preferred corridors in November 2008, Roads Service and its consultants attempted to arrange one-to-one consultation meetings with every landowner who could be directly affected by any of the stage-one corridors. Since my announcement of the preferred route for the scheme in August 2009, Roads Service and its consultants have embarked upon a second round of one-to-one consultation meetings with those landowners affected by the preferred route. Those meetings are ongoing, and it is anticipated that they will be completed by the end of the year.

Roads Service will continue to liaise with those landowners throughout the next phase of the project, which will culminate in the publication of the draft orders for the scheme in mid-2011, and I anticipate that a subsequent public inquiry will be necessary. I note Mr Kinahan's remarks about the timing of a public inquiry. I accept what he said — that that comes at the end of a significant amount of work — but if, at a public inquiry stage, questions were asked that could not be answered because people had not undertaken detailed assessments and design, costings and access arrangements, perhaps the function of a public inquiry would be negated. There are arguments for and against. I am sure that the processes are rigorous and have been tried and tested many times.

I fully appreciate that there are concerns about the impact on farm businesses; however, with the exception of two sections, the 14-kilometre preferred route of the A8 is predominantly an online improvement scheme that will widen the existing road to dual carriageway standard. I appreciate that Members have expressed

general support for the scheme, with the exception of the two cases to which I referred. The first section of offline improvement, as I said, is around the hamlet of Bruslee, and the second section, of more significant length, is around the scheme to the west of Ballynure.

It is expected that a number of farms will be affected by those offline sections, with the new road passing through some farm enterprises. Roads Service has appointed an agricultural consultant to assess the scale of the impact on the affected farms, and it is committed to working with the farmers to ensure that access to the land is maintained and that the impact is mitigated, where possible, through accommodation works.

In summary, I advise Members that the preferred route for the scheme has been chosen as a result of a rigorous assessment and comparison of options. The scheme assessment was undertaken using the recommended guidance for the appraisal of road schemes, based on the Government's five overarching objectives for transport, which take into consideration the environment, safety, economy, accessibility and integration of the project.

*6.30 pm*

The resulting proposals will deliver the improvements to the road network that are outlined in the regional development strategy and in the investment strategy. Therefore, it is imperative that the project development continues in order to deliver a scheme that will greatly assist and promote the economic growth of the area, including the enhancement of the important links between the port of Larne and Belfast and onward to Dublin.

Having said that, I will ensure that the remarks that Members made in the debate will be taken into consideration by Roads Service and that, in addressing the issues of farmers and landowners in the area, every sympathy will be given to the issues that the works present to them. I am happy for Roads Service to consider the Ulster Farmers' Union's propositions and to engage with it on them. Go raibh míle maith agat.

*Adjourned at 6.31 pm.*





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# NORTHERN IRELAND ASSEMBLY

Monday 30 November 2009

*The Assembly met at 12.00 noon (Mr Deputy Speaker [Mr Molloy] in the Chair).*

*Members observed two minutes' silence.*

## MINISTERIAL STATEMENT

### Flooding: Fermanagh

**Mr Deputy Speaker:** I have received notice from the Minister of Agriculture and Rural Development that she wishes to make a statement on recent flooding in Fermanagh.

**The Minister of Agriculture and Rural Development (Ms Gildernew):** Go raibh maith agat, a LeasCheann Comhairle. With your permission, I wish to make a statement on recent flooding in Fermanagh and on the devastating effects that it has had on the town of Enniskillen and the wider rural community.

Members will be aware of the exceptional situation in Fermanagh during November, when approximately three times the average monthly winter rainfall fell in one month. As a result, water levels rose to their highest recorded levels since records began in 1956. Thankfully, after a number of dry days, lough levels have peaked and are starting to fall steadily.

However, a resolution to the widespread road flooding around the loughs and the consequent disruption to normal life is not likely for at least some weeks and is directly dependent on rainfall levels in the catchment area. Furthermore, farmland may take much longer to recover from prolonged waterlogging. I witnessed at first hand the distress that the flooding caused, and I assure Members that my Department is working with others and doing everything in its power to alleviate the problems that local communities are facing.

My Department continues to work with the Department for Regional Development's Roads Service, Fermanagh District Council, the Western Health and Social Care Trust and other key partners in responding to the flooding. We have also been working closely with our counterparts in the South of Ireland to ensure that everything that can be done is being done to lessen the misery that the flooding has caused.

My Department worked closely with the Electricity Supply Board in the South of Ireland to ensure that lough levels were drawn down to the lowest permissible level in October to provide maximum storage capacity for the winter months. That is attempted every year but, owing to weather conditions, is often not achieved. Fortunately, we enjoyed a very dry spell in the first two weeks in October, and that enabled maximum storage to be provided before the onset of the prolonged rainfall. Since 5 November, all sluice gates that control the Lough Erne system have been fully open, and the system's outflow channel has been operating at maximum capacity. The management of Lough Erne water levels involves the delicate balancing of a range of interests, including drainage, navigation and the environment.

The legislation that administers lough levels recognises that we are not in control of all the factors that influence water levels. There will, therefore, be natural fluctuation in the levels. Our challenge is to ensure that we do all that we can to lessen the effects of such an extreme event.

Getting back to normal will not be easy. Resolution of the widespread road flooding alone is not likely for a number of weeks and is directly dependent on rainfall levels. The extensive flooding to agricultural land around the loughs will take even longer to recede. My officials are currently running meetings to advise farmers about managing feeding of livestock during the winter. Many households and farms remain isolated by the flood water. Consequently, normal family life and business is, at best, difficult.

It is considered that the event is now moving from emergency response towards recovery phase. Now, the focus is on management of disruption to local communities. Fermanagh District Council is co-ordinating the social aspects of the emergency response and recovery. Isolated households that require assistance can contact the council or the Western Health and Social Care Trust. Rivers Agency officials continue to monitor water levels closely and to provide practical support through the social recovery phase, such as delivery of supplies to households that are cut off by the flood water. Rivers Agency officials, in co-operation with our partners, intend to undertake a prompt review of that flooding event to ensure that any lessons that can be learned are recognised and implemented as soon as possible.

Looking further ahead, the EU floods directive requires competent authorities in the North and South of Ireland to develop flood risk management plans to provide a framework for the assessment and management of risks of floods such as that which Fermanagh currently faces. As the competent authority in the North of Ireland, in co-ordination with the competent authority in the South, Rivers Agency will ensure that the flood risk

management plan for the Erne will focus on the overall management of its catchment area and will look at existing management practices, including land use, planning and water-level control, to determine how best to manage flood risk and to take account of the range of stakeholders involved. Given the impact that that flooding is having on the broader community in Fermanagh, Rivers Agency will review the start date for the Erne plan.

A number of elected representatives were able to see the impact of the flooding at first hand. I thank my party colleague Martin McGuinness, who accompanied me when I visited Fermanagh on Friday. We met some of the communities that have been worst affected. I am also aware that Peter Robinson and Arlene Foster visited the area on Saturday 28 November. I will provide an update to Executive colleagues on Thursday 3 December.

Finally, having witnessed the flooding in Fermanagh at first hand and having spoken to people who have felt its full impact, I must comment on the resilience and fortitude of the community, which has worked together, especially to help the people who are most affected. Martin McGuinness and I heard stories about elderly people who were isolated and cut off, whose neighbours called in to check that they had everything that they needed and kept an eye on them.

We also heard heart-warming stories about how school principals have managed. Two schools that have been badly affected are Killyhommon Primary School in Boho and Moat Primary School. A number of schoolchildren have not been able to get to school across the worst of the flooding. Some of the children whom we met on Friday actually had to travel across two floods by tractor and a third by boat where flooding was particularly bad.

It has been an extremely difficult situation. I commend the people of Fermanagh for looking out for one another and their neighbours and for the community spirit that they have shown. As I said, the community continues to cope with a difficult situation. I believe that the House wants to recognise how people have responded. I also want to recognise the efforts of all the public authorities that have worked extremely hard in difficult circumstances to help to mitigate the effects of the worst flooding.

**The Chairperson of the Committee for Agriculture and Rural Development (Mr Paisley Jnr):** At the outset, I want to offer the Committee's thoughts to all the families and businesses that have been affected terribly by that devastating local calamity for Fermanagh. I also commend the emergency services, council workers, Rivers Agency operatives and the wider community in Fermanagh for the support that they have provided during the past week and for pulling together as a community in such trying circumstances.

The Minister's statement, quite rightly, offers sympathy to people who have been affected but absolutely nothing else except the damning confirmation that, as she has indicated, she is not in control of all of the factors that influence water levels. Who is in control of the situation, and what needs to be done? Will the Minister confirm that the Department will provide a hardship fund for farm businesses that are unable to insure against this type of calamity? I understand that many farmers' recently installed slurry tanks have now flooded. Will DARD relax the cross-compliance rules on those flooded slurry tanks, so that farmers will not be penalised under the nitrates directive? Has the Minister made any application to the European community in the past week for support for flooded areas? What is DARD doing to ensure that people in private dwellings are aware of the Executive's emergency relief fund of £1,000 per household, which, I understand, closes on 1 December?

Furthermore, is it possible for research to be carried out into flood plains and building on flood plains? Now that some building has taken place on flood plains, maximum protection is no longer available to many areas that face flooding crises. Will the Department lead such an examination to find out whether those flood plains can be protected and maximum protection offered?

Finally, it has been alleged that the sluice gates at Ballyshannon were closed too early, and, as a result, the flood levels rose. There must be an examination of the amount of water that passed through those sluice gates between October and November. If there was a dramatic increase, why was some release not given and those sluice gates opened, so that the flooding could have been relieved in some way?

Serious issues have arisen as a result of the flooding. Hopefully, we are now through the worst of it, and we can get some examination of the facts and answers to the important questions for the people of Fermanagh who have suffered as a result.

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

**Development:** Go raibh maith agat, a LeasCheann Comhairle. There is quite a bit in there, so I will take my time and try to get through it all.

The Chairman of the Committee mentioned the sluice gates and the hydroelectric situation in Ballyshannon. A major drainage scheme was carried out in the 1950s, and it entailed significant improvements to the inter-lough channel through Enniskillen and the outfall channel from the lower lough. The hydroelectric generating plants and spillway structures were constructed at that time to accommodate the maximum flow that the channels could deliver. The water levels were determined as part of the 1950s legislation, which includes arrangements for quickly drawing down the lough levels by full

generation and spilling. Those trigger levels were reached on 5 November, and it is anticipated that full generation and spilling will remain in place for some time. I can confirm to the Chairman that the sluice gates were not closed early in Ballyshannon and that the full generation and spilling remained in place.

In October, the levels of the lough were drawn down to the absolute lowest permissible level to provide maximum storage in anticipation of the wetter winter months. As I have said, that is done every year, but we do not always have such a dry spell in October to be able to bring the lough right down to the minimum level.

When I met farmers and householders who were directly affected by the ongoing flooding, it was suggested that the low levels should have been breached in order to provide even more storage. However, it must be remembered that no one knew with any certainty that an event of this magnitude was going to impact on the Erne system. If the level had been drawn down and a storm not impacted, the environment, the tourism industry and, potentially, the stability of clay foundation buildings in Enniskillen might have been compromised. Therefore, the outfall channel has operated at maximum capacity since 5 November, some 20 days before the water level peaked.

I was asked about who is in control. The Erne system can be managed to a certain extent, but, ultimately, the person in control is the man above or the woman above. There has been three months' rainfall in one month, which is unprecedented. I will put it into context: while we were suffering badly in Fermanagh with that level of rainfall in a short period, the same level of rainfall fell in parts of England in 24 hours. As a result, we saw devastation in places such as Cockermouth, where bridges were washed away and people lost their life. We have seen the consequences of three months' rainfall in one month, and we know just how difficult it is to work with that.

12.15 pm

Ultimately, the amount of rain that fell over that period created huge difficulties. I was in Boho in west Fermanagh a fortnight ago. I spoke to Eileen McKenzie, the principal of the school there, who told me of the difficulties they were having in getting children in and out of school and the dangerous levels of the Sillees. We have had an awful lot of rain this autumn, and we have to deal with the difficulties that that brings. We will be reviewing the situation and working with other agencies.

I agree with the Chairman of the Committee that the emergency response was very good. All the agencies worked well together, and I want to commend everyone involved.

I will take a review to the Executive on Thursday, and I will put a case to them. The Executive have made

available flood relief of £1,000 per household. However, it is down to the fortitude of people in the county that so few houses were flooded. The levels of the lough used to be much higher, and people built on higher ground. Rivers Agency has worked in consultation with the Planning Service to try to ensure that people are not instructed to build houses near the lough or within the flood plain, to minimise the danger.

Consider the extent of the flooding: had it taken place anywhere else in the North, many more homes would have been affected. The number of houses flooded is in single figures. Members will have seen the pictures: the Share centre is devastated. However, taking stock of everything, a minimal number of homes were flooded. People showed great resilience and fortitude. Traders in Enniskillen were continuing to trade last Tuesday. Although flood water was only inches from their front door, businesses were open. Schoolchildren were walking across sandbags to reach their school buses. It is amazing how people cope in a situation like that.

We want to be able to help and to ensure that we are able to respond in the future. Rivers Agency did a magnificent job in getting out there, providing sandbags and helping people to carry on their day-to-day life. I will be looking into all of that and seeing what we can do in future to alleviate suffering and misery such as we have seen in Fermanagh over the last few weeks.

**Mr Deputy Speaker:** Before we move to questions, I remind Members that questions must be on the Minister's statement. The flexibility that I gave to the Chairperson of the Committee to deal with wider issues will not be afforded to every Member.

**Mr Doherty:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for her statement and her answers to the Chairperson's questions. What can be done in the future to reduce the risk of this situation or a worse one recurring in the Fermanagh area?

**The Minister of Agriculture and Rural Development:** It must be borne in mind that we are dealing with an extreme event. We are not in control of all the factors that influence the flood risk, as I have said. We will not be able to prevent this type of event happening in the future, but by working together we will, hopefully, be able to better plan for and manage the risk of flooding, damage and disruption to our communities.

To that end, I have asked Rivers Agency officials, in co-operation with their partners North and South, to undertake a prompt review of this flooding event to ensure that any lessons that can be learnt are recognised and implemented as soon as possible. Looking further ahead, the EU floods directive requires competent authorities North and South to develop flood risk management plans and to provide a framework for the



assessment and management of flood risk, such as the floods which Fermanagh faces. As the competent authority in the North, the Rivers Agency will review the start date for the Erne flood risk management plan, with a view to bringing it forward as early as is practically possible.

**Mr Elliott:** I declare an interest as a member of Fermanagh District Council. I pay tribute to the agencies who worked so well together in this crisis. I had the opportunity to visit a number of the flooded areas on Thursday. I offer my sympathy to those most affected.

There is an indication that the ESB station at Ballyshannon is not allowed to put surplus water off until it reaches a certain level. If that is so, is it reasonable to ask that that level be reviewed to allow such water to be let off much earlier than has been the case? There is a suggestion that that is where the problem is.

Secondly, has the Minister had any discussions with the Minister of the Environment regarding the closed period for slurry spreading?

**The Minister of Agriculture and Rural**

**Development:** Nobody is in the form for spreading slurry in Fermanagh these days. Given that the ground is waterlogged, there is no point. First, there will be no growth, and, secondly, it might have catastrophic environmental consequences. We must be practical. I agree with the Member's assessment that all the agencies worked well with one another and pulled together. That combined approach is important.

The Member asked about the system in Ballyshannon. The current system works well, and, generally, we do not have problems such as this. However, the weather changes the situation and the outlook. As I said, the water in Lough Erne was drawn to its lowest level earlier this year in order to create maximum storage. However, that was surpassed by the unimaginable amount of rainwater that fell, and now we have to manage the situation as well as we can.

If the lough's minimum water levels were breached, some of the foundations in Enniskillen would be exposed and, as a consequence, deterioration caused to buildings. We are dealing with a difficult situation, but I assure the Member that Rivers Agency officials were in contact with Electricity Supply Board staff every day, that they managed the situation and that everything that could have been done to minimise the risk of disruption was done during that time.

**Mr Gallagher:** I want to ask the Minister about the costly damage to many properties in Fermanagh. Why was one Department involved in helping out the big players in that area? A different Department released a statement about the flooding this morning. Why was there not an offer to help the people of Fermanagh who are hurting the most as a result of the floods?

**The Minister of Agriculture and Rural**

**Development:** I am a bit confused about the question, because I am not sure which Department the Member is referring to.

**Mr Gallagher:** The Department for Regional Development.

**The Minister of Agriculture and Rural**

**Development:** I assure the Member that Rivers Agency works for everybody and that it helped everyone affected in Enniskillen and the rural areas.

**Mr Gallagher:** I am talking about Roads Service.

**The Minister of Agriculture and Rural**

**Development:** It would have been helpful if the Member had said that in his question.

**Dr Farry:** I, too, thank the Minister for her statement. As an expat of Fermanagh — I am one generation removed — I take a great interest in what happens down there. The Minister spoke about the need to learn lessons from the response to the flooding, and I join other Members in paying tribute to the response from the services. Have any initial conclusions been reached as to how the response could be better in future?

Will the Minister give us a preliminary indication of the estimated financial cost and economic loss to Fermanagh resulting from the floods? In recognition of that, will her Department, in conjunction with other Departments, be considering any possible improvements to infrastructure in the area so that it can better handle future incidents, should those occur?

**The Minister of Agriculture and Rural**

**Development:** Initial conclusions are not yet ready. I hope to have more information available by Thursday, when I will update my Executive colleagues. The Member is right about the issue of infrastructure, and I will again be stressing to the Executive the work that needs to be done to put right the damage caused. As the Member knows, a number of roads are under water, and, by the time the water levels go down, those roads will probably have been under water for weeks. That will have implications for the roads infrastructure in particular, and I want to discuss that with my ministerial colleague.

There will be an assessment, but it is too early to know what the financial cost has been, so I do not have any figures for that. We have all been so busy dealing with the impact of the flooding and with helping people, and I must say that Rivers Agency went over and above its statutory duty. Its boats were used to get help to householders, which is not necessarily part of its remit. However, it was so exercised that it consistently worked hard to help people during that time.

I am hopeful that the infrastructure issues will be dealt by the EU flood directive over the next number of years.



On Tuesday, before I went to Fermanagh, I had a conversation with the Minister of Finance and Personnel about the flood alleviation programme and, recognising that we are in a difficult fiscal climate, about how that money is hugely important to ensure that people do not have to suffer. As elected representatives, we have all seen at first hand what families have to suffer when their home is flooded, their possessions destroyed and their memories and photographs washed away. Flooding is as devastating as fire.

We want to do all that we can to alleviate the risk to people and to ensure that homes are not flooded. That will require a multi-agency, multi-Department approach. It is important that we reflect to the Planning Service the fact that people in Fermanagh — not just this generation but previous generations, including Dr Farry's family — had the sense to build higher up. Although that may not necessarily sit well with today's planning considerations, it is important that the risk of flooding be managed. We must try to ensure that people are not living in an area where, when they awake at night to hear the rain beating off the window, they have to worry that the water will be at the doorstep or in the kitchen by morning.

**Mrs Foster:** As the Minister said, the First Minister and I were in the area on Saturday meeting residents, traders and farmers. I must say to the Minister that each of those groups said that they were disappointed at the reaction of the Rivers Agency and Roads Service. In fact, some had no contact from either agency, and, when they contacted the agencies, they were passed on to another agency. There was a great deal of passing the buck.

A concern has been raised about the level of Lough Erne immediately before the flooding. I note from the Minister's statement that the sluice gates have been open since 5 November. Perhaps the Minister can confirm the dates on which the Portora sluice gates were closed prior to 5 November and what level Lough Erne reached before the gates were reopened.

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

**Development:** I do not have that level of detail with me, so I will respond to the Member in writing.

**Mr Boylan:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for her statement and for the ongoing work that is being done. I understand that serious, immediate concerns exist in the area and wish her well in addressing them. Does the Minister think that the effects of climate change will make the type of flooding witnessed in Fermanagh more likely in future?

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

**Development:** Climate is the long-term pattern of weather. Therefore, a storm or flood event in isolation cannot necessarily be considered to be an indication of

change. However, we must not be complacent, and events in Fermanagh have given us all a real insight into the increased risk from flooding that may result from climate change.

Although investment in flood and sea defences and a precautionary planning policy have been successful in reducing flood risk, a significant element of risk remains. That risk is likely to increase with climate change. My Department's policy framework for flood risk management, 'Living with Rivers and the Sea', identifies a more holistic approach to the management of risk, including the impact of climate change, by working in partnership with government, industry, commerce and the public. That partnership is further reinforced by the EU floods directive, for which the Rivers Agency is the competent authority.

**Lord Morrow:** Does the Minister accept that many people in Fermanagh feel completely let down by her Department's response? What plans has she put in place to ensure that the flooding, which was something close to a natural disaster, will not happen again? At the very least, contingency plans must be put in place to ensure that swift action is applied.

The Minister said that, given the impact that the flooding is having on the broader community in Fermanagh, the Rivers Agency will review the start date for the Erne plan. Does the Minister intend to bring forward the introduction of that plan, and can she assure the Assembly that it will be given a top priority? Does the Minister further accept the necessity for cross-departmental action on issues such as the flooding in Fermanagh?

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

**Development:** I am not sure whether the Member was in his seat when I answered some of the earlier questions. However, I gave assurances that I would bring forward the date of the Erne plan so that we could see what could be done. Contingency planning is an absolute imperative, and the Member makes a very important point.

12.30 pm

Unfortunately, we are dealing with a situation in which the budgets of all Departments, including my own, are being cut. We are fighting to find ways to manage that situation. As I said, I will raise that with the Finance Minister, as I did last Tuesday afternoon when I stressed the importance of implementing contingency plans, putting flood alleviation works at the top of our agenda and ensuring that such work is carried out. It is hugely important to those who live on flood plains and in other areas at risk of flooding that the necessary infrastructural work is carried out to a satisfactory standard. We hope that the Erne plan will be brought forward by two years, which will be a significant increase.

The view stated by the Member was not shared by the people whom the deputy First Minister and I met. We are all talking about how agencies and Departments worked well together to deal with the situation. Now is not the time for political opportunism. People in Fermanagh do not have an appetite for that.

**Mr Savage:** I also thank the Minister for her statement and offer my condolences to the people of Fermanagh. I understand what they are going through, because the same thing happened in my constituency last year. Our thoughts are with them.

I understand from one of my colleagues that there was no loss of life, which is a consolation in itself. What has happened has happened, and it is nice to know that all the Departments are working together. However, we think that everything is at hand, but when there are floods and we go to look for things, we find that they are not there. This is a learning process, and I hope that such a situation does not happen again.

Is there anything that the Department of Agriculture needs to do with regard to water levels to alleviate such a situation in the future? That may be pie in the sky. One of the big issues facing us is climate change, which is something that we have no control over.

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

**Development:** I thank the Member for his pragmatism and common sense on the issue. This is something that we do not have any control over. All we can do is manage the risk as best we can. Events such as this are a test. We review how the agencies work together, and I am pleased with the way that Rivers Agency went out and did things that it was under no obligation to do in order to alleviate the misery for people in Fermanagh. Other agencies also worked well together.

Water levels are very difficult to control, given that we do not know where, how much or when rain will fall. We can only manage it as best we can. The good news is that water levels have peaked and are starting to recede. Although the forecast tomorrow is for wet weather, which will cause some concern, with a possibility of snow, the rest of the week is forecast to be relatively dry. Rivers Agency will remain on high alert, as water levels are still exceptionally high and the land is saturated.

As a farmer, the Member knows that when land is as wet as it is in Fermanagh, it is very difficult to walk on, never mind use machinery on. That will have an impact, not just now but in the springtime when farmers are thinking about putting cattle back out into fields, because the land may still be heavily saturated. That is when we may see the worst effects of the flooding on farmers. Therefore, although we are dealing with the situation now, there are consequences further down the line.

In every flooding event that we have seen, there have been consequences for other agencies, such as DSD for housing, NI Water and the Department of Health. Therefore, we need a multi-Department approach to deal with the social response as well as the emergency response to the flooding. We all have to work together to make life as easy as we can.

**Dr McDonnell:** Although I do not represent Fermanagh, I have experienced urban flooding in Belfast over the past number of years and the runaround that we have been given at times in response.

I am really confused because in my mind and in the minds of many people in Fermanagh to whom I have talked, something went seriously wrong and Fermanagh was devastated. The fact that people were resilient does not take away from the devastation that they suffered. All those affected deserve our sympathy and support.

It appears to me that we did not move fast enough. I ask the Minister to get our act together faster so that flood water can be got rid of. The effects of climate change mean that we can anticipate that type of rainfall in future. We must act faster to open sluice gates and to do whatever needs to be done. If necessary, we must drop the water level, even if it does expose foundations in Enniskillen. I do not think that foundations will be exposed in Enniskillen for a while.

I am not sure who sets the permissible water levels. Can those be renegotiated and sorted out? Can we ensure that if such a situation happens again, we will be prepared for it and the flood water will be got rid of? It does not matter whether it happens at the sluice gates at lower Lough Erne or through Enniskillen. People want to know what we are going to do to ensure that the flooding does not happen again.

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

**Development:** The temptation is to be glib and to respond to such a question by saying that something went wrong, it rained, and to make sure it does not happen again, we will knock Enniskillen down and start again. We did everything that we possibly could, and the water was brought down to the lowest possible level. If we had lowered it any further that would have had an effect not only on foundations in Enniskillen, but on the environment as a whole. We have to be reasonable, and we have to do everything that we can. I believe that everything that could be done was done.

We were lucky that we had a couple of dry weeks in October so that we could bring the level of the lough down to its absolute minimum and provide the maximum amount of storage. However, there was three months' rainfall in one month, and the water had to go somewhere. It went into the lough and spilled out. The television and newspaper pictures show the amount of water that there is in Fermanagh.

The joke is that for half the year, Lough Erne is in Fermanagh and the other half of the year, Fermanagh is in Lough Erne, but that is true. There are people there who are now island dwellers and could remain so for weeks or months before things get back to normal. They are coping with that, so now is not the time for point scoring. Everything that could be done was done, and I assure the Member that in future, everything that can be done will be done to minimise the risk. However, we cannot control the weather.

**Mr McHugh:** Thank you, a LeasCheann Comhairle. You will excuse my voice; I have a bit of a cold.

I thank the Minister for her statement, which I got only a few minutes ago. People who are not from Fermanagh have a lot of concern about the situation, which is interesting. However, it is difficult to have the full facts unless you are from there. I would like there to be a review of all the areas that could be tightened up, and that would enable us to react differently in future.

The Minister made the point about the extremely heavy amount of rain that fell within a very short time. There was, perhaps, a month's rain in one night, which made a difference. In areas such as Ballinasloe, hundreds of houses were flooded, and we were lucky that that did not happen to us. Although there are difficulties there, people are prepared to cope with them. The waters in some parts of Lough Erne were at extremely high levels compared to times when flooding was very severe. I want to thank all the agencies that were involved. The Rivers Agency, DARD and Roads Service did a considerable job.

**Mr Deputy Speaker:** Is there a question?

**Mr McHugh:** Yes, I have two questions, a LeasCheann Comhairle. First, the Minister mentioned full generation and spillage at Ballyshannon. A third turbine was to be installed in that hydro scheme several years ago but that has not happened yet. Is it the case that water levels are being kept high in order to make money when the flood waters recede? My second question is about the reaction to very heavy amounts of rainfall on one day or over a few days. Is there provision in the Erne flood risk management plan to examine, given climate change, the difference between recent rainfall and that which occurred in years past?

**The Minister of Agriculture and Rural**

**Development:** OK. I thank the Member for his question and his recognition that, largely, the situation was caused by the heavy amounts of rainfall that we had to deal with.

There is still no single agency that deals with flooding: the work must be carried out across Departments and statutory organisations. The Rivers Agency did what it could to help the people of Fermanagh over the past weeks.

As far as hydroelectric generating plants are concerned, a major drainage scheme was carried out in the 1950s. I am not suggesting that the Member remembers that, but it entailed significant improvements to the interlock channel through Enniskillen and the outfall channel from the lower lough. The hydroelectric generating plants and spillways structures were constructed at that time to accommodate the maximum flow that the channels could deliver. The water levels were determined as part of the 1950s legislation, and there are full arrangements for quickly drawing down the lough levels by spilling and full generation, which was done. Those trigger levels were reached on 5 November, and we expect that full generational spilling will remain in place for some time to help to get the water out and to deal with it that way.

It is recognised that there has been very heavy rainfall, and people in Fermanagh have been used to dealing with such situations in the past. Climate change may result in more such situations in future. We are bringing the review forward by two years to see what can be done. We will work with other agencies to manage the risk to people, not only in Fermanagh but across the North.

## EXECUTIVE COMMITTEE BUSINESS

### Pensions Regulator Tribunal (Transfer of Functions) Bill

#### First Stage

**The Minister for Social Development (Ms Ritchie):** I beg to introduce the Pensions Regulator Tribunal (Transfer of Functions) Bill [NIA 4/09], which is a Bill to transfer the functions of the Pensions Regulator Tribunal; and for connected purposes.

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

**Mr Deputy Speaker:** The Bill will now be printed and put on the list of future business until a date for its Second Stage is determined.

### Wildlife and Natural Environment Bill

#### First Stage

**The Minister of the Environment (Mr Poots):** I beg to introduce the Wildlife and Natural Environment Bill [NIA 5/09], which is a Bill to make provision about biodiversity; to amend the Wildlife (Northern Ireland) Order 1985 and Part 4 of the Environment (Northern Ireland) Order 2002; to abolish game licences and game dealers' licences; and for connected purposes.

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

**Mr Deputy 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

#### Further Consideration Stage

**Mr Deputy 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 are tabled to the Bill. As no amendments have been tabled, there is no opportunity to discuss the Diseases of Animals Bill today. Members will, of course, be able to have a full debate at the Bill's Final Stage. The Further Consideration Stage of the Bill is, therefore, concluded. The Bill stands referred to the Speaker.

## COMMITTEE BUSINESS

### Pay, Pensions and Financial Support for the Members of the Northern Ireland Assembly

*The following motion stood in the Order Paper:*

That this Assembly approves the Assembly Commission's 'Report on the Pay, Pensions and Financial Support for Members of the Northern Ireland Assembly' (November 2009); and makes the Northern Ireland Assembly (Members' Expenditure) Determination 2009 and the Northern Ireland Assembly (Members' Salaries) Determination 2009. — [*Rev Dr Robert Coulter*]

*Motion not moved.*

12.45 pm

**Ms Ní Chuilín:** On a point of order, a LeasCheann Comhairle. Has there been any explanation of why the Assembly Commission's motion was not moved?

**Mr Deputy Speaker:** There is no requirement to give a reason for not moving a motion at this stage. The Business Committee will deal with the matter at another stage.



## PRIVATE MEMBERS' BUSINESS

### Employment and Support Allowance

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

**Mr Brady:** Go raibh maith agat, a LeasCheann Comhairle. I beg to move

That this Assembly urges the Minister for Social Development to urgently review the administration of employment and support allowance; and views with concern the adverse impact this benefit is having on the most vulnerable in our society.

At the outset, I would like to say that the motion is being brought forward in response to the representations of claimants, and many advice centres, who have experienced difficulties with the employment and support allowance (ESA) and its administration. Any changes in the benefit system should benefit those who are claiming, rather than just make it easier for the Social Security Agency, which seems, to a large degree, to have abdicated its responsibility to administer the benefit properly.

Staff in local offices were under extreme pressure already, but dealing with a complex new system has caused more difficulties and put them under even more stress. I accept that the legislation involved is parity legislation and that, unfortunately, we cannot change that at the moment. However, we can try to ensure that the benefit is administered properly and that vulnerable people who are entitled to claim are treated with sensitivity and dignity.

On the face of it, the introduction of the employment and support allowance seemed to be a reasonably straightforward procedure. It replaced incapacity benefit and income support for people who had been claiming since October 2008. Central to the employment and support allowance are the new medical assessments, which examine what people can do rather than what they cannot do. That is laudable in principle, but the mindsets of the Department and the examining doctors have not changed in reality. The employment and support allowance was sold on the premise of evidence that being out of work contributes to poor health and that being in work delivers benefits to health, well-being and self-esteem. However, as rolling out the benefit is proving to be problematic, people's health, self-esteem, and so on are being adversely affected.

There is a fine line between expecting people who are on benefit to have a motivation towards self-sufficiency and punishing them for their misfortune of being unemployed. There needs to be a reassessment

of the so-called sickness culture, which the Government appear to think is prevalent without having tried to get to the core of the problem and deal with it in a practical and caring way. Only full-time carers and disabled people with the greatest needs are exempt from being expected to find work. Eventually, lone parents of children aged seven or older will be expected to seek work. That will be particularly difficult for parents in areas of the North where childcare is rudimentary. The Minister has said that sanctions will not be imposed where it is accepted that childcare provision is not available. However, the outworkings of that plan appear to have been fairly arbitrary so far.

I will now list some of the particular problems encountered by ESA claimants. When claimants first contact the office to make their claim, they can spend 20 minutes or more on the phone. We were told that the introduction of ESA was predicated on the majority of claims being made by phone. Calls from BT landlines are free, but calls from other networks and mobiles can cost a lot. Many people who claim benefits use pay-as-you-go mobiles because they can be cheaper, but they are certainly not the cheapest option when ringing to claim ESA.

I know of a case in which someone spent £17 of a £20 top-up trying to contact the Social Security Agency. When people telephone the agency, they find that existing employment and support allowance claims cannot be accessed. All the information must be given over the telephone. The process of changing from claiming one benefit to claiming another can take several weeks. That could leave the customer without money and in the position of having to claim crisis loans.

People who were on income support can make their employment and support allowance claim only the day after their income support ends. It does not seem unreasonable that customers should be able to make an employment and support allowance claim well in advance of their income support's coming to an end. That would seem to be common sense. It can take several weeks, and sometimes months, for a claim to be processed. That can have a knock-on effect on other benefits, such as housing benefit. People who claim employment and support allowance should also be told that they should claim child tax credits for their children but are often not.

I have been in contact with many claimants and advice centre workers, and a feeling exists that, because they are centralised in Belfast, employment and support allowance staff are more insulated and more difficult to deal with. In such cases, perception is often everything.

The claim forms are long and complex, and they are difficult to complete. They must be simplified. An ESA1, which is a claim form for employment and support allowance, has 52 pages. The ESA50 form, which

replaced the IB50 form, contains 27 pages. For two forms, therefore, we are talking about 79 pages, which averages almost 40 pages a form. They are very difficult for people to complete, particularly when the full range of information is not available to them.

When the employment and support allowance legislation was debated in the Chamber in 2007, Sinn Féin asked for changes to it that would benefit claimants and make welfare reform easier to administer. However, those practical suggestions were not accepted. I have been in constant touch with Social Security Agency staff and with Department for Employment and Learning (DEL) staff in local offices. The general feeling is that training in the new benefit has been totally inadequate. Staff are expected to deal with clients who have specific mental health problems and disabilities such as autism. I have met groups that represent people with particular disabilities, and the feeling is universal: in many cases, the criteria for employment and support allowance are not being applied properly.

Employment and support allowance has now been in place for just over one year. The general feeling is that it is not fit for purpose. Now seems to be an appropriate time for the Minister for Social Development to review urgently the administration of employment and support allowance. I urge the House to support the motion. Go raibh míle maith agat.

**The Chairperson of the Committee for Social Development (Mr Hamilton):** I speak initially as the Chairperson of the Committee for Social Development. As the House is aware, the Committee previously considered legislation that related to the introduction of employment and support allowance. At that time, Committee members expressed serious concerns over access to employment and support allowance for vulnerable claimants. Members were particularly worried about staff resources and training.

It is fair to say that Members took some comfort from the Minister's assurances on 5 May 2009 that the Social Security Agency would get additional staff and that its personnel would receive disability awareness training. Today's motion, like the one that was proposed in May, refers to "vulnerable" employment and support allowance claimants. Given the Committee's previous deliberations on the subject, it is appropriate to highlight the fact that employment and support allowance and the wider welfare reform process is not just about securing benefits for those who need them but about helping vulnerable claimants to make their way back into useful work.

Employment and support allowance was introduced as part of a wider legislative welfare reform package. A key theme of the package is a migration of individuals in certain groups from incapacity benefit to employment

and support allowance. It is intended that many of those on employment and support allowance will ultimately move on to full-time or part-time employment.

Safe, appropriately rewarded work provides people with a purpose. It puts money in their pockets, and it has been shown to improve their health and well-being. Therefore, the Committee supports the principle of helping vulnerable employment and support allowance claimants who may have mental health issues to find useful, safe and appropriately rewarded employment. However, the Committee expects the Social Security Agency and the Department for Employment and Learning to make every effort to ensure that those claimants are supported in their search for work and helped to find the right benefits while they look for employment.

The Committee unanimously agrees that no one should be forgotten or left behind by the welfare state. A majority of Committee members accepts that reform of the welfare state is inevitable. That said, no one wants vulnerable claimants to be forced to remain on benefits when they want to work or denied the benefits to which they are clearly entitled.

The Committee considered the increasing use of telephony in connection with claims for employment and support allowance and other benefits, as approximately 79% of claims for employment and support allowance are made by telephone. On 2 April 2008, the Social Security Advisory Committee told the Committee for Social Development that it favoured enhanced free telephone access to benefits, as it works well for most customers. Notwithstanding that, Committee members still have considerable concerns about the use of telephony for all benefit claimants, especially the vulnerable. Therefore, members would value an assessment of the ease of telephone access to employment and support allowance and other benefits for vulnerable claimants.

As the House is aware, in October 2008, the Committee for Social Development issued a report on the administration of disability living allowance. That report set out practical and achievable recommendations on, for example, the simplification of application forms. The Committee was pleased to note that the Department accepted and implemented some of those recommendations. It is hoped that the Department will adopt a similarly flexible approach to the employment and support allowance and will amend its procedures as appropriate and in response to the needs of the vulnerable.

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

I conclude my remarks on behalf of the Committee by saying that we would all be concerned to learn about any apparent difficulties in administering the employment and support allowance. As the Committee

Chairperson, I look forward to hearing the Minister's response.

In my capacity as a Democratic Unionist Party Member of the Assembly, I support the central principles behind the employment and support allowance. We should all welcome any mechanism or device that encourages people who want to return to work.

**Mr F McCann:** That may be the case in normal times, but we are in the middle of a recession, and there are no jobs out there for people to go to.

**Mr Hamilton:** I do not agree that there are no jobs for people to go to. Statistics show a considerable number of unfilled vacancies in Northern Ireland. A clear distinction must be drawn between jobs not being available and people not wanting to take certain jobs. There are always appropriate levels of work — the key word is “appropriate” — that people can take to deal with their particular circumstances, and I encourage people to avail themselves of any mechanism that allows them to contribute to the wider society.

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

**Mr Hamilton:** I do not have time.

As everyone knows, we have the highest rate of economic inactivity in the UK, and we need to get to grips with the problem. Nevertheless, I appreciate that certain groups, especially those in society who are vulnerable, have particular problems. Last Friday, in Londonderry, I met a group from Disability Action, who, of all the issues that they could have chosen, selected the employment and support allowance and its administration as one of two issues for discussion. The group used the word “fear” in describing how its members, friends and families feel. If people are applying for the allowance in that frame of mind, we must accept that there is a problem.

I appreciate that there may be teething problems with the benefit's administration; it is a massive and widespread change, and we are still getting to grips with telephony.

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

**Mr Hamilton:** The essential principles are right, but we must respect the particular needs of the most vulnerable in society.

**Mr Armstrong:** As I stated in the House on 5 May 2009, I am fully aware of the many problems in implementing the employment and support allowance and, when I read about the 50-page ESA1 application form, I sympathised with those who believe that the process is too lengthy and overly complicated.

I still believe that the intentions behind the new allowance were sound and that something had to be done to change the previous system. The employment

and support allowance was, potentially, a step in the right direction. It is designed to enable those who want and are able to work to get back into work. That will benefit not only the individual but the economy as a whole.

1.00 pm

My guiding principle on matters of state benefits is clear and simple: benefits should be made available to those who are entitled to them and should be denied to those who are not, and fraud should be prosecuted and eradicated. I understand that evidence is emerging that some vulnerable groups are experiencing difficulty with the new processes that are linked to the employment and support allowance, especially people who are affected by autism. That was clearly never the intention of the employment and support allowance, and it is only right that the Minister and the Department should reassess the outworkings of the employment and support allowance to ensure that unnecessary obstacles are not placed in the way of genuine claimants.

I am not, however, writing off the employment and support allowance as a failed initiative; it has positive aspects and aims, in that it seeks to ensure that those who are capable of working are encouraged to do so. Too many people find themselves stuck in a rut of long-term unemployment. In some cases, generations experience it, and it becomes an alternative lifestyle choice.

Recent evidence shows that it is more difficult to claim benefits because of sickness. The number of sickness-related benefit claims likely to be rejected across the UK because of the new system will top 250,000 a year. In light of the low productivity and disproportionately large number of claimants in Northern Ireland, that should be welcomed.

It is a crime to condemn people to long-term unemployment, and we must do everything possible to ensure that those who want to and are able to work get back into work. That will benefit not only the individual but the economy as a whole.

The current economic climate means that there are far fewer jobs than there were this time last year, and we must recognise that those who are able to work can work only if jobs are available. That is a challenge facing Governments and economies worldwide.

I am content to support the call for a review of the employment and support allowance to see that it is implemented in the most effective and efficient manner and what modifications can be made to improve its outworkings.

**Mr Burns:** I am grateful for the opportunity to speak once again on the employment and support allowance. As Members will know, this is the second time in recent months that a Sinn Féin motion on this



issue has been debated in the Assembly. Members will also know that, as has been stated by other Members today, the employment and support allowance was introduced approximately one year ago as a replacement for incapacity benefit, and the idea behind the change was worthwhile.

The employment and support allowance focuses on how people can be helped into work, and it was never assumed that a person who has a medical condition is incapable of working and does not want to work. Everyone wants to work, and everyone should have the opportunity to do so. When people are in employment, they are better off, not just financially; their health, self-confidence, social networks and general well-being are all improved and strengthened by their having a job.

However, the employment and support allowance is quite a complex allowance, and there were some teething problems with its introduction, particularly with the phone system and the processing of new claims. Many individuals who claim the benefit are vulnerable and include people with learning disabilities or mental-health conditions. However, as the Minister explained during the previous debate on the issue, much effort has been made to assist claimants. Performance regarding the handling of employment and support allowance claims has improved and continues to improve all the time. Although we are satisfied with the improvements that have been made, we want to see even more.

The performance of the telephone system has improved vastly. It was far from perfect at the start, but more staff have been deployed and the people manning the phones are more experienced. Nearly all of the calls to the 0800 and 0845 numbers are answered and dealt with right away.

A similar improvement has been seen in the processing of forms. The average time for processing the old incapacity benefit form was 22 days, but the average time for processing the new employment and support allowance form is 16 days. Therefore, people are getting their money faster under the new system, and we hope to improve on those times.

The majority of customers make their claims over the phone, but the employment and support allowance centre has new procedures in place to assist people who have difficulty making a claim in such a way. Assistance during a telephone call can be provided by a representative acting on behalf of a claimant, or forms may be filled in at home. If that does not suit, a claimant may go to the jobs and benefits office for face-to-face service, and they can bring someone with them to act as their representative during that visit.

Staff have been given awareness training regarding autism. Disability awareness training has also been provided by Disability Action. The training is being

provided to telephone agents and all other operative staff, and the process should be completed soon.

The motion urges the Minister to consider the most vulnerable in our society and their claims to employment and support allowance, and that is exactly what has been done. Everything should and will remain under review, and the measures that we have in place will, no doubt, be built on in the future.

It is right to expect that staff are properly trained to deal with all types of employment and support allowance claimants and that people find it easy to access their benefits and get their money on time. That is the type of service that we intend to deliver. I support the motion.

**Ms Lo:** I support the spirit of the ongoing welfare reform, which aims to reduce the number of people who are dependent on long-term benefits and to get more people back to work. Our Programme for Government has as its top priority the building of the economy. It is important that more people become economically active in order to allow us to move away from a benefits culture.

Research findings from the Department for Work and Pensions on new claimants to the employment and support allowance, from its commencement in October 2008 to February 2009, covered almost 200,000 claims, and it showed that only 5% of those seeking the allowance were assessed as being incapable for work. Those people are, therefore, entitled to the full benefit with a rate higher than the previous incapacity benefit.

It is important that we target the genuine cases and give adequate benefits to those who are most in need. However, research has shown that the majority of people want to work, because it gives them not only financial reward, but higher self-esteem and better health and well-being. The employment and support allowance focus on helping people to get back to work is right. However, claimants also need proper advice, support and training to enable them to get into the workplace, and we need to help them and be more sensitive and caring as they go through the process.

During the initial period, my office, like others, received a number of complaints about the delays in the application process, which caused a lot of unnecessary concerns and stress to people who need the money, and who, because of the delays, are facing difficulties and hardships. Indeed, one applicant sent in a completed application form, enclosing all of the original documents, yet was told that the office had not received it. The assessment office eventually owned up to the fact that the application had been lost in its internal postal system. The new process is certainly complicated. However, it is still very new and will take time to evolve, so we should not be too hard on the staff in the new office.



We need to listen to a number of disability organisations that have raised awareness of some health conditions and the impact that the employment and support allowance may have on people with disabilities and certain health conditions. It is essential that the staff and health professionals who are involved in assessments receive adequate training and are given clear guidance to help them through the very complex process. That will allow them to become more understanding, sensitive and knowledgeable about the various disabilities that they are dealing with when carrying out assessments.

For example, Macmillan Cancer Support has advocated that anyone who is undergoing active cancer treatment or who is terminally ill should not be subjected to compulsory interviews. I am very sympathetic to that view and feel that we must look into such approaches. Furthermore, the Nationalist Autistic Society has made it clear that autism is a lifelong condition and has suggested that asking those with autism to produce sick lines time and again is impractical. Again, such criteria should be reviewed and scrapped. Moreover, the Parkinson's Disease Society has pointed out that the conditions associated with that disease fluctuate and that the nature of the disease varies. It has suggested that that variance could mean that people with that disease could have their illness assessed as manageable.

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

**Ms Lo:** Such an assessment could mean that the applicant does not receive the benefit to which he or she is entitled.

I support the motion, but we must listen to all of the voices from the voluntary sector.

**Mr Craig:** I support the motion. When the employment and support allowance was introduced in October 2008, its aim was to help those with disabilities who want to work — and I stress the word “want” — and who can work to get back to work. That must be borne in mind. I believe that the Government were right to create this lifelong benefit for those living with disability. There are some people with disabilities who want to get back to work, but find it extremely difficult to do so.

However, the employment and support allowance is not without its problems, all of which seem to emanate from its administration. In reply to a question asked in July 2009, the Minister stated that the total number of claims received between October 2008 and June 2009 was 21,457. That shows the incredible demand that there has been in the system for the allowance.

Issues with the telephone system have also been highlighted, and people are being encouraged to make a telephone application rather than take part in a one-to-one interview. The total number of telephone calls that the unit dealing with the allowance received in that

same period, October 2008 to June 2009, was 167,441, which, by anyone's account, is a massive number of calls. Therefore, is it any wonder that people have had difficulties in getting through and have been left on hold? The system is in overload; there is no other way to describe it.

Earlier this year, the Minister admitted that there were issues with the telephone system, and, in fairness, she introduced measures to improve the situation. However, even with those improvements, there are still some issues about the length of calls. Given those facts, it would be unwise for people to use their mobile phones to call the system because they could be waiting for a long, long time.

*1.15 pm*

I also take issue with the 13-week assessment period. Why does it take 13 weeks? The process is complex and daunting; that is the understatement of the century. The books must be balanced, and bureaucracy is breeding bureaucracy. We are inventing a system of support for a support system. That is bewildering in anybody's mind. We must get our heads round a way to simplify the system without allowing it to be left open to abuse. Last week, I listened to a discussion on ‘Good Morning Ulster’ that highlighted the fact that we are engrossed in form filling, and, unfortunately, all those benefits came to mind. It is an administrator's heaven. We must examine the issues and simplify them.

Some people seek to play the system, which, unfortunately, has led to a lot of the administration. However, those who are out to play the system can take advantage of bureaucracy. We think that we can catch out those people if we make the forms more complicated. In my experience, those people are much more intelligent about form filling than, possibly, Members of the Assembly or administrative staff who fill out forms. The process can end up being counter-productive. I appeal for the system to be simplified. How many cheats are clogging up the administration system? We can never seem to find the answer to that question. Nevertheless, we continue to over-complicate the system to accommodate —

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

**Mr Craig:** Finally, although I agree that there are complications and issues with the system, I fundamentally believe that the Government's initiative is worthwhile. We live in an era in which there are not as many jobs as there were, but we should not forget the individuals who want to work.

**Mr F McCann:** Go raibh maith agat, a LeasCheann Comhairle agus a chairde. I support the motion. Although I understand that the Minister may have no room for manoeuvre when she deals with the legislation and the employment and support allowance, she has control

over how the benefit is administered. When the Bill was introduced, we raised a number of concerns about the impact that it would have on those claiming the new benefit. Let us face the fact that the British Government can dress it up any way that they want: it is not about making life easier for those unfortunate enough to be claiming the benefit; it is about eventually reducing the number of people claiming incapacity benefit, or the employment and support allowance, as it is now labelled. I have heard it said that the Government's target is that half of those who currently claim the benefit will eventually be put off claiming for it. Over 100,000 people receive the benefit in the North, so imagine the impact that that will have.

I spoke to several people who work in the section that administers the employment and support allowance. They summed up the situation by saying that chaos reigns and that senior managers have little experience of dealing with front line services but that they are pushing the benefit, warts and all. Many of the staff are at breaking point.

Some time ago in the House, I asked about the use of phones, and I was told that each office had free phones that were tied to BT; that is not the case. At that time, I was concerned about the large number of people who are not tied to BT, who have access only to a mobile phone and who are out a small fortune for using their mobile phones to make claims. Although the Minister said that the service was free at the point of use, BT is paid by the Department for the service. My colleague Mickey Brady gave a clear example of how expensive it can be to phone that service.

It is also interesting that, between 27 October 2008 and 26 June 2009, 167,000 people used the phone service. Of that number, 125,061 calls were made from the inquiry line; therefore, those callers had to pay for the service. It would be interesting to find out how much money BT was paid for the service and how much money claimants have had to pay since the benefit became live.

People who apply for benefits are the most needy in society. To make them pay for the luxury of making a claim is somehow immoral. I represent a number of the most socially deprived wards in the North. The local benefits office has scaled back the number of employees, all of whom had provided an excellent service for claimants. When people arrive at that office to claim employment and support allowance they are informed that they should go to the local advice centre, where they will be allowed to use the phone and will get help with their claim.

We were told that free phones would be available in each office, but there are none in the office on the Falls Road. I asked someone to call there this morning in case phones had been provided over the weekend, and

they were told that the office was supposed to get them but that they had not been provided. That office is recognised as dealing with the most socially deprived people in Belfast. Claimants either arrive at our party office on the Falls Road or use their own phones at a cost.

We have also been told that it should take between five and nine minutes for someone to make a claim by phone. I recently witnessed someone making a claim by phone, and they were on the phone for at least 20 minutes. I also rang a number of advice centres, and they verified that the norm is 15 to 20 minutes but that it can take longer. When people make first contact on the phone but do not have all the required information at hand or cannot remember dates of previous claims, they must make a second or third call to finalise their claims.

It is my understanding that the employment and support allowance division does not have a public office; all contact must be made by phone or letter. Some cases can run for months, with employment and support allowance (ESA) staff asking for additional information. People have been asked for information to back their cases and then, several weeks later, have been asked for other bits of information. That can be the case when customers are asked for financial records; they supply a statement and find that, after some weeks, they are asked to supply further statements for three months and then six months, thus prolonging the claim. That is causing serious problems for claimants. One would think there would be a set list of required information that would cut out all the administration and ensure that people would be paid speedily.

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

**Mr F McCann:** People who were previously in receipt of income support can apply for employment and support allowance only when their income support expires. There should be a mechanism to allow people who are in receipt of income support to apply for employment and support allowance weeks before their income support runs out. That will ensure that people will be paid during the waiting process.

**Mr Easton:** In supporting the case for a review of the administration of employment and support allowance, it is useful to analyse the aims and objectives of that allowance and to highlight the fact that its administration should worry Members. That is all the more significant when we realise that the people who depend on the allowance are vulnerable, hence the need for urgency.

The research that shows that nine out of 10 new customers for what was incapacity benefit state that they wish to return to work will be warmly welcomed. It shows a positive work ethic and demonstrates that people who have the right assistance and support can

go on to take up successful employment. We are taking a holistic approach, caring about the whole person. Returning people to employment is more than just boosting the economy. I can point to the plethora of research that shows how employment positively contributes to physical and mental health, contributing to the overall sense of well-being of the individual and their respective families.

The provision of the pathway adviser, bringing the knowledge from the Department for Employment and Learning and assessing financial support packages, is highly commendable. I also take time out to acknowledge the provision of the condition management programme, where the professionalism and vocation of our Health Service staff are utilised to assist and support our people to manage an illness or disability in a work context.

We must acknowledge that some people are unable to undertake any work-related activity. Those people must be offered increased financial support, and no burden of expectation must be placed on them that they should return to work.

Time does not allow for a full analysis of the benefits, but it would be remiss of me not to note the benefits of tailored personal support with a trained advisor who provides medical assessments that allow individuals to find out what they can do and what personal support is available to help them to do it.

Several questions must be asked. Is employment and support allowance getting to the people who are most in need of it in a timely and efficient manner? Are queries being answered promptly? Are the vulnerable sections of society who depend on the employment and support allowance getting the service that has been outlined?

Regrettably, I cannot respond to those questions positively, and major questions remain. For example, a major cancer charity has expressed real fears that the system's safeguards are inadequate to prevent someone who is undergoing active cancer treatment from being compelled to attend interviews. Due regard must also be paid to people who live with complex illnesses such as Parkinson's disease. The Parkinson's Disease Society noted its concern that, if a person were incorrectly assessed as having more manageable symptoms of Parkinson's disease, the ensuing stress of attending work-focused interviews would exacerbate the problem and lead to increased difficulties in managing the situation.

Lessons can be learned from the administration of the employment and support allowance here and in other parts of the United Kingdom. Problem areas include the creation of increased barriers to entitlement; red tape and burdens of bureaucracy leading to people getting into debt; claimants being judged ineligible when their general practitioner is in no doubt that they are unfit for work; and the mental health of ex-service

personnel who have endured traumatic experiences not being considered.

The case for review could go on and on, but the unequivocal fact is that vulnerable people in the system have been left wanting, which is unacceptable. Earlier, I outlined the noble aims of the employment and support allowance; those have not been delivered, leaving many to raise the issue that the administration of the system is not fit for purpose for some of the most vulnerable people. The review must come as a priority for those sections of society.

**Mrs M Bradley:** I am sure that many Members have been contacted, at some point, by constituents who are disgruntled to say the least by the employment and support allowance, most likely because their entitlement to the benefit has been critically questioned. The long and troubled history of Northern Ireland that, hopefully, we are leaving behind, has made it difficult for communities. For many people, incapacity benefit was the benefit of choice, and, given some of the physical and emotional injuries that many people had been subjected to, that is hardly surprising.

On 27 October 2008, the employment and support allowance replaced incapacity benefit, and there are bound to be teething problems. In the early days of the transition, my office was busy with complaints regarding ESA; now it seems to have become considerably quieter. However, that does not mean that ESA is perfect in any way. The roll-out of any benefit at any level is complicated, but, when the Labour Government decided to change incapacity benefit, it was problematic, to say the least.

The new process makes it difficult for people suffering from disabilities or illnesses that are not readily recognised or visible. For example, people with autistic spectrum disorder appear perfectly healthy, and their disability is masked quite easily and unintentionally on the applicant's behalf. Therefore, it is essential that staff in ESA centres are trained to the highest standards and equipped with the appropriate tools and education to identify and assist applicants who suffer from autistic spectrum disorder.

It is also essential that staff are made aware that it should be the norm, rather than the exception, that they make clear to applicants their right to engage the help of an advocate who can act on their behalf throughout the application process. It is essential that people who suffer from serious illnesses but whose prognosis is not terminal are given the time and assistance that they need to recover from their illness and not feel pressurised to return to work prematurely simply to keep government Departments off their back. However, many constituents are under that impression. All Members will have been approached by constituents who have similar stories.



1.30 pm

There is a fine line between good practice and harassment. I am pleased that the Minister recognises that and that she is doing all that she can to make the process more user-friendly and accessible for those who find it difficult to make an application in the first instance. Given the economic climate and the negative effect that its implications can and are having on people's emotional and physical health, I can assume only that the employment and support allowance benefit will be fully utilised with those factors in mind.

It is right and proper that I finish with sentiments that autism pressure groups expressed throughout the Don't Write Me Off campaign. They want to receive the right information to assist them to get work when they are able to do so; the appropriate and timely payment of benefits when they are not able to work; and knowledgeable and well-trained staff to appreciate the difficulties involved for vulnerable people.

**Mr Shannon:** I support the motion, and the Minister will take all the issues on board in her response.

The Department for Social Development website states that some 114,000 people are on incapacity benefit — the precursor to employment and support allowance — 74% of whom have been dependent on it for more than two years. Nine out of 10 claimants are anxious to return to work.

It is positive that many people want to gain employment, but, from what I hear in my constituency office, the change from incapacity benefit to income support and now to employment and support allowance does not provide much encouragement. I am sure that many other Members who are present in the Chamber are aware of that problem, and perhaps they referred to it today. People who are unwell are already under stress, mostly because of their illness. However, that stress is increased by paperwork and the many hoops through which they must jump to get money on which to live. In many cases, that stress causes a worsening of the illness. The motion aims to address the problems with the system, some of which I will now highlight.

In common with most Members, I have had too many constituents come to my office because they simply cannot climb over the paper mountain to access the benefit that will enable them to feed their children. It is as basic as that. We have all heard horror stories from those who visit our constituency offices. One young lady, for example, despite having provided all the required information, had not received a payment for three weeks. She spent almost £10 calling the central number for the employment and support allowance from her mobile phone, because low-cost calls do not extend to mobile phones and she does not have a landline.

**Mr F McCann:** I had hoped to raise that issue when I was saying a few words. When claimants are waiting for their first payment, they are entitled to only one crisis loan, which quickly runs out. They are left to their own devices for the remainder of the time.

**Mr Shannon:** I thank the Member for his intervention, and I wholeheartedly agree with him. I could provide more examples from my constituency office.

The young lady came to my office almost every day for a week in an attempt to get her money, and she was unable to understand what the problem was. When my office staff made some calls, they discovered that further information was required from the Child Benefit Office. Sometimes, therefore, other agencies do not feed into the system. When we rang the Child Benefit Office, we were assured that they had sent the information but told that because their computers were down they could not check. Calls went back and forth for three days until we got in touch with an employment and support allowance officer in Belfast, who took it upon herself to go to the office to clear up the paperwork. That young lady deserves great credit, because she did more work on that claim than most of the other staff and eventually sorted out my constituent's problem. I want to put that on record.

I am aware of too many such cases. Suffice it to say that the system as it stands does not always work and makes little sense to most people. The new system has teething problems, but those problems are so serious that they must be inherent in its make-up. The teething stage should be well behind us.

I want my points to be constructive. When constituents call into the social security office building in Ards with information that has been requested, such as a doctor's line, they hand it over to the staff, who efficiently send it by courier to Belfast so that it arrives there the same day. One would like to think that someone would process that information and facilitate a payment within the next day or so, but that is not the case. It takes five days for the information to be processed. Again, the system is not functioning as it should.

The telephone system — again, I have some constructive criticism — is a complete nightmare. People who are down to the change in their purse are unable to put credit on their mobile phones to make the necessary calls. In saying that, I must be honest and admit that, any time that I have phoned with a query, staff have been most pleasant and helpful. However, the system as a whole cannot be tolerated for much longer. If my constituents are able to tell me that they have encountered problems, the system needs to change.

People are confused about what forms need to be submitted and copied. Members will love this one: one of my constituents was advised by her doctor to photocopy her sick line several times and to send one



in the post and one by fax because of the surprising way in which sick lines get lost and because she had too many patients to write out three copies of a sick line for her every month. That is what some doctors are saying. If that is going on, there is a problem somewhere in the system. That doctor was not being rude; she was simply being honest. She certainly has more work to do than to fill out the same forms for patients over and over again. She should not have to do that.

I want to take the opportunity to ask the Minister to ensure not only that there are clear markers for people, so that they understand what forms need to be submitted in order for them to get their money, but that the system is revamped so that, when people have gathered the relevant information, it is processed in a timely fashion, and they do not have to wait weeks before getting their money.

We would not accept that delay from an employer who did not pay us our sick pay properly. Why should it be acceptable for Departments to do that? It is not acceptable. I am sure that the Minister will deal with Members' questions in her response and that she will undertake to make the changes that are necessary to help my constituents and those of every other Member and to improve the system for employment and support allowance.

**Mr McHugh:** I support the motion. Members who have contributed to the debate are aware of the difficulties. As I am the last Member to speak before the Minister responds, many of my points have already been raised. Some of the salient points that Jim Shannon made certainly ring true for me, as do points that were made by Fra McCann, who knows the system backwards.

I often wonder why certain changes are made. In my part of the world, "ESA" means different things, depending on who you are speaking to. To farmers, it is an "environmentally sensitive area". Almost every five minutes, there is a change of lingo. Members must make a great deal of effort just to keep up. I wonder why the title of incapacity benefit or sick pay was changed. Why does it have to be called "employment and support allowance"? Is there a hidden reason behind that decision? Is there a drive simply to get people off benefits, as Fra McCann has said? A large number of MLAs will never have been in the position of being able to identify with people who need those benefits, because they come from a wealthy background or are well enough paid. They have never known what it is like to depend on a small amount of money each week.

The Minister should look at making the system people-friendly. It should be about the people who need the money. In some instances, it is a matter of surviving from week to week, as Jim Shannon said.

The system creates great fear and puts pressure and stress on people who are in any way ill when they know that their money could be cut off in a week or two if, for example, they cannot prove that they are looking for work. Imagine the litany of bureaucracy that would be involved in checking whether someone looked for work at a time when there is no work even for people who are capable of doing it.

Thousands of people — young fellows — were able to build from here to Dublin. Now they have not got a single thing to do, yet they are being made to prove every week that they have gone to employers to ask for work. God help employers who must listen to people who come in to get forms signed about work that they simply do not have enough of for themselves, let alone for the people who ask about it.

A certain attitude exists. I am sorry if I appear negative; however, there seems to be a Civil Service drive, certainly at Whitehall or Westminster level, to attack people who perhaps, for educational reasons, cannot get out of the culture in which they find themselves. That is why I have taken a broad-brush approach rather than dealing with individual differences. I am aware that the process itself has massive difficulties. Every week, I hear about them in my office. I often wonder whether anyone else does anything about those problems when all the people come to me. Individuals who try to get through the process experience great difficulties, not least of which is having to make calls on their mobile phones.

I must say that, without question, Civil Service staff at the Department's Enniskillen office do a tremendous job. For the most part, civil servants are proactive in helping people, but some have a chip on their shoulder. It should be taken into account, when reducing the number of people on benefits, that there are no bleeding jobs out there. That should be taken into account when people are harassed about filling in forms, which I see every day of the week.

Some young mothers want to look after their kids even after they have reached age of 12. They are doing a very good job at home and do not necessarily want to go to work. That should also be taken into account at a time when there is no employment, because there is no point in them wasting their time going to businesses to look for jobs. Indeed, in the case of Fermanagh, there are now no big employers anyway, except for Sean Quinn.

ESA was designed during the boom, when there was full employment and we needed to drive people back into work. However, that has changed, and I do not think that all the things that were done during the boom time to reduce the number of people on benefits were necessarily done for the right reasons.

I will leave the Minister to think about those points. Indeed, all the points that other Members made are very valid.

**The Minister for Social Development (Ms Ritchie):**

I thank everyone who contributed to today's discussion. The employment and support allowance centre celebrated its first birthday on 27 October, and I welcome this timely opportunity to update Members on the progress made in the first year and highlight the steps that my officials have taken to engage with various groups to ensure that the needs of the most vulnerable customers are taken into account.

The principle behind ESA is that appropriate work is good for most people's physical and mental health and well-being, as well as for their finances. It is about creating more opportunities for individuals and helping to raise their personal aspirations. ESA focuses on what people can do rather than what they cannot do, and it helps them to improve their own lives and the lives of their families.

Employment and support allowance is a more active benefit, and most ESA customers are expected to consider appropriate steps to move back into work, although they will not be forced into work. The most severely disabled people, those with severe health conditions and those who are very ill, do not have to undertake a work capability assessment. That is the policy, and I think that it stacks up as a policy. Several references were made to people who are severely disabled and are suffering. We are being very sensitive about people who are suffering from terminal illness or from other life-threatening conditions.

I accept that many of the concerns expressed today are not about the policy but are about implementation and administration. Implementation involved migration from two complex benefit regimes, incapacity benefit and income support, to one new, equally complex benefit. Members will rightly ask about the challenges. They involved training large numbers of staff to expert level; moving thousands of claimants over during the transfer; introducing completely new processes headquartered in a single new centre; and shifting most of the customer interaction over to telephony. Therefore, lots of change came with the Welfare Reform Act, and I think, by and large, our staff achieved the transition without any calamity and without dropping the ball. However, I am the first to admit that there were teething problems. Policy projection in Britain underestimated resource requirements, but the Northern Ireland ESA centre quickly addressed the matter, setting up a dedicated hotline when the service was launched. Looking at performance now, we have come a long way in a single year.

Many concerns have been raised today about the treatment of vulnerable customers. Inevitably, many

ESA customers have vulnerabilities, including mental health and learning challenges, and, although measures have been in place from day one to provide additional support for vulnerable customers, those have been built upon over the past year. That is notwithstanding the number of issues that have been raised by MLAs, MPs and other public representatives, as well as customers themselves. It is through that learning experience that we improve our administrative systems.

*1.45 pm*

There are safeguards and choices for vulnerable claimants right along the customer journey. For those who have difficulty using a phone, an application form can be filled in. Members will recall that I made a point of making ESA forms available to their constituency offices as well as via the voluntary advice sector and the agency's local office network. That was to ensure that there is the greatest possible opportunity and accessibility for everyone. All those who are entitled to the allowance should be applying for it or having their application forms assessed.

Vulnerable customers can also make best use of the face-to-face service that is delivered from the extensive local office network through the jobs and benefits offices, whether for information and advice or help with an application. In addition, special arrangements exist to enable ESA claims made on behalf of a vulnerable person by representatives, family members or other advocates to be dealt with over the telephone. In fact, I sat with staff in the ESA centre while they completed such an application form over the telephone. Where a doctor considers that additional medical evidence would be beneficial in considering whether a customer should be placed in a vulnerable category, that will be followed up.

As we are particularly conscious that some customers with certain health conditions or disabilities may not fully appreciate their obligation to attend a medical examination or provide evidence to substantiate their application, a further safety net has been built in, whereby an officer will visit a vulnerable claimant in his or her home to provide help. Any customer who is disallowed the ESA following a medical examination has a right of appeal. In most instances, such customers will continue to receive the allowance pending the outcome of their appeals.

Let me say a few words about how the ESA is performing now. Things have moved on in the past year. Interestingly, nearly 80% of all customers calling the free phone number to enquire about making a claim go ahead and make that claim over the phone. Jonathan Craig referred to the number of claimants. We have now 33,000 claims for ESA. All of that is a sound endorsement of the new telephony service. I have seen it working. The average time taken to deal

with a full claim is between 20 and 25 minutes. That includes the option to make a claim for housing benefit. My officials are very conscious that it may take time for people to express or convey their requirements. Therefore, we give them time over the telephone to do that. We are particularly sensitive in that respect.

As for getting through to the ESA centre, there has been a dramatic improvement over the year. Some 95% of calls are now answered first time and waiting times have reduced significantly. On average, ESA applications are now being processed in less than 16 days, from the customer's initial contact to payment. That compares favourably with the 22-day target for the old incapacity benefit. In addition, procedures have been put in place to offer customers the option of interim payments rather than to direct customers to the social fund. That said, crisis loans are an added safety net for customers who are facing financial hardship.

Jim Shannon referred cases to me, even at my constituency office. My staff have communicated to me on particular issues, as did other Members. I was glad to be able to have those issues resolved to the satisfaction of those concerned, because we are dealing with some of the most vulnerable in society and we want to be able to help them to get a resolution. I am interested in helping people to get solutions to their problems.

**Mr Shannon:** The Minister has made herself available to me to discuss a number of constituency issues. I have met her in her office, and her phone number is available. She gets the job done.

**The Minister for Social Development:** I thank the Member for that intervention.

I think that we have shown initiative and applied common sense by arranging, where possible, to pay the contributory benefit of ESA while information continues to be collected for any income-related element. As always, our commitment to customers is to get their payments issued as soon as possible. Overall, the management and staff of the agency have achieved a lot over the past 12 months, and the service will continue to improve.

Recently, I launched the Department's new benefits adviser service, which is a free, anonymous service that allows customers to check their potential entitlement to 27 benefits, pensions and credits, and to get an estimate of the amount of financial assistance that they may be entitled to for 11 benefits and credits, including ESA. It also has the facility for customers to simulate "what if" scenarios to find out what would happen if their circumstances were to change. Therefore, we were thinking of every eventuality. That complements the ongoing promotion of benefit uptake, which has been a key priority for my Department. Since 2005, our benefit

uptake programmes have generated more than £27 million in annual benefits and arrears for customers.

In addition, an outreach service has been running for some time to get accurate and practical information about ESA to vulnerable customer groups. For instance, in recent months, staff from the centre have visited special schools to talk about ESA for youth; they have spoken to supported employment organisations about the work that customers are permitted to do while receiving ESA; and they have engaged with the Northern Ireland education and library boards' transition service to ensure that young people aged between 16 and 19 years with special educational needs and their carers are fully aware of any ESA entitlements.

Not only have my officials visited groups that represent our most vulnerable customers, they have arranged for representatives and advice workers to visit the ESA centre to see at first hand how it works. Only two weeks ago, advice workers from the National Autistic Society visited the centre and saw for themselves how calls are handled and how the ESA process works.

I am also committed to ensuring that staff are properly equipped to deal with all aspects of ESA, and, to that end, learning and development is an operational priority that is not just restricted to in-house training courses. For example, Disability Action has delivered disability awareness training to 120 ESA staff to date, with another 130 to follow. The Advice Services Alliance has worked with ESA on developing frequently asked questions for their members and the public to access.

To celebrate ESA's first birthday, I recently spent a morning in the ESA centre and was immediately struck by the positive attitude and morale of the staff whom I met. Those staff have a real can-do approach. They have faced the difficulties encountered in developing the new service with great commitment and professionalism, often going that extra mile when necessary.

Although many observers feel that the ESA claim form is too complex, unfortunately the detail that is required is dictated by legislation that has already been endorsed by the House. That said, we should remember that customers used to have to engage with staff from the incapacity benefit branch, income support and the Housing Executive to progress three separate claims that can now be made during a single 20- to 25-minute telephone call.

Members will also be interested to note that the ESA helpline is being extended to increase capacity for all elected representatives. I encourage Members to continue using that service, if and when required. I also assure Members that procedures and processes in the ESA centre are under ongoing operational review.



Staff are learning from that approach, and performance continues to improve.

Issues were raised today that derive from constituent cases. If there are particular issues that Members want me to examine, please give them to me, and I will be only too content to examine those cases to ensure that a solution is arrived at.

Reference was made to mobile phones, and I can tell Members that ESA staff are instructed to offer customers a call back on request.

Anna Lo raised the issue of sick notes. Customers are only required to have a medical certificate to support their claim until they are assessed. When someone is assessed and remains entitled to employment and support allowance, the important point is that no further medical certificates are required.

**Mr Deputy Speaker:** Will the Minister draw her remarks to a close?

**The Minister for Social Development:** Other issues were raised by Members, and I will come back to specific Members in writing. The debate is a timely opportunity for me to extend an invitation to Members to take the time to visit the ESA centre to see at first hand the solid work that staff are doing to deliver this new benefit for customers —

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

**The Minister for Social Development:** Not least those who are most vulnerable in our society.

**Ms Ní Chuilín:** Go raibh maith agat, a LeasCheann Comhairle. I thank my colleagues for tabling the motion, and I thank the Business Committee for its support. I thank all Members who contributed to the debate, which has been very constructive.

It is worth repeating what Mickey Brady said about some of the difficulties and stresses that staff in the ESA centre have experienced. One of the central themes, as touched upon by most Members who spoke, is that staff are doing a good job; it is just that the system seems to be completely overwhelmed.

I will go through some of the comments that Members made and then come to some of the points that the Minister seemed to invite me to return to.

The motion calls for a review of the administration of the employment and support allowance. Thomas Burns pointed out that this is the second time that we have brought such a motion to the House. Regardless of the number of times the motion has been before the House and which Department it addresses, if the issue exists and if it continues to be problematic for people, particularly for claimants who, as outlined, are the most vulnerable in our society, any Department should welcome constructive criticism and indicators of how the system can be improved. The need for additional

staff and resources is a point that has been well made throughout the debate.

Mickey Brady made the point that, at a very personal level, applying for ESA is demoralising, especially for people who have cancer, Parkinson's disease or other life-limiting illnesses, for people with autism or mental health problems, and for anyone who has had to endure countless minutes on the phone. Mickey Brady gave the example of a woman who had to spend £17 on calls from a mobile phone before she got an answer. Perhaps she did get a call back when staff got her application; however, that is very demoralising. Poverty is a humiliating experience, and trying to access a benefit around which there are so many difficulties and barriers — including having to pay £17 for a phone call — adds to that humiliation. I think that all Members and everybody in the Department would want fewer people to have that burden.

There have been difficulties with the telephone system and the way in which people have tried to make applications for ESA. That issue was raised by almost every Member who spoke. I suggest that, at the end of the debate, the Minister and her civil servants look at the Hansard report to see whether Members' suggested improvements can be made. I do not think that anybody raised anything that would cause any major shakes. Members have been very measured and considered in their contributions.

The reason why we tabled the motion, and why so many Members spoke to it, is that the administration of the employment and support allowance is a source of ongoing difficulties in our constituencies. It is frustrating for people who are trying to make a successful claim.

2.00 pm

Simon Hamilton, speaking as the Chairperson of the Committee for Social Development, said that Committee members have concerns. I am sure that David Simpson, if he were in the Chamber, and former Committee members could talk about the difficulties that they encountered, but most Members support the principle of getting people back to work. However, getting people back to work should not be done at a cost to others, and that is where Simon Hamilton departed. The employment and support allowance is for people who have a can-do attitude and who want to get back to work. DSD and DEL have a role to play, and Simon Hamilton said that no one should be left behind or forgotten about.

It is worth revisiting the report on DLA, because it made helpful recommendations on the employment and support allowance. Mickey Brady and other Members made the point that, although DLA, like the employment and support allowance, is a parity issue, the Assembly, the Minister and the Department can



adopt a local approach. That may mean adapting and amending measures to fit local trends and to help local people. The report's approach to DLA was progressive.

Billy Armstrong mentioned that the process was too lengthy and over-complicated and supported the call for the employment and support allowance to be reviewed. From what I heard in the debate, no Member wants the benefit to be stopped as part of a big shake-up. Members should shout out if they feel that I am speaking out of turn or not accurately articulating what they said. We need to try to address the comments and queries that have been raised in the debate.

When Thomas Burns talked about "we", I thought that he was talking on behalf of the Department. I thought that he had inherited the Department over the weekend. Perhaps some of his notes got mixed up with those of his colleague the Minister for Social Development. He made the point that there is a need for a face-to-face service, which is important.

Mary Bradley, Anna Lo and other Members mentioned the Don't Write Us Off campaign, autism and people with cancer and other life-limiting illnesses. There is a need for proper sensitivity and understanding. By and large, most staff have the necessary awareness, and it is helpful that organisations provide training. The time that people have to wait for a response seems to cause much frustration.

Jonathan Craig reiterated that the employment and support allowance is about helping those who want to get back to work. He said that the initiative is still worthwhile. However, the system is experiencing a massive overload, which is creating huge stresses and challenges. That is a crucial element of the debate. We need to consider the 13-week assessment period because that would constitute a practical step that we can take to make a difference.

Fra McCann spoke about the number of people who are trying to make claims but are having difficulties. His constituency office is probably one of busiest in Belfast for dealing with issues from benefits claimants. As Gerry McHugh said, Fra McCann, like Mickey Brady, knows the welfare system inside out because he has represented the needs of claimants for a number of years.

Alex Easton spoke about the plethora of bureaucracy that people face, particularly those who have mental-health problems. There seems to be a need for a better point of delivery. From what the Minister said, I am sure that the comments on that issue in the debate will be taken on board.

Jim Shannon gave the practical example of a constituent's coming into his office with a horror situation that must have been traumatic. It is totally unacceptable that a girl who had only pence in her purse was waiting for an answer. The worst thing is that that girl will not be alone: similar cases will be

experienced by many people in our constituencies. I am delighted that Jim Shannon received such a quick response and that the Minister intervened. However, the Minister cannot be expected to intervene for everybody who experiences difficulties with the process.

If any intervention is made, it should be to give more resources to the staff who administer the employment and support allowance. More support staff are needed, as well as the practical measures that were mentioned.

Gerry McHugh spoke about changing the names of benefits, and that in his constituency, people think that ESA is an abbreviation of the phrase "environmentally sensitive area". The name of the benefit does not really matter to the people who have to claim it. What matters is that people cannot access the benefit and are experiencing difficulties and trauma.

The Minister mentioned the first birthday of the employment and support allowance and the positive developments that have taken place in the past year. Those developments have to be welcomed: and I am not saying that we should welcome them, then add a "but" — and then the big slap comes. This is not about political point scoring. We do not table motions to score political points; we table them in order to represent the needs of the people who come into our constituency offices. Sinn Féin's constituency offices, as great as they are, are no different to those of other political parties in this place, and employment and support allowance is an issue that is raised persistently in our offices. It is an issue that we can do something about and make a difference, should it be in reducing the waiting period from 13 weeks, examining the telephony system, or looking at support for the staff who administer the allowance. All those aspects should be examined and reviewed.

I welcome the debate and thank the Members who contributed to it. There is one issue that we must take into consideration. Mickey Brady dealt with a woman who spent £17 on telephone calls —

**Mr Deputy Speaker:** The Member must bring her remarks to a close.

**Ms Ní Chuilín:** I certainly will. We must help people to be reimbursed. I am not encouraging people to commit fraud. I am encouraging people who are furthest removed from the system to be included rather than excluded. I thank Members for their support.

*Question put and agreed to.*

*Resolved:*

That this Assembly urges the Minister for Social Development to urgently review the administration of employment and support allowance; and views with concern the adverse impact this benefit is having on the most vulnerable in our society.

## PRIVATE MEMBERS' BUSINESS

### North/South Co-operation

**Mr Deputy Speaker:** The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer will have 10 minutes to propose and 10 minutes to make a winding-up speech. One amendment has been selected and published on the Marshalled List. The proposer of the amendment will have 10 minutes to propose and five minutes to make a winding-up speech. All other Members who wish to speak will have five minutes.

**Mrs D Kelly:** I beg to move

That this Assembly recognises that North/South co-operation and implementation can deliver economic, social, infrastructural and other benefits for the people of Northern Ireland; notes the ongoing North/South review examining (i) the efficiency and value-for-money of existing implementation bodies; and (ii) the case for additional bodies and areas of co-operation within the NSMC where mutual benefit would be derived; calls for immediate publication and public debate of all elements of the review; and further calls for an acceleration of the development and enlargement of North/South opportunities, including, *inter alia*, a response to the economic downturn on this island.

Strand two of the Good Friday Agreement gave effect to the establishment of the North/South Ministerial Council (NSMC), with the aim of developing consultation, co-operation and action on the island of Ireland, including, through implementation on an all-Ireland and cross-border basis, matters of mutual interest within the competence of the Administrations, North and South.

That element of the Good Friday Agreement not only makes sound economic sense, but recognises the aspirations of Irish nationalists for greater co-operation on an all-island basis, the agreement itself allowing for the principle of consent on the constitution of the North of Ireland to be resolved by the people of the North of Ireland.

In voting for the Good Friday Agreement, nationalists on the island of Ireland supported the Irish Government's removal of articles 2 and 3 of the Irish Constitution, but on the clear understanding that there would be greater North/South co-operation on a wide range of areas and responsibilities. That point is often ignored by unionists, who tell us that the establishment of a devolved Assembly at Stormont was of importance to them. They must respect our rights to greater North/South co-operation. As the DUP leader said at his party's recent conference, more than 40% of the North's population cannot be ignored.

Our proposal states that the Assembly recognises that North/South co-operation and implementation can deliver economic, social and infrastructural benefit for the people of Northern Ireland. To know how valid that

statement is, one has only to look at the evidence thus far. InterTradeIreland, for example, has already helped more than 1,400 companies, North and South, to generate added value worth €200 million, with at least as much again expected from current programmes. That is no easy task in the midst of one of the worst global recessions ever seen.

Tourism Ireland has also worked wonders in attracting visitors to our natural heritage sites and to the North and South as a whole. The work of Waterways Ireland must also be strongly commended. Surely its work is more critical today than ever, particularly for the people of Fermanagh? There are other examples of North/South projects, particularly in health and social care, but, for the SDLP, those do not go far enough. Opportunities exist to tackle environmental crime, reduce the effects of climate change, tackle our waste infrastructure on an all-island basis and protect our natural heritage, including our marine environment, as required by European Union legislation.

The motion also calls for the publication of phase one of the North/South review, which was completed several months ago. What does the DUP have to fear from that? One can only assume that the review gives a massive thumbs-up to North/South co-operation, and that that is the real reason why it is yet to see the light of day.

The SDLP will not accept the DUP amendment, which is disingenuous to say the least. It is more to do with the DUP's internal difficulties and Jim Allister than the objective merits of North/South co-operation. Nationalists have been let down by the go-slow on North/South matters. It is quite clear that Sinn Féin has taken its eye off the second strand of the Good Friday Agreement.

We also recognise the importance of the implementation of strand two of the Good Friday Agreement in having the ability to promote and build reconciliation on the island of Ireland between all people, North and South. We have a clear duty to secure a lasting peace between our people, both for our children and for future generations.

I will not be mean-spirited. I recognise the potential for the implementation of strand three of the Good Friday Agreement, the British-Irish Council (BIC), to build better relationships between the people of Ireland and Britain. The Good Friday Agreement is clear about the promotion of North/South co-operation. There is a clear duty on unionism to recognise the legitimate aspirations of people on this side of the House and over 40% of the electorate and population of the North. The motion should not cause fear or consternation to anyone who has the welfare of the people whom they represent at their hearts. The evidence shows that the

work done thus far has been to our mutual benefit, and to the benefit of everyone.

**Mr Ross:** I beg to move the following amendment: Leave out all after “recognises” and insert

“that balanced North/South and east-west co-operation can deliver benefits for the people of Northern Ireland; notes that the ongoing North/South review has yet to conclude; and welcomes the efficiencies imposed on the implementation bodies and Tourism Ireland Ltd.”

The need for the amendment is self-evident. There are parts of the motion that Members on this side of the House could not subscribe to. The remark from Mrs Kelly about how our amendment is motivated by some outside political parties is total nonsense. It is not as though the DUP has just arrived at this position in recent months. We have been consistent in how we deal with North/South matters.

The title of the debate, “North/South Co-operation”, is fine. It is the wording of the motion that causes difficulty. The DUP has always said that it has no issue with genuine North/South co-operation.

However, we do have an issue with the motivation behind the motion, which Mrs Kelly spelt out very clearly when she talked about the nationalist community’s aspiration for a united Ireland. The nationalist community is entitled to have that aspiration, but our party will not help it to achieve it, because we are solidly unionist.

2.15 pm

We recognise that North/South co-operation is very good where it benefits the people of both Northern Ireland and the Irish Republic. We have no difficulty with North/South co-operation if it benefits the people of Northern Ireland, because that is what our party is all about. We are all about making sure that the people of Northern Ireland get the best deal possible, whether from the devolved institutions at Stormont, our national Parliament at Westminster, the European Union, or North/South bodies. We remain focused on that objective.

For years, normal relations with the Irish Republic were not possible. The Irish Government refused to recognise Northern Ireland’s right to be part of the United Kingdom or acknowledge the fact that the majority of people who live in this country want it to remain part of the United Kingdom. Under the Belfast Agreement, the Ulster Unionists and other pro-agreement parties established free-standing North/South institutions that were not accountable to the Assembly. Thankfully, that situation was rectified at St Andrews by ensuring that North/South bodies are accountable to the House.

We have also addressed the imbalance that existed between North/South relations and east-west relations. I am glad that BIC meetings have become more

frequent in recent years. Our relations with other regions of the United Kingdom are very important. Coming from east Antrim, I know that that our Province is strongly connected with Scotland in respect of tourism, culture, and so on. We need to work on such connections. It is a shame that the SDLP motion fails to acknowledge or note the significance of the BIC or the east-west relationship, not just for us but for other regions.

**Mrs D Kelly:** I am surprised at the shortness of the Member’s memory. I said that we will not be mean-spirited and that we recognise the British-Irish Council’s importance in promoting good relations.

**Mr Ross:** I do not have a short memory at all. We can vote only on the words that are on the Order Paper. It does not matter what you say in the course of your speech. What matters is the form of words —

**Mr Deputy Speaker:** Order. I ask the Member to refer all his remarks through the Chair.

**Mr Ross:** I apologise, Mr Deputy Speaker. It does not matter what the Member said in her contribution. What matters is the form of the words that are on the Order Paper.

It is not only unionists in Northern Ireland who regard the BIC and the east-west relationship as important. Small Crown dependencies in other regions of the United Kingdom also recognise the importance of that relationship, as evidenced by the recent spat between the Westminster Government and the Scottish Government about where the BIC secretariat should be located. That is evidence of the sorts of relationships that we are building in the post-devolution era and of the importance of good relationships between us, other UK countries and the Irish Republic.

One of the main issues that we have with the motion concerns cost. The SDLP motion:

“calls for an acceleration of the development and enlargement of North/South opportunities”.

The SDLP wants to enlarge the North/South structures. However, every Member is painfully aware that public finances are tighter now than they have been at any other stage in recent history and that there will be massive cuts to the Northern Ireland Budget after the next general election. The Conservatives have said that they will cut our Budget; we are all aware of what will happen, and we are bracing ourselves for it. It is up to us to ensure that taxpayers get value for money from every element of government. The DUP has led the way in that regard. We have sought to cut back unnecessary bureaucracy. We are seeking to require all Departments to make efficiency savings. We are pushing forward our reform agenda, which does not just concern structures but calls for fewer Assembly Members. We are also calling for a reduction in the number of Departments and quangos.



North/South bodies cannot be treated any differently. They must be examined so that a decision can be made on whether they provide genuine value for money for the people of Northern Ireland. Tens of millions of pounds are spent on structures such as the North/South Ministerial Council and Tourism Ireland. If politicians are genuine about their commitment to bringing about efficiency and value for money, we must all question the value of the North/South institutions.

**Mr Dallat:** Does the Member agree that there is some confusion in the DUP about its attitude to the North/South bodies? He travelled to Dublin in March with the Committee for Regional Development and issued a statement that criticised the Chairman for giving evidence to an Oireachtas Committee, only to discover that a Member from his party had done exactly the same. An apology was then issued through one of his colleagues.

**Mr Ross:** I fail to note the relevance of that point at all. There is absolutely no confusion over how we view North/South co-operation. I will not take part in official proceedings of the Irish Dáil, but that has absolutely nothing to do with the motion.

If we consider attitudes in the Irish Republic to the issue, those who were charged with finding efficiency savings looked straight at the North/South bodies. They said that the amount of money that is being spent in that area could be radically reduced. Politicians in the Irish Republic certainly support that view. Despite what the SDLP and, I imagine, Sinn Féin may claim, people in the Irish Republic are not wedded to the current North/South bodies. They certainly have no appetite to expand the financial commitment to them. In a situation in which money is tight, my view and, I imagine, the view of most people in Northern Ireland is that our money should be focused on front line services such as hospitals, education and building roads. Our money should go into those areas rather than into the North/South structures.

If the SDLP were being responsible, the party would wait for the outcome of the review to which the motion refers before it would even consider calling for North/South opportunities to be enlarged or expanded. As the motion states, there is a review ongoing. It was established at St Andrews and began in October 2007. We should wait for the outcome of that review. Calling for its immediate publication, as the motion does, is premature. Perhaps the SDLP should practice some patience in that regard. It is paramount that the review result in an examination of the type of programmes that have been run and of whether we are getting true value for money from those programmes and structures.

What I would prefer to see, and I think that the SDLP should examine this idea, is North/South co-operation that does not require the level of money, bureaucracy

and red tape that the structures to which that party refers need. We often hear ministerial statements on North/South matters in the House that are perhaps one page long and do not contain much substance. When very little comes out of the existing structures, an expansion to include more areas of “North/Southery”, as the SDLP proposes, seems absurd. As has been indicated, the motion certainly appears to be politically motivated. It is simply trying to breathe life into the existing moribund structures.

It is far better to have genuine meetings when they are required. There is no reason why Ministers cannot correspond with one another on issues of importance. We know that it is important to discuss farming matters. We also know that it is important to meet on environmental considerations, and Mrs Kelly referred to the dumping of illegal waste. Those are areas in which co-operation is needed in future, but we do not need mass bureaucracy in order to have that level of co-operation.

I know that my time is running out, but the motion also calls for an all-island economic recovery. That raises an eyebrow, because why would we want to tie our economic recovery to the Irish Republic, which is considered to be a basket case all around Europe? I know that shopkeepers in Newry welcome the fact that we have the border and have two separate economies, because they are doing very well. The SDLP motion is a wee bit out of step in that regard.

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

**Mr Ross:** I ask the House to support the amendment. It is much more balanced and reasonable than the motion. It recognises east-west relationships as well as North/South relationships, and it seeks to have good relations with our neighbours in the Irish Republic and with the remainder of the United Kingdom.

**Mr McElduff:** Go raibh maith agat, a LeasCheann Comhairle. Ba mhaith liom mo thacaíocht a thabhairt don rún.

I support the motion. If the debate were approached on the basis of common sense and a desire to achieve efficiencies and economies of scale for public service delivery and forward planning, including forward spatial planning, the motion would receive the unanimous and enthusiastic backing of all Members in the Chamber.

Believe it or not, I agree with Dolores Kelly's phrase, “objective merits”, and I think that some members of the DUP and the Ulster Unionist Party are capable of looking at issues on the basis of objective merit, so I ask them to apply that criterion to the motion. However, if one were to approach the motion with a different mindset, coloured by outdated political



prejudice and narrow political partisanship, the result would be all too predictable.

No matter where they are in Europe or in the world, everybody knows that borders, by their very nature, disrupt economic and social life. They have a very negative impact. Nowhere in the world is a border more unnatural than in Ireland. I am reminded of a meeting that I had with an Irish Government representative to China, who told me that a map of the world on his office wall that was provided by the local Government did not show the island of Ireland at all. He asked me to try to imagine further splitting hairs with potential investors by telling them that there are two states on the island.

There is no doubt that the bodies that are mentioned in the motion provide value for money. However, the scope, terms of reference and areas of co-operation of those bodies are too narrow, restrictive and limiting, and they do not allow the bodies' potential to be fully exploited. At the weekend, I met Professor Pat D'Arcy, a visiting professor at the University of Ulster, who said that, from his perspective, the border should be porous when it comes to the delivery of health services. He said that there are major issues about the future delivery of acute services in Monaghan, Cavan, Fermanagh, Tyrone and Craigavon. Why can this region not be considered as a subregion for the delivery of acute services?

Important GP out-of-hours pilot projects have been undertaken in the Castleblayney/Keady/Crossmaglen area and in the Derry/Inishowen area with positive outcomes. Those projects should be extended throughout the border corridor. In addition, if children's cancer services were looked at on a single-island basis, they would be a lot stronger than existing provision. InterTradeIreland has been mentioned; it helps companies in the North to identify new markets in the rest of Ireland. The Ulster canal project is waiting to be developed further. Roads projects, such as the A5/N2 and the Sligo/Enniskillen/Larne route, are supported by both Governments, all of which is positive. Furthermore, I appreciate that, on a number of occasions recently, the North/South Ministerial Council has looked at the economy. The more that the Administrations in the North and the South come together to consider the economic situation, the better.

*(Mr Speaker in the Chair)*

One need only consider sport. Some months ago in the House, I drew attention to the fact that an all-Ireland rugby team had managed to beat France. At the weekend, an all-Ireland rugby team managed to beat South Africa, which is, perhaps, the best rugby team in the world. That Ireland team needed northerners and southerners. If we had an all-Ireland soccer team, perhaps, in the not too distant future, we would be

going to the World Cup as well. I say that about a weekend in which, of course, St Gall's and Cookstown achieved major victories in Gaelic football in the Ulster Club Championship, so I commend them as well. Go raibh maith agat.

**Mr Speaker:** We are moving towards Question Time, so Members may take their ease until 2.30 pm. The debate will resume after Question Time, when the next Member to be called will be Mr Danny Kennedy.

*The debate stood suspended.*

2.30 pm

## Oral Answers to Questions

### EDUCATION

#### Nursery Schools Admissions

1. **Mrs Long** asked the Minister of Education to outline the admissions process for nursery schools.  
(AQO 447/10)

**The Minister of Education (Ms Ruane):** Tá soláthar maoinithe réamhscoile ar fáil san earnáil reachtúil agus san earnáil phríobháideach/dheonach. Is córas é an próiseas iontrálacha don earnáil réamhscoile atá bunaithe ar thosaíocht.

Funded preschool provision is available in both the statutory and private voluntary sectors. The admissions process for the preschool sector is a preference-based system. The policy enables parents to state their preferred setting for their children. However, if oversubscribed, individual boards of governors or management committees are required to apply published admissions criteria to determine which pupils to admit.

The Department of Education sets a requirement to give priority to children from socially disadvantaged backgrounds whose parents are in receipt of certain social security benefits and to those with birthdays in July or August. Once that requirement is satisfied, additional criteria for admission are the responsibility of each individual setting. Those criteria will reflect the board of governors' or management committee's priorities for admissions to their school or playgroup.

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. That process is repeated for third-preference schools until all places have been filled.

**Mrs Long:** I thank the Minister for outlining the process. Given the levels of oversubscription in many nursery schools, will the Minister consider urgently introducing a two-stage application process to ensure that children who are in their final preschool year receive priority over younger children? The difficulty is that when a school board goes to fill its places, it must to do so with all the first-preference applications before it considers applications from children from other schools who may be older and for whom the school is a second preference.

**The Minister of Education:** The Member makes some valid points. The Member will know that we are bringing forward an early years policy, and that is one of the areas that we will consider. The Member will also know that the Audit Office's report on the preschool education expansion programme found that broad principles of good practice were recognised and applied effectively. It also recorded that the establishment of the EPPNI project — the effective preschool provision project — by the Department at the outset was an excellent example of planned evaluation.

However, the report also listed a number of areas for potential improvement that the Department should consider when developing future policy for children, including the need to connect more effectively with parents and to convey how the proposals would support and strengthen families. It is also important that the Department ensures that a professional development framework is created for the workforce. The report also recommended that we give consideration to the different funding arrangements for providers.

We are committed to addressing inequalities in the system. We are open to examining which areas need to be improved, and I will ask my officials to bear in mind the Member's comments.

**Mrs M Bradley:** In light of the increased responsibilities being placed on the voluntary community and private sector by 'Every School a Good School: The Way Forward for Special Educational Needs and Inclusion', what proposals does the Minister have for transforming the qualifications of those who work in that sector?

**The Minister of Education:** First, an inequality exists in the funding of statutory and voluntary/private providers. As we all know, the earlier the intervention in a child's life, the greater the chance that the barriers to learning can be removed and special educational needs addressed. We are working closely with others as part of 'Every School a Good School', and the Member will know that we have extended the consultation until 31 January 2010 because an enormous number of submissions has been made.

The original question did not refer to the issue of special educational needs, but the Member introduced it, and it is relevant to early years provision. The Member knows that, as far as special educational needs are concerned, the earlier that we intervene, the better. We have had 14 public consultations, and I want to give everybody an opportunity to make a representation. We will study carefully all the proposals and comments on the 'Every School a Good School' review of special educational needs and inclusion.

**Mr Shannon:** I thank the Minister for her response. The Minister will agree with Members that a child's early years are very important. How does the

admissions process fit in and work with the recently completed Office of the First Minister and deputy First Minister (OFMDFM) child poverty inquiry, which identified that the Department of Education has a clear role to play in addressing that issue?

**The Minister of Education:** I thank the Member for that supplementary question, and he is absolutely right. We are working closely with OFMDFM. I am a member of the ministerial subcommittee on children and young people, and early years provision is one of its areas of focus. We had a meeting last week at which early years provision was discussed. It is a matter not only for OFMDFM but for the Department of Health, Social Services and Public Safety, which has a key role to play. The Education and Health Departments obviously need to work closely together.

**Mrs O'Neill:** Go raibh maith agat, a Cheann Comhairle. The Minister referred to the role of the boards of governors and managing committees, depending on the circumstances, and their responsibility to set out their admissions criteria. Can the Minister provide examples of the criteria that are used to select children?

**The Minister of Education:** Go raibh maith agat as an cheist sin. Tá réimse tosca ann ar féidir le naíscoileanna glacadh leo.

Nursery schools may adopt a range of factors when selecting children. For instance, a child's selection may be based on the board of governors' opinion that he or she has special home circumstances; that one of his or her parents has a serious illness, for which medical evidence is required on the application form; that one or both parents is deceased; proximity to the school; previous attendance of siblings; or whether the child is a child of a permanent member of staff.

Léiríonn an taighde gur dóchúil go mbíonn níos mó deacrachtaí ag páistí ó chúlraí atá faoi mhíbhuntáiste sóisialta ag scoil ná a bhíonn ag páistí eile.

Research has shown that children from socially disadvantaged backgrounds tend to experience more difficulty at school than other children do. For example, if they were not given priority, children with July or August birthdays may otherwise not receive any education provision until they were five.

### **Education and Skills Authority: Controlled Sector**

2. **Mr Hamilton** asked the Minister of Education why her Department has not established a sectoral body to represent the interests of the controlled sector under the proposed new education and skills authority arrangements. (AQO 448/10)

**The Minister of Education:** Fuarthas iarratais le haghaidh maoinithe ó eagraíochtaí atá ar lorg comhlachtaí tacaíochta eárnála a bhunú roimh shamhradh na bliana 2008. Go dtí seo, ní bhfuarthas aon iarratas ó eagraíocht atá ar lorg bheith ina comhlacht tacaíochta eárnála do scoileanna atá san eárnáil rialaithe faoi láthair.

Applications for funding from organisations seeking to establish sectoral support bodies have been received since before summer 2008. To date, no application has been received from a body seeking to become the sectoral support body for schools that are currently in the controlled sector. However, given the nature of the role that sectoral bodies will play, it is not for the Department to establish them; they must, by their nature, be independent of the Department and the new education and skills authority.

The Department of Education invited interested parties to attend an initial scoping discussion in June this year. Invitations were extended to all those in education and library boards; those who had responded to consultation on the sectoral support policy; and other individuals who were suggested by members of the Committee for Education. Several dozens of people attended that and subsequent discussions. From those discussions, a number of individuals have continued to pursue the prospect of forming such a body. Officials from my Department have continued to offer advice and support for their efforts. However, politicians should not be allowed to hijack the Transferor Representatives' Council's genuine concerns for their own narrow political interests. I have met the Transferor Representatives' Council (TRC) on several occasions, and it is in the interests of everyone that it is involved in education.

I understand that, following a further meeting that was held last Wednesday, an application for funding may soon be submitted to the Department. I assure the Member that that and the other applications already received will be considered on an equal basis. The establishment of such support bodies will be a valuable component in the reform programme that I am determined to implement for the benefit of all pupils, parents and the wider community.

**Mr Hamilton:** It is difficult to be lectured on narrow political interests by the Minister. What investment is the Minister prepared to put into any proposed sectoral group to ensure that it is on a level playing field? Will the Minister commit to ensure that the proposed ownership body is genuinely representative and that it includes representation from the TRC?

**The Minister of Education:** Rinne mé soiléir é go mbaineann an t-athbhreithniú ar riarachán poiblí le coigilteas a dhéanamh a dhíreofar ar an eárnáil oideachais, go háirithe ar sheirbhísí túslíne.

[*Interruption.*]

**Mr Speaker:** Order.

**The Minister of Education:** I have made it clear that the review of public administration is about generating savings that can be redirected within the education sector, specifically to front line services. Although no final decisions about funding have been made, I will ensure that the total envelope for resources that are available to sectoral support bodies will also show that my priority lies with the classroom.

Support for all sectoral bodies, including the body that the Member asked about, will be modest and will reflect the focused role that I expect those bodies to play. I assure the Member that all sectoral support bodies, including the one to which he referred, will receive funding.

**Mr D Bradley:** Go raibh maith agat, a Cheann Comhairle. Ba mhaith liom a fhiafraí den Aire cén uair a thiocfas an Bille a bhunófas an t-údarás um oideachas agus scileanna faoi bhráid an Tionóil.

Will the Minister tell the House when the Consideration Stage of the Education Bill, which provides for the establishment of the education and skills authority (ESA), will take place? What actions will she take to ensure the continued administration of education here after 1 January 2010?

**The Minister of Education:** Everyone in the House understands the importance of the establishment of the education and skills authority — none more so than me. Indeed, each month, I chair a very high-level group that is made up of the chairpersons and representatives of the boards and other bodies that will merge into the ESA.

It is essential that we establish the ESA to deal with the inequality in the education system and with the number of young people who are currently being failed by it. Far too many of our young people have been failed by our education system, and that is simply not good enough.

It is no secret that there are those on the unionist Benches who cannot deal with change in any context, even when their ministerial colleagues have signed up to it. Despite agreements that the DUP has made, it has continued to block and stall the process.

I will make a detailed statement to the House tomorrow, and I will not pre-empt it. However, it is in all our interests that political agreement on the ESA is reached and that money is made available for front line services.

**Mr B McCrea:** Will the Minister tell the House whether she feels that all sectors were treated equally and that the outcome for all sectors was the same during the development of the Education Bill? If that was not the case, what steps will she take to address that situation, and will those steps involve taking matters to Westminster?

**The Minister of Education:** I assure the Member that equality is foremost for all sectors and that the Department adheres to all its equality duties. No sector will be disadvantaged, and all sectors will be treated on the basis of the Department's equality duties.

### School Buildings: East Londonderry

3. **Mr Campbell** asked the Minister of Education for an update on the upgrading and replacement of post-primary school buildings in the East Londonderry constituency. (AQO 449/10)

**The Minister of Education:** Beidh Bord Oideachais agus Leabharlainne an Oirthuaiscirt, agus an Roinn, más cuí, ag bualadh le hionadaithe ó na cúig iarbhunscoil i gceantar Chúil Raithin le plé a dhéanamh ar na riachtanais a bheidh ag an cheantar i gcoitinne san am atá romhainn sula n-ullmhófar breithmheas eacnamaíochta ar na moltaí le haghaidh soláthair iarbhunscoile sa cheantar.

The North Eastern Education and Library Board and the Department, as appropriate, will meet representatives from five of the post-primary schools in Coleraine and its hinterland to discuss the future needs of the area as a whole, before an economic appraisal is prepared on proposals for post-primary provision in the area. In parallel, an economic appraisal that examines the future requirements of Coleraine Academical Institution and Coleraine High School is due to be presented to the boards of governors of those schools soon.

**Mr Campbell:** Is the Minister aware of the deteriorating condition of many school properties along the north coast, particularly those in the Coleraine and Limavady areas? Following the receipt of the economic appraisal, how urgently will she act to ensure that the pupils in those schools receive the type of accommodation they deserve?

**Mr Speaker:** Before the Minister answers, I remind Members that the question relates to a constituency issue.

**The Minister of Education:** I am aware of the condition of many of the school buildings throughout the North of Ireland. The Department has a very good capital budget, and its use will ensure that the inadequacies in the system are dealt with. I look forward to the support of all parties for my capital programme. It is very important that the Department's minor-works and capital budgets are not affected.

2.45 pm

The Member may be interested to note that my Department spent £2.3 million in 2008-09, which represents 99.1% of the gross capital budget allocated. Previously, under direct rule, a substantial amount of the capital budget was handed back. Thankfully, our Department now manages its budget very well, and it



is getting money to where it is badly needed. However, it is unacceptable that a large number of our schools are in substandard condition, and I look forward to the Member's support when I look for money for capital from future Budgets.

**Mr Brolly:** Go raibh maith agat, a Cheann Comhairle. What has caused the delay in the proposed amalgamation of Coleraine Academical Institution and Coleraine High School?

**The Minister of Education:** Go raibh maith agat as an cheist sin. Dhíriigh an breithmheas eacnamaíochta ar na roghanna atá ag Institiúid Acadúil Chúl Raithin agus ag Ardscoil Chúl Raithin araon. Ar cheann de na roghanna sin bhí cónascadh an dá scoile.

The economic appraisal focused on options for both Coleraine Academical Institution and Coleraine High School, one of which was to amalgamate the two schools. However, the education committee of the North Eastern Education and Library Board (NEELB) expressed the view that the economic appraisal should have a wider focus and consider the future of other post-primary provision in the Coleraine area.

The NEELB and the Department met in September 2009 and agreed that the economic appraisal could be presented to the boards of governors of both schools shortly. The presentation of the economic appraisal will be the first stage of a process towards addressing future needs in the area.

**Mr Dallat:** Does the Minister agree that the continuing use of huts or prefabs is more reminiscent of scenes from the Second World War than of a modern society that offers equality and cherishes our children equally? Does she also agree that smaller schools, such as St Paul's College in Kilrea, are seriously disadvantaged in their expansion plans while the capital money is not available? What does she intend to do about those situations?

**The Minister of Education:** I agree with the Member's first point. Our young people need new buildings that are fit for purpose and a stable environment in which to learn. That is why we are bringing forward dynamic proposals, for example, for the Lisanelly campus among others. The Department spent £2.3 million in 2008-09, and it spent 99.1 % of its budget. We need to continue to invest in the education estate, and I look forward to the support of the Member's party when I bring forward proposals for my budget.

**Mr Speaker:** Question 4 has been withdrawn.

### Education and Skills Authority

5. **Mr Kinahan** asked the Minister of Education if she will extend the life of education and library boards,

if the education and skills authority (ESA) is not in place by 1 January 2010. (AQO 451/10)

13. **Mr Cree** asked the Minister of Education how she intends to administer the education system if the education and skills authority (ESA) is not in place by 1 January 2010. (AQO 459/10)

**The Minister of Education:** A Cheann Comhairle, tabharfaidh mé freagra ar cheisteanna 5 agus 13 le chéile. Beidh a fhios agat, a Cheann Comhairle, gur iarr mé cead ráiteas a thabhairt don Tionól ar an ábhar seo. Tuigim go bhfuil am á chur i leataobh don ráiteas sin amárach.

With your permission, Mr Speaker, I will answer questions 5 and 13 together. You will be aware that I have requested permission to make a statement on the matter to the Assembly, and I understand that time will be made available for that statement tomorrow. Therefore, I am constrained in how far I can go at this point without risking the wrath of the Chair by providing the details that I wish to impart in the statement.

The simple reconstitution of the boards is neither practical nor desirable. Many board members rightly state that they have done their part and that it is time for others to step forward. To simply reconstitute the boards would be contrary to the Executive's objective of a radical reform of education structures and would only cause further uncertainty for staff and schools. I do not see value in simply extending the entire board membership again for a transitional period. I will use existing legislation to ensure that structures are in place to ensure the seamless running of our education service to schools, youth services and society.

Ní mór do na polaiteoirí sin a chuir bac leis an reachtaíocht ról a imirt lena chinntiú nach n-imrítear cluiche na polaitíochta leis an mhoill a chruthaigh siad; ní mór dóibh a chinntiú go n-úsáidtear an mhoill sin mar am trasdula mar maithe le seirbhísí oideachais túsline..

Those politicians who have blocked the legislation must now play their part in ensuring that the delay that they have created will not be used as a political football, but rather a transition run in the interests of front line education services.

**Mr Kinahan:** I thank the Minister for partially answering my question, but I would like her to re-answer it in view of what I am about to ask. As the Minister hinted, many people are going to be leaving the library boards either because of retirement or because they are coming to the end of their time. Will the Minister guarantee that her new system is going to work and that the education system will be fully functional next year?

**The Minister of Education:** We all have to ensure that the transition to the arrangements that we put in

place, which I will be talking about tomorrow, is as seamless and smooth as possible. We have worked hard to keep staff informed about what has been happening to help allay their fears. For the majority of staff, the establishment of the ESA will not immediately change their job or location.

It is essential that the education of children is not affected by the delay. As I said, we all have a responsibility to ensure that smooth transition. That includes those politicians who have delayed progress. I will be working with all of the boards, other organisations that are affected, and all the educationalists, to ensure that we have as smooth a transition as possible. I will be making a detailed statement on that tomorrow morning.

**Lord Morrow:** Do we assume from the Minister's reply that the penny has finally dropped with her? She is now telling us something that most Assembly Members have known for 12 months. The Department of Education stands on the verge of meltdown. Is the Minister now confirming that she is going to put in place new regulations to ensure that the Department does not go into free fall from 1 January 2010, something she has been well warned about in the Assembly?

**The Minister of Education:** I think the free fall is in the Member's imagination, with respect. There is no free fall in the education system. There will be a smooth transition from January 2010. The Member needs to ask himself and his party a question. Despite agreements that were reached last year, the DUP continues to block and stall the process. The people that they need to answer to are those whom the system is failing. They need to answer to the working class communities in the Shankill, Coleraine, the Waterside, Armagh, and in the Member's own constituency.

The party opposite may be content to try to block and delay reforms, but at the end of the day the people who are being hurt by that are the working class children from the catholic and protestant community and the newcomer children. The education and skills authority is about streamlining, cutting bureaucracy and putting money into the front line. As Minister, I will not be deterred, and we are going to continue with the reforms, but the Members of the party opposite need to examine their consciences.

**Mr O'Dowd:** Go raibh maith agat, a Cheann Comhairle. In relation to the previous comments about chaos, mayhem and confusion in the education sector, I certainly have not come across that during many visits to schools and education centres. If there are schools in the constituencies of the Members opposite —

**Mr Speaker:** Will the Member come to his question?

**Mr O'Dowd:** If the Members opposite have schools in such conditions in their constituencies, they have a duty to inform the Minister as to where those schools are located.

**The Minister of Education:** I absolutely agree with John O'Dowd's comments. I have visited hundreds of schools. Teachers, principals and administrators of education are professional people. They can see exactly what is happening. They understand exactly who is trying to block reform. They know that buses will run and classes will operate, and they know that we are bringing about much-needed change, because they are the educationalists and they understand that getting rid of the 11-plus is for the benefit of children.

They understand that we should not be spending so much money on the bureaucracy and administration of education, but that we should have a much more coherent and consistent approach. They understand that money should be going into the front line — into the classroom — to deal with special needs and early interventions. Blocking and saying no all the time is not the way forward. We are reforming the education system, and that reform will continue.

**Mr Cree:** I was interested to hear the Minister's answer. What message does she have for parents, teachers and educationalists across the community who no longer have any confidence that she can deliver a sustainable outcome on the issue or on the ongoing transfer debacle?

**The Minister of Education:** My message to all parents, teachers, educationalists and children is that we are building a first-class education system for all, and not just some, children. We are putting equality at the core of the education system, and we are putting a targeted, strategic focus on underachievement, because I am not content to allow the level of failure that has existed in the system to continue.

Last Wednesday, I attended a North/South Ministerial Council meeting at which my colleague Reg Empey was also present. He raised the issue of the 16,000 so-called NEETs: people who are not in education, employment or training. If the Members opposite are happy with that, that is up to them; I am not, and I know that Reg Empey is not. I welcome his highlighting the issue at the North/South Ministerial Council meeting. I am focusing on the creation of a world-class education system, and I will continue to put equality at its core.

## Department of Education Budget

6. **Mr Molloy** asked the Minister of Education what budget pressures her Department currently faces.

(AQO 452/10)

**The Minister of Education:** Sa bhabhta monatóireachta i mí Mheán Fómhair chláraigh mé brú de thart ar £21·9 milliún ar an mbuiséad acmhainní.

In the September monitoring round, I registered pressures of £21.9 million on the resource budget. That was for funding to help to address the backlog of maintenance in the schools and youth estate; access to end-year flexibility for schools and education and library boards; and funding for administrative pressures. None of those pressures was covered, and, in addition, my Department is to contribute £11.3 million recurrent and £2.1 million to fund swine flu pressures faced by the Department of Health, Social Services and Public Safety. That adds to the pressures that my Department faces.

**Mr Molloy:** What effect will the delay in the establishment of the ESA have on this year's budget?

**The Minister of Education:** Go raibh maith agat as an cheist sin, nó is ceist an-tábhachtach í. Mura féidir tús a chur leis an údarás um oideachas agus scileanna ar 1 Eanáir 2010, níorbh fhéidir na héifeachtúlachtaí a rabh dréim leo a sholáthar.

If it is not possible to achieve a start date for the ESA of 1 January 2010, it will not be possible to achieve the efficiency savings that were to be secured, and that will have a knock-on effect on service delivery as those resources have already been removed from the education budget. That is not good for education.

In addition, the £21 million of funding over a three-year period that has been surrendered so far will have to be made available for education when needed. Those resources were surrendered on the strict understanding that the funding would have to be restored to the education budget. The centre has benefited from the re-profiling of those resources, and I will demand that they be restored to my budget before the ESA is set up.

**Mr I McCrea:** The Minister referred to her Department's budget pressures. As she is aware, Magherafelt High School is getting a newbuild. Has she finalised that process to ensure that that no longer causes a budget pressure?

**The Minister of Education:** I will write to the Member about Magherafelt High School. I wrote to a DUP Member about the school, although I cannot remember which one. It is one of the capital projects that the Department is actively considering, and the Member will know that I am reviewing all capital programmes. All projects will be evaluated against departmental policies, including 'Every School a Good School', area-based planning and the entitlement framework.

**Mr O'Loan:** The Minister will know that three schools in Ballymena that provide special education amalgamated three years ago. It is accepted that Castle Tower School urgently needs a new single building, although we hear that the school might not receive its new building for some years. Is that the result of

budgetary pressures, or is the project not being properly managed?

3.00 pm

**The Minister of Education:** I visited that school, which is a very important school for our projects. As I said, the Department is reviewing all capital projects in line with its policies.

## EMPLOYMENT AND LEARNING

### Redrock Engineering Ltd

1. **Mr Irwin** asked the Minister for Employment and Learning what assistance his Department has offered to the Armagh-based engineering firm Redrock Engineering Ltd. (AQO 462/10)

**The Minister for Employment and Learning (Sir Reg Empey):** My Department has a range of programmes to help businesses to deal with their recruitment and training needs.

My officials met the company on 6 November, when it was agreed that they would co-ordinate and manage an on-site redundancy clinic. That was held on Thursday 19 November, and helped those who were affected to process applications for statutory redundancy repayments and to start the process of finding retraining opportunities or alternative employment. Advice from the Department and relevant partner organisations was provided to current employees and to those who had been made redundant. The Member will be aware that I met him, Danny Kennedy, Mickey Brady and Cathal Boylan on 9 November on this subject.

**Mr Irwin:** Given that approximately 50 people have lost their jobs in the run-up to Christmas, will the Minister assure us that those who are entitled to redundancy will receive their payments as soon as possible?

**The Minister for Employment and Learning:** There is a well-established process whereby my Department can, if there is a need, process redundancy payments. Sadly, exactly the same situation pertained about this time last year.

In this case, however, a company is in administration, and attempts are still being made to sell it on as a going concern. Therefore, we are in slightly different circumstances this time. However, I assure the Member that should that arise, every effort will be made to process any applications as quickly as possible. However, that very much depends on the state of the company's records and whether it is clear what is owed. Of course, the Department also has to establish



that the company has no assets that it can use to pay for redundancies in the first place.

**Mr Kennedy:** I am grateful to the Minister for his interest in this important matter. Will he ensure that his Department and officials continue to give whatever assistance is necessary to all Redrock Engineering workers to ensure that they will be properly provided for in the run-up to Christmas, and afterwards?

**The Minister for Employment and Learning:** So far, 47 applications for redundancy and other insolvency payments have been received. The Department is working closely with the administrator to process applications and to make payments as soon as possible. As I said, much depends on the quality of the records. However, we are always very conscious, coming up to Christmas, of the need to ensure that entitlements are made as quickly as possible, especially as we understand that this is a very difficult time of year for people. That goes without saying.

The redundancy clinic has been held, and in attendance were the local college, Invest Northern Ireland, the Social Security Agency, the Educational Guidance Service for Adults, Armagh Business Centre, and the Department's staff. That makes the point that every effort is being made to ensure that the workers at Redrock Engineering are receiving the best attention that the Department and its sister agencies can deliver at this time.

**Mr D Bradley:** Go raibh maith agat, a CheannComhairle. Gabhaim buíochas leis an Aire as na freagraí a thug sé dúinn go dtí seo.

I thank the Minister for that information. Given the problems facing Redrock Engineering, and the downturn in the agriculture and construction industries, what further action is he contemplating to safeguard employers and employment in the rural economy?

**The Minister for Employment and Learning:** From the Department's perspective, whether a company is in a rural area or not does not alter the level of service that we try to provide to that company.

If the opportunity arises, we automatically seek to hold a job clinic in the company's facility if possible. Although most companies facilitate that, there have been occasions when some have simply shut everything down and sent in liquidators. In such cases, we have had to direct people to their local jobs and benefits offices instead.

I have visited Redrock Engineering Ltd and toured its factory. Therefore, I know it well. I understand that its location in a rural area is a particular concern, as is the loss of the welding and engineering skills that I saw on display there and its well-known brand name in that sector of the market. I am conscious of all those issues.

The Department is also conscious of the huge impact that the loss of 50-odd jobs at any time has on such an area, where that figure is disproportionate when compared with similar job losses in urban centres. Therefore, although the Department cannot discriminate on the basis of where a company is located, it must take into account the implications for the particular area. Earlier, I listed the agencies that attended the job clinic, which included the Armagh Business Centre.

It is clear that the Department takes the matter seriously. However, it must be fair to everybody.

## Apprenticeships: East Londonderry

2. **Mr McQuillan** asked the Minister for Employment and Learning how many students have enrolled in apprenticeships in the East Londonderry constituency in each of the past three years.

(AQO 463/10)

**The Minister for Employment and Learning:** Between 1 September 2006 and 31 August 2009, the Department supported 895 apprentices whose given addresses were in the East Londonderry area. Annual figures for the period from September to the following August for each training year are as follows: in 2006-07, it was 144; in 2007-08, it was 272; and in 2008-09, it was 479.

I advise the Member that although those apprentices reside in the East Londonderry area, they may or may not have enrolled with training providers in that area and may or may not be employed by companies in the area. The Department is not in a position to break down enrolment figures by constituency. All that I can say is that those are the numbers of apprentices who gave addresses in the East Londonderry constituency. Some of them may operate outwith the constituency, just as others whose addresses are not in East Londonderry will operate in it.

**Mr Speaker:** I call Sue Ramsey to ask a supplementary question —

I am sorry; it is Mr McQuillan's turn to ask his supplementary question.

**Mr McQuillan:** I thank the Minister for his answer. What is the average weekly wage that an apprentice should receive?

**The Minister for Employment and Learning:** There is no guaranteed, specific weekly wage for apprentices. For apprentices who are in employer-led schemes, wages are part of the contract between them and their employers.

Previously, on a number of occasions, Members have raised the issue on the basis of the national minimum wage. Technically and legally, it does not



apply to apprentices in all cases. The Low Pay Commission is preparing a report, which will be published soon. The Department intends to look at it closely to ensure that there is fairness. In some cases, the national minimum wage does not apply directly to apprentices. I believe that that is the matter to which the Member is referring.

I hope that the report, which we expect to receive in early 2010, will give us the opportunity to see the commission's view. The unit has carried out work on the subject. I am hopeful that immediately after the report is published, we will be able to take a view. I have no doubt that at that stage, I will discuss the matter again with Members, many of whom have written to me on it.

**Ms S Ramsey:** Go raibh maith agat, a Cheann Comhairle. Second time lucky.

The Minister will be aware that the Committee takes a keen interest in apprenticeships. I understand that at present, we are talking about constituency figures. Will the Minister indicate what proportion of the figures that he presented earlier relates to apprentices who are aged 25 years and over?

**The Minister for Employment and Learning:** I cannot answer the Member's question directly at present. However, I am happy to write to her in that regard with information that relates specifically to East Londonderry.

If the Member wants the latest overall figures for apprentices, I will happily write to her in that regard. I do not want to be held to a specific figure, but, if I recall correctly, 40% to 41% of apprentices, or thereabouts, are in the 25-plus age range. I will write to the Member with the details as soon as I can.

**Mr Dallat:** On a positive note, programme-led apprenticeships have been highly successful, based on information that I have received, and they have made a good contribution in a constituency that has been devastated by job losses over the past three years. Can the Minister assure us that, in the period following recession — if it is safe to say that — if there is continuing demand, programme-led apprenticeships will continue?

**The Minister for Employment and Learning:** The Member may be aware that I visited his constituency last week. I went to the Coleraine campus of the Northern Regional College and met a number of young people in the joinery workshop who were on programme-led apprenticeships. There were 17 apprentices in the room, and only one had a job with an employer, whereas, last year, it was the other way around. That demonstrates that whatever our reservations — I have them as well — about programme-led apprenticeships, the fact is that 2,600 to 2,700 young people are actually

participating in the scheme. Therefore, they have voted with their feet.

When I made a statement to the House on programme-led apprenticeships, I announced that we would keep the scheme under review, and I will most certainly look at it at least annually to see how it is progressing. We also have to be conscious of when the market is going to lift, because, if the market lifts and employers are in a position to take apprentices on again, that will lead us back to the path of employer-led apprenticeships. We are not there yet, but I will keep it constantly under review.

**Mr McClarty:** Will the Minister outline what the Department is doing to assist the north-west generally?

**The Minister for Employment and Learning:** The Member will be aware that, in the past year, we have held four job fairs in the four council areas that I consider to constitute the north-west. The Member will also be aware that I am proposing a gathering of those four councils, my Department and other stakeholders in those areas to find out whether, in their opinions, the policies that we are pursuing are helping in their particular areas and whether there are more things that the four councils, the Department and its other agencies could be doing together. I hope that that will take place very shortly. My Department will also receive a delegation from Derry City Council in the next few weeks.

The Member will be well aware that I have made it public that I believe that the north-west has taken a disproportionate hit during the economic downturn. Therefore, we are very focused on the area, and we are also looking closely at what investments we can make. We have a couple of significant investments in Londonderry through the further education college there, and, together with the Department for Social Development, we are looking at developments in the Waterside area. Therefore, quite a lot is happening up there, but no one is under any illusions that the area has not taken a bad hit, particularly with the closure of Seagate and other high-profile closures in the past year.

## University of Ulster

3. **Mr Dodds** asked the Minister for Employment and Learning what discussions he has had with the University of Ulster regarding its plans for re-organisation in the greater Belfast area. (AQO 464/10)

**The Minister for Employment and Learning:** The University of Ulster announced its development plan for the Belfast campus in February, and it submitted an economic appraisal, which is being reviewed. Officials have met senior university representatives on several occasions to discuss the contents of the economic appraisal. Recently, a delegation led by one of the pro

vice chancellors met with the acting permanent secretary and other senior officials to update them on the university's development plans for the Belfast campus.

3.15 pm

**Mr Dodds:** I am grateful to the Minister for his update about where things stand on those proposals. I would be grateful if, in discussions that he or his departmental officials have with the university, he could take on board the concerns of many of my constituents on student accommodation. That is a factor in discussions on those proposals. The Minister does not need to be reminded of the situation in the Holylands area, and people in my constituency are keen that those problems are not repeated. Will the Minister bear that in mind when he and his officials discuss the subject with the university?

**The Minister for Employment and Learning:** The Member is aware from my public comments that I share those concerns. I have spoken about those matters to representatives of the council of the University of Ulster in the presence of the vice chancellor.

I suspect that an accommodation element may form a part of the development process. Student accommodation is frequently provided by private sector organisations. That is certainly the pattern in other universities. However, in Northern Ireland, we are in a slightly different position in that students have the opportunity to go home because travelling distances are not as great. Therefore, there is a different market for private sector accommodation, but I believe it could be important.

In the Member's constituency, in the area around the proposed campus site, there is no suitable student accommodation whatsoever. There is private sector accommodation, but it is not of a suitable character for students.

Many University of Ulster students live in the Holylands area and travel to Jordanstown, and there is also some accommodation in Jordanstown. Accommodation will form a significant part of our view of any formal proposal.

**Ms Anderson:** The Magee campus is the only one that is earmarked for expansion. Will the Minister tell us what discussions he has had with Magee on its plans to expand? In particular, has the need to expand the maximum student number (MaSN) cap been discussed?

**The Minister for Employment and Learning:** The Member travels some distance from the topic of the university's plans for the greater Belfast area. My expertise in geography is limited, but it is not so poor that I cannot see that. However, I will answer the Member's question. She knows that we are dealing with two different issues.

The University of Ulster decides its own strategy and shares that with us. We do not micromanage its strategy. The Member will be well aware that I have discussed the issue with the vice chancellor and the council of the university, and there are ongoing discussions with my Department. We are considering whether we can put together a case to bid for resources in the next CSR round, which has already been delayed. It should have taken place in the early autumn, but Lord Mandelson, in another place, decided to postpone it for whatever reason. It will come back in a few months' time, and we will then have to address it. The subject is in my mind, and we have had some preliminary discussions about it. There will be further discussions, and I know that Mr Speaker will have no interest in them whatsoever. *[Laughter.]*

**Mr P Ramsey:** The Minister knows that the plans for Belfast have major implications for other regions of Northern Ireland. Martina Anderson spoke about the Magee campus, and the Minister referred to it at a recent Committee meeting. There has been a disproportionate hit on the economy of the north-west, and the social and economic regeneration plan most likely to receive the approval of the Executive is the development of the Magee campus.

How does the Minister intend to deal with the high skills deficit in Derry and the north-west, which is well documented in various recent economic development plans?

**The Minister for Employment and Learning:** That was a slightly different approach to an imaginative use of the question, and it was well done.

We all know that that skills deficit is a serious issue. I have repeatedly and publicly made it clear that the north-west has particular problems. There is no point in sweeping that matter under the carpet.

The skills deficit is not confined to the north-west, but we understand that problems have accumulated there. The Member mentioned a range of issues, including the MaSN cap, which is purely a financial control mechanism that sets a cap on student numbers for each university. Multi-campus universities, such as the University of Ulster, decide where to place students, and we decide the total number. We are prepared to re-examine that issue and how it affects the Magee campus as part of a bid in the next CSR round.

As a rule of thumb, every 1,000 students cost the Department £8 million in student support and university contributions. That is big money. Members should not forget that that contribution of £8 million is made year after year. It is not a one-off cost; it is £8 million per annum. Members should also consider the cost of the average student who attends university for three or four years.

In Northern Ireland, the figures for university participation are good, as are the figures for the number

of people attending university who are from socially disadvantaged backgrounds. We are doing well in that regard and are well ahead of the rest of the UK.

Several groups have lobbied me on the subject, and a number of Members, including Mr Ramsey, have written to me about it. I assure them that the matter is receiving serious attention. I have spoken to the vice chancellor and the council of the University of Ulster, and we will work together to see whether we can formulate a bid that will stand up to the rigours of the next CSR round, which is only a few months away.

**Mr K Robinson:** I am a Member for the constituency that adjoins Jordanstown, as opposed to the far-flung constituency of the two previous Members who asked questions.

Does the Minister agree that it is important that all campuses provide some on-site student housing. I draw his attention to the fact that Jordanstown, which sits on a leafy greenfield site near Loughshore Park in Newtownabbey, has an ample campus. He will know of my disappointment at the University of Ulster's decision not to expand that site but to move to constricted sites in north Belfast.

**The Minister for Employment and Learning:** Mr Speaker, you will have heard:

"Cannon to right of them, Cannon to left of them".

I now have cannon behind me. The Member has drawn that matter to my attention on a number of occasions. The University of Ulster's campus at Jordanstown, which I had the pleasure of visiting recently, will continue to operate, albeit on a slightly different scale. The Member knows that the position of the buildings in that area gives rise to many issues, and many of the original buildings are in need of renewal.

If there were accommodation on each site, that would be ideal. Even if the Belfast campus expands, the accommodation in Jordanstown will still be used and needed, because there is none at present. However, it should be remembered that some universities insist that students spend their first year in student residential accommodation. To make that viable, that sort of accommodation will have to be provided.

However, the universities told me that the geography of this place makes that harder to enforce. The situation is different in the rest of Great Britain because many students have to travel hundreds of miles to attend university. However, greater Belfast is a kind of "drive around" area. It will be harder to follow the Member's suggestion, but I am sympathetic to his view, and, if possible, it would be desirable to achieve that.

## Redundancy Services

4. **Mr McKay** asked the Minister for Employment and Learning how many employers and employees

have contacted his Department for advice on redundancy services since April 2009. (AQO 465/10)

### **The Minister for Employment and Learning:**

From 1 August to 20 November 2009, the Department's employment service was notified of or identified 73 employers who proposed making redundancies affecting 6,366 workers. Not all of those employers require a redundancy service from the Department's employment service. Unfortunately, in some cases, a business may have closed before an offer of support could be made. Through the network of jobs and benefits offices and job centres, redundancy advisory clinics are provided on request from employers, and 32 have been held since April 2009. The aim is to provide a tailored, co-ordinated and structured intervention that meets the needs of businesses and workers.

My Department also funds the Labour Relations Agency (LRA), and I can advise that from April 2009 until October 2009, approximately 1,500 employers and 2,250 employees sought advice on redundancy issues through the LRA's helpline. There have been 3,900 website downloads relating to redundancy and layoffs, and LRA client advisers have dealt with more than 400 cases with a redundancy element.

**Mr McKay:** I thank the Minister for his answer. Unfortunately, it sounds as though the Department is more reactive than proactive in providing redundancy information to employees. Therefore, what plans does the Minister have to ensure that his Department is more proactive? Can he also outline what input the community and voluntary sector has in the process, given its role in providing advice in our communities?

**The Minister for Employment and Learning:** I disagree with the Member that we are being reactive. As regards the technicalities of helping people with redundancy payments, the Department is notified of redundancies only when the employer submits a HR1 form. The Department has certain statutory obligations to get money from the National Insurance Fund in circumstances in which a company does not have the resources itself. That safety net is always there.

Recently, we produced a number of leaflet packs with details of every service that is available to employers and to employees. We are developing a scheme whereby dedicated members of staff will visit individual companies and help them with their skills profile, and I hope to make an announcement on that in the new year.

The community sector does give advice, but do not forget that we recently announced the introduction of a scheme with the community and voluntary sector that has the potential to create 1,000 six-monthly job placements, with the employee having a contract of employment with a voluntary organisation. That scheme is specifically designed to ensure that someone



who has been out of work for over 30 months can get access to a job for the first time in a long time.

We are trying to do lots of things. A range of advice is available, free of cost, as well as the provision of management and leadership courses, and other schemes are already in place to help companies to deal with redundancy.

**Mr Shannon:** One issue that has come to my attention, and, I suspect, to the attention of many Members, involves part-time employment. Does the Minister have a policy to cover the redundancy of part-time workers as against the retention of agency staff or subcontractors?

**The Minister for Employment and Learning:** As the Member knows, we have had many discussions in the House about the rights of agency staff.

Redundancy is redundancy. There are certain technical issues regarding redundancy and when my Department can intervene through the National Insurance Fund, one of which is that there now is, I think, a maximum pay of up to £380 a week. We are notified by the employer of the number of redundancies that they intend to make. There is a legislative framework in place that makes a distinction between what part-time workers are and are not entitled to. It is quite a complicated area, and much depends on the number of hours worked. There is a lower limit for hours worked, and people who fall below that limit do not have the same rights as they do above the limit. I am very happy to write to the Member to give him the latest information.

**Mr O'Loan:** Has there been evaluation and refinement of those programmes in light of experience?

**The Minister for Employment and Learning:** Yes, and that will always be the case. All the programmes are tested. No policies are just introduced and left; they are subject to continual review. In the past 12 to 14 months, we have turned things almost upside down to see whether what we are doing is adequate. That is one reason why, in answer to a previous question, I told Members that I wanted the university councils in the north-west to work with the Department to see whether our programmes in the area are suitable.

We introduced programme-led instead of employer-led apprenticeships, because the current policy was not working. I have also introduced management and leadership courses that are free of charge to companies as a response to the economic downturn. Therefore, everything is looked at again and again; it will be ever thus.

3.30 pm

## PRIVATE MEMBERS' BUSINESS

### North/South Co-operation

#### *Debate resumed on amendment to motion:*

That this Assembly recognises that North/South co-operation and implementation can deliver economic, social, infrastructural and other benefits for the people of Northern Ireland; notes the ongoing North/South review examining (i) the efficiency and value-for-money of existing implementation bodies; and (ii) the case for additional bodies and areas of co-operation within the NSMC where mutual benefit would be derived; calls for immediate publication and public debate of all elements of the review; and further calls for an acceleration of the development and enlargement of North/South opportunities, including, *inter alia*, a response to the economic downturn on this island. — [*Mrs D Kelly.*]

#### *Which amendment was:*

Leave out all after “recognises” and insert

“that balanced North/South and east-west co-operation can deliver benefits for the people of Northern Ireland; notes that the ongoing North/South review has yet to conclude; and welcomes the efficiencies imposed on the implementation bodies and Tourism Ireland Ltd.” — [*Mr Ross.*]

**Mr Kennedy:** I begin my contribution with a quotation:

“all-Ireland arrangements are essential for nationalists who want to share the life of the rest of the island. Those balances are essential for unionism, too, in order that unionism has an agreed relationship with the rest of the people of this island. However, if one begins to pick and choose, and have an *à la carte* approach, one must understand that that is beginning to unpick requirements that are essential for longer-term stability and prosperity on this island.” [*Official Report, Volume 37, No 5, p260, col 2.*]

That is a quotation from the Member for West Belfast Mr Attwood in the debate on a DUP motion that called for a reduction in North/South co-operation.

I agree with the analysis of North/South arrangements that arose from the Belfast Agreement. It is crucial that we recognise that North/South co-operation is sensible for practical reasons and necessary for political stability in Northern Ireland. However, as Mr Attwood outlined, balance is required for unionists. The North/South arrangements are not an embryonic form of united Ireland, and unionism was very careful to make sure of that in the 1998 negotiations. We fought long and hard to ensure that North/South co-operation was practical and not ideological. We fought for that balance, and we feel that it was right.

Mr Attwood cannot have it both ways: he cannot proclaim that the Belfast Agreement is Holy Writ and then table a motion that ignores it. The Belfast Agreement contains provision for the possible extension of North/South co-operation in mutually beneficial



areas. The motion's call for enlargement is based on nothing more than ideological predisposition. The Belfast Agreement protects against that; it protects unionists from ideological solo runs, particularly those from the SDLP, for "North/Southerly". It also protects against creeping North/South integration against the wishes of the people of Northern Ireland.

A review of North/South arrangements is ongoing. Some might wonder why the review team is yet to report, given the extended period — nearly two and a half years — that it has had. Therefore, background motions such as the one before us and the one tabled by the DUP earlier in the year are premature. In many ways, the debate is abstract without the findings of the review, which will report on possible new areas for co-operation. Any areas that are identified will be subject to great scrutiny in this place and in other places, as were the original areas of co-operation that were agreed in Castle Buildings. That is how that arrangement for government in Northern Ireland works.

The SDLP knows full well the intricacies of North/South co-operation. Mr Attwood outlined them in February when it suited him to argue for no change; he cannot turn that argument on its head in November when it suits him to expand co-operation. That is why the Ulster Unionist Party will support the amendment.

**Mr Spratt:** I am pleased to have the opportunity to speak in the debate. Departments operate on the principle of value for money. Do the North/South bodies really offer value for money in these particularly difficult economic times? Those bodies need to make efficiencies, as do all areas of government. We need to consider how much could be saved by those bodies.

I accept that cross-border co-operation can be mutually beneficial, and I am aware that a number of such projects have been positive for both jurisdictions. However, as a unionist, I have to distinguish between cross-border co-operation and North/South co-operation. For example, I know that the Department of Health, Social Services and Public Safety has established a cross-border group of officials to examine child protection and children's services issues. It would be beneficial to include such matters in the work of the British-Irish Council as well. Specific issues being raised include vetting, barring, research and Internet safety. A lot of work has been done on those issues, and it crosses many different barriers, not only between Northern Ireland and the Irish Republic but across the United Kingdom and Europe.

Members will know that, last week in County Fermanagh, the Department of the Environment (DOE) launched the Christmas drink-driving road safety campaign. That co-operation takes place year after year, and it is only right that such co-operation exists. The border does not respect victims of road

traffic accidents, and the grief that is caused by such accidents knows no barriers. Co-operation is right and proper when it comes to child protection and Internet grooming, and it is important. Police services throughout Northern Ireland, the rest of the United Kingdom and the Republic of Ireland have been involved in such co-operation for many years. The sex trade has caused problems in Belfast in recent times. Similarly, it knows no borders, and it is right and proper that co-operation takes place on that issue.

However, as a unionist, I cannot support the creation of all-Ireland institutions, and I suspect that it is the intention that North/South bodies will lead in that direction. That is the perception on this side of the House. In July 2009, the 'Belfast Telegraph' reported that the Irish Government were considering a report that suggested making savings on North/South projects. It says a lot about the value that the Irish Government place on some of those projects, and the Assembly should take cognisance of that.

We have to weigh up whether the North/South bodies provide value for money. Mr Attwood in particular has called for the establishment of various types of bodies. Last week, during the debate on the Department of Justice Bill and in other places, I have heard him call for North/South bodies to be established in relation to policing and justice powers. He calls for such bodies, which are similar to the Policing Board and others, but never puts a financial cost on them. That is the big issue: we cannot afford any more of those bodies.

The bottom line is that we are in difficult economic times, and now is the time to examine all those bodies so that we can see exactly where we are getting value for money. There should be no trouble with co-operation, providing it is for the benefit of both places and for the whole of the United Kingdom.

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

**Mr Spratt:** On that note, thank you, Mr Speaker.

**Mr Neeson:** I did not think that I would get a chance to speak today, particularly after the Assembly Commission's report was pulled earlier on. I am pleased to have the opportunity to speak to the motion.

The Alliance Party supports the motion. We have always been open to the realities of the need for North/South co-operation, leaving aside the politics of the issue, and to allowing people to decide their futures through the idea of consent. We accept that considerable economic and social consequences arise from having a border on the island of Ireland. Similarly, in an increasingly global and competitive world, we must recognise that there may be opportunities that neither Northern Ireland nor the Republic of Ireland can seize alone. Co-operation on North/South issues is critical to

ensuring that we take full advantage of issues that are to our mutual benefit and do not have any missed opportunities.

The Alliance Party has never thought of North/South co-operation as being about institutions first and issues second. Our perspective is framed around the importance of tackling the issues. On occasions, an institutional approach may be required; on other occasions, it may not. For some parties, discussing North/South institutions may be about making a political point. For us, it is about making benefits for all. We have no fear of engaging in these kinds of arrangements. We are open to the identification of further areas of co-operation if the opportunity arises. However, the area must be issue-driven rather than process-driven.

The Alliance Party is clear that the sector, as in other aspects of public administration, should be subject to the same regime of efficiencies. One area in which we have seen close and beneficial co-operation is on energy. We now have the single electricity market, and Northern Ireland and the Republic of Ireland are joined by a natural gas pipeline. That has been of benefit to people north and south of the border.

Another area that has seen major progress is tourism, following the establishment of Tourism Ireland. In many ways, it has enlarged the promotion of the island of Ireland, North and South. Tourism Ireland produces a great deal of promotional material. I mentioned in the House a week or so ago the Tourism Ireland advertisement in the national papers. The advertisement strongly promoted Carrickfergus castle, and that is important.

I welcome the increase in east-west co-operation, particularly on the INTERREG programme. I am a member of the Mid-Antrim Museums Service, and we and Scotland are engaged in an INTERREG programme. When considering the motion, it is important that all other issues be considered as well. However, in no way should that detract from the original motion.

We must consider the wider issue of efficiency. The North/South Ministerial Council has been underplayed. All that we get at the moment are short statements that allow us only to ask a question of the Minister. No full-blown debates on the issue have taken place. Given the limited agendas at North/South meetings, I am not convinced that the processes are effective enough to ensure that we are discussing with our counterparts in the South all issues of mutual benefit.

Finally, bearing in mind the present economic climate, North and South, an opportunity exists to develop co-operation on the green economy.

3.45 pm

**Mr McLaughlin:** Go raibh maith agat, a Cheann Comhairle. I support the motion and oppose the amendment. I listened carefully as Mr Ross lamented the absence of any reference to east-west relations, and Mr Neeson picked up on that point. However, the title of the motion is "North-South Co-operation"; that is the topic that we are discussing.

It is impossible to deny that, prior to the Good Friday Agreement, the economy on the island of Ireland was characterised by two economies that were competing for business and that had separate development goals and strategies. The economic activity between the two islands, the east-west dimension, was the developed part of the economy; the deficiency was in the lack of opportunities for all-Ireland economic activity. That deficiency was addressed comprehensively by the Good Friday Agreement and buttressed by the St Andrews Agreement. I look forward to the publication of the North/South review, which refers to ongoing work, and to discussion of the relevant issues.

We should avoid retreating to ideological or party political positions, particularly given the economic decline. There are significant trading, economic and financial links between east and west. We recognise that that has been so since partition, particularly in the post-war years and up to the present, and we accept that such opportunities will continue. There is no resistance to that situation on this side of the House. However, North and South, we were cutting off our nose to spite our face by ignoring the existence of differing fiscal policies and economic policies, wasteful duplication and the complete waste of money caused by two small economies competing against each other.

The idea of all-island economic development makes sense, because it is mutually beneficial. No one can argue seriously or credibly that there is any disadvantage in building and developing North/South links. Objective academic and economic studies, commissioned by both the British Government and the Irish Government, consistently conclude that more development is needed and that we are ignoring opportunities. At a time when we are struggling to enhance economic recovery by developing stimuli, we are ignoring opportunities for indigenous companies. Why should we deny ourselves the opportunity to build on what has been achieved since the Good Friday Agreement?

Let us have competition, and let us see who can provide the best value for money. However, given the horrendous levels of social and economic deprivation in our community, let us not cut off our nose to spite our face. Let us seize every opportunity to deal with regional and subregional disparities to the benefit of everyone.

**Mr Shannon:** I support the amendment. We have probably all used the well-known saying that “no man is an island”. The meaning of that saying is abundantly clear: no man can stand on his own. It is the same for the Province. We are a strong nation, but our strength has its foundations in the strength of the British empire and our links with other nations, such as the Republic of Ireland.

We are not so delusional as to think that we do not need help. We do, and we will take all the help that we can get when it is offered. For that reason, I am ever thankful to my colleague Arlene Foster, the Minister of Enterprise, Trade and Investment, for the work that she does in foreign nations to encourage business investment. The trips that she has made to Germany and Japan, among other places, in the last year have not been in vain. Any benefits that can be derived from links with the Republic of Ireland should be welcomed in the same way as benefits from any other foreign investment.

That is the way in which we must look at all things. We cannot and have no need to take on the burdens facing the Republic currently, given our precarious economic position. I point to my colleague Jeffrey Donaldson's remarks during the conference entitled ‘North South Relations After the Boom: The Impact of the Credit Crunch on Mutual Relations and Understandings’. According to forecasts made by the First Trust Bank in March, Northern Ireland's economy will contract by 1.5% in 2009. The Economic and Social Research Institute recently forecasted that the Republic of Ireland's economy will contract by 3.9% in 2009. However, the predictions for the Republic appear to be getting worse. A recent article in ‘The Economist’ predicted the downturn to be more severe, with a contraction of 6.5% this year.

Clearly, the Republic's downturn is predicted to be a lot more severe than that in Northern Ireland. For example, unemployment south of the border stands at 7.7%, compared to 5.7% in Northern Ireland. The claimant count measured in the Republic is a lot higher, at 10.4%, so that is a very worrying undercurrent. Official statistics indicate that the Republic's economy shrank by 7.5% in the last three months of 2008 compared with the same period of 2007.

My reason for including those statistics is to point out that, in agreement with the wording of the motion, we need an alliance that is mutually beneficial. Unfortunately, that is not to be found in the Republic at this time. Indeed, we need to focus our time, efforts and economies on more profitable areas, such as is being done in other Departments. Those efficiencies must be enhanced, with money going where it is needed most. This is not political point scoring. The issue is whether to enhance something that is of no tangible benefit to the Province.

The report on the North/South bodies is yet to be published, and it is pre-emptive for the motion to be on the Floor at this time. However, here it is. We are imposing efficiencies on every Department, and I have no idea why the North/South faction should be any different. In my opinion and, I suspect, in that of many of the unionist tradition whom my party and I represent, it is more important to have money going into something that will produce something rather than throwing good money after bad. A balanced approach is needed, which I fully support the amendment. If there were a time for us to be self-centred, it is most certainly now. We must look after the people who put us in the Assembly. That is our first priority.

We need to ensure that every penny spent benefits the people of the Province and returns to the Province in some form. By that — I make no apology for saying so — I mean that, if possible, we should buy local produce, hire local people and focus primarily on ourselves at this time. That principle applies in this regard: it is good to be a good neighbour — nobody denies that for a second — but we must save money on things that are non-essential. The North/South bodies are certainly non-essential.

It may be a different story when the report is concluded, but, as things stand, we must only spend out on things that bring in. The North/South bodies are not one of those things. Consequently, I support the amendment and hope that the House does likewise.

**Mr Elliott:** I am pretty relaxed about the concept of mutually beneficial cross-border arrangements, provided that they are of benefit to both jurisdictions and do not impose the will of one on the other. That is the reality, and it is for that reason that my party and I will support the DUP amendment. We believe that the motion goes too far.

It is unfortunate that the SDLP is attempting to out-green Sinn Féin. The motion does not help North/South bodies or relationships, because it pre-empts the ongoing review by calling for the deeply partisan expansion of those institutions. It places political expediency above what is beneficial to the people of Northern Ireland and the Republic of Ireland.

**Mr McElduff:** Does the Member agree that two separate approaches should not be taken in the area of health and in planning future acute service provision on the island of Ireland? There should not be back-to-back planning. This is an island of six million people, so it is most sensible to have one plan and one delivery system for acute service hospitals, given these days of specialties. Does the Member agree that that is not about expediency but practicality?

**Mr Speaker:** The Member will have an additional minute in which to speak.



**Mr Elliott:** We are talking about two different institutions that cannot possibly work together because the rules that govern them are not the same. There is no reason for them not to co-operate broadly; however, they cannot act as a single entity.

I welcome the positive economic benefit that price differences with the Republic are having for the retail trade in Northern Ireland. For many years, the price difference in vehicle fuel worked in the opposite direction, whereby — I do not declare an interest — many people from Northern Ireland visited the Republic for cheaper vehicle fuel. I was not one of those people; I have only been informed that that was the case.

In the midst of all the talk about co-operation, I am concerned because the Education Minister in the Republic of Ireland is discriminating against Protestant schools there. Although he might say that it is none of my business, he should review the situation, because the Government there have a duty to look after the Protestant minority.

If parties treat the North/South bodies not as an opportunity to improve relations and services between the two jurisdictions but as a political vehicle to promote narrow agendas, there is a danger that the bodies will become meaningless. Unfortunately, there are already too many examples of that. For instance, I am unwilling to countenance the abuse of North/South co-operation that went on at Middletown, when a vulnerable section of society was used as part of a clandestine ploy to save Middletown convent. Nearly £8 million has been expended on an idea that was cruelly flawed from start to finish. Let me be blunt: in nowhere that I know of do autism experts advocate taking vulnerable children from places as diverse as the Ring of Kerry, the north coast, the Wicklow hills or the Fermanagh lakes — in other words, the children's familiar environment and surroundings — to a strange and isolated location for an unsettling five-week period and then dumping them back home where the damage that would have been inflicted on them would have to be undone. To embark on such a programme would be statutory cruelty and institutional madness.

Unfortunately, our Minister of Education thinks it opportune to take advantage of those on the autism spectrum for narrow political gain. No matter that, after six years, the plan has not come to fruition, her partnering Department in Dublin has recognised its folly and pulled back, and parents do not want it. Motivated by selfish ideology, Sinn Féin is willing to exploit children from across the island. Such political savagery is unforgivable. If there is a justifiable use for the convent site at Middletown, so be it, but it is nothing short of an abuse of rights to preserve the site in the way that has been proposed. It is beyond ridicule that cross-border co-operation should be so exploited. I

wonder what the Comptroller and Auditor General is doing about the situation.

It is unreasonable to expect the situation to progress, and I do not want to hear that a training resource can somehow be cut out of a hole in the hedge. There are already two outstanding teacher training colleges in Belfast — St Mary's University College and Stranmillis University College — which, like St Patrick's College in Drumcondra and St Mary's Marino Institute of Education in Dublin, offer established, credible and capable teacher and teacher-related training.

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

**Mr Elliott:** I thank the Members who tabled the amendment for highlighting the issue.

**Mr Gallagher:** The SDLP is 100% behind all the North/South Ministerial Council's arrangements and 100% in favour of the jobs that have been delivered to date, especially those in the west, which the unionist representatives from Fermanagh and South Tyrone have failed to acknowledge.

I support the amendment because the amendment acknowledges the benefits of those jobs —

4.00 pm

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

**Mr Gallagher:** Yes, I will.

**Mr Weir:** I wonder whether the Member wants to correct himself because, although we greatly appreciate his support for the amendment, I suspect that that is not what he intended to say.

**Mr Gallagher:** I thank the Member for that timely reminder. I stand corrected: I do not support the amendment; I support the motion. The amendment is an attempt to slow down the working of the North/South Ministerial Council and gloss over some of its arrangements.

I am sure that every Member is well aware that the North/South Ministerial Council has a standing committee, under which there are six implementation bodies, which is not found with the east-west arrangements. I support the east-west arrangements as well, but, without dwelling too much on past difficulties, we should remind ourselves that one reason why the SDLP supported the North/South arrangements during the talks was that the unionist representatives regarded the Northern Ireland political identity as one that should involve arrangements only in the east-west arena. Such a view did not reflect anything of the aspirations of the more than 40% of nationalists with whom they have to share government in Northern Ireland.

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



**Mr Gallagher:** No, I am not giving way again; I have already given way.

There have been economic benefits for Fermanagh and South Tyrone. For example, within a couple of years of the Assembly's being set up, Waterways Ireland had established 60 office jobs in Enniskillen. Under direct rule and other previous arrangements, we were told that that could not be done in Enniskillen because the infrastructure did not exist and the finances to provide that infrastructure were not available. However, Waterways Ireland was there within two years. Today, it employs 70 people in office jobs, and an additional 10 or 12 people work on the lakes in and around Fermanagh.

A couple of years ago, a local contracting firm provided the design and build contract worth between £2 million and £3 million for new premises for Waterways Ireland that are now in place, which also added significantly to economic activity in Fermanagh and South Tyrone. As I said, previously, we had been told that the necessary infrastructure did not exist, central government could not provide it, we did not have the roads, and there was no money to build the roads. We still hear some of that, but, fortunately, under North/South arrangements, we have a significant number of jobs that make an important contribution to the local economy. The same line was trotted out recently in relation to the Bain report. From the point of view of people in the west considering all those issues, it is clear that the North/South arrangements make an important contribution.

I welcome the review. There are already six implementation bodies. In my view, there should be more. The biggest issue facing everybody on earth in the twenty-first century is the environment, and it is regrettable that we do not have a North/South implementation body for the environment. There are a number of good reasons why we should have that. Obviously, climate change is one, and the disposal of illegal waste is another, because that was a big problem a few years ago for both jurisdictions. That was tackled seriously only when both Governments worked together on the issue. They jointly formed a forum for waste enforcement, in which they brought together the authorities in both jurisdictions that were responsible for the issue and those responsible for law enforcement. That has made a significant difference.

We all know that issues relating to the wider environment do not stop at the border. Air can carry pollution from one end of the island to the other in a couple of hours, and our rivers criss-cross the border. Both Governments are working closely together to deliver river basin management plans in order to comply with EU directives, but there is much more work to be done. I ask Members to support the motion.

**Mr Molloy:** Go raibh maith agat, a Cheann Comhairle. I support the motion, which, in the current economic situation, is good and timely. I am looking across at the unionists, who are sitting with their backs against the wall. When will they wise up and take on board the reality of an island economy and recognise that partition gives us an even smaller jurisdiction here in the North? When will they start to build on the structures and the infrastructures that can be built across the border to ensure that we put together an economy that can develop the island of Ireland and one from which both can benefit?

I ask Members to look at the industry that has been attracted to the Twenty-six Counties and the industry that has been attracted here. A combination of effort to bring a cross-border dimension to that will help everyone involved. When will unionists wise up and take their places at the table in unity and with confidence in their ability to be strong enough to stand up to whatever else is on the table? Unfortunately, unionists seem to go to the table, cap in hand. If whatever is on offer is good enough for them, they will take it. If not and if it is going to cost anything, they are not interested.

**Mr Beggs:** Does the Member acknowledge that the creation of additional bodies does not necessarily mean the delivery of additional benefits and that it merely creates additional bureaucracy? If there are ways in which we can co-operate for mutual benefit, it is better to do so without additional costs. What aspects of the amendment does the Member find offensive? Does he accept that if we can gain efficiencies from the implementation bodies, there will be more money for health, education and a range of other services?

**Mr Speaker:** The Member has an additional minute in which to speak.

**Mr Molloy:** I thank the Member for his intervention. However, I ask him to look at the situation from the opposite point of view. The establishment of a structure that goes across the island will reduce the bureaucracy and the double-jobbing that happens on both sides of the border. There is a Health Service and an education sector on both sides of the border. That duplication could be done away with, if there was co-operation. I am not asking anyone to sign up to a body or to co-operation that would be of no benefit. I am asking them to come to the table, make their argument, put their business case for the structure or body that they are suggesting and state the benefits that will be gained from it.

We heard the Member for East Antrim Mr Ross say that the South of Ireland was a basket case in Europe. Who is providing the new road to Larne, which is in his constituency? Is the Southern economy not providing that? Who is providing the upgrade of the

A5 across the centre of the west? Let us look at where the basket case is and at who is begging from whom.

There are structures in place. Unionists want co-operation, but it is one-sided; they want everything one way. They will take it if it will be of benefit to them, but they do not want anything to do with co-operation that might benefit everyone else.

We always heard the arguments that were used for security back in the bad days, but they are being used now as well. Unionists say that they want co-operation on policing and that they want the border to be secured. They want everyone else to be looking out for and protecting them. However, they will not take policing, justice and security into their own hands and have some say in it. We need to look at that.

We have seen the benefits of tourism, North and South. However, unionists want to have tourists coming into the North, but nobody going out of it. They are happy when shoppers are coming across to Newry, but they were not happy when the shoppers were going the other way to buy cheap diesel. They cannot have it both ways.

There needs to be co-operation in fishing. The need for co-operation in inland fishing is evident in the situation with eel fishing in Lough Neagh. In the old days, unionists opposed the co-operative that was set up to secure the fishing in Lough Neagh. We have to build on such co-operations.

Energy is another area. There is a common wind, which could be used as an environmentally friendly source of electricity. However, because it might be seen as green energy, the unionists want to put up a shield to stop the wind going across the border so that they can keep it for themselves. The wind is coming from the opposite direction, and the Members opposite are still trying to stop it.

Another area is the Health Service. We have seen the work that has been done by Cooperation and Working Together (CAWT) right across the border. That work has developed resources and moved them backwards and forwards to the benefit of both communities. We could use that work to build a Health Service that can provide and build resources and services, such as cancer services at Altnagelvin Hospital, which would be of benefit to the people in the North and the South. We must look at good examples.

The motion sets out very clearly a mechanism whereby cross-border co-operation could be expanded to the mutual benefit of both communities, and I can see no reason why Members would not support such a motion. However, rather than extending that co-operation, the amendment cuts off those areas of mutual benefit. Members opposite are cutting off their nose to spite their face.

I repeat my call for unionists to come to the table with confidence and set aside their old worries and concerns. Do not continuously look to Westminster for reassurance. Instead, take on the power and resources that we have in our own hands and build on those resources. We should also take on policing and justice so that we get that power back in our own hands.

**Mr Speaker:** Order.

**Mr Hamilton:** The DUP's position on cross-border co-operation is well known. It is not something that has been made up in recent times but has been on the public record for many years.

Like my party, I very much support cross-border co-operation where a genuine mutual benefit can be derived and where it is not politically motivated. I want to see more shoppers coming from the South and shopping in the retail outlets in Northern Ireland, more Northern Ireland companies procuring contracts across the border and more Northern Ireland companies selling their goods to customers in the South. I have no hesitation in saying that. The question is not whether we should have cross-border co-operation, it is how we should have it, and this fixation on maintaining costly and unnecessary artificial structures to achieve that co-operation baffles me.

We learned very early in today's debate, during Mrs Kelly's contribution, that having the cross-border structures in place had nothing to do with efficiency, effectiveness or actual delivery. Instead, it is all about the aspirations of Irish nationalists, and no unionist will ever agree to the expansion of those structures on that basis.

The DUP has previously made sensible suggestions about making the work of organisations such as the Equality Commission, the Northern Ireland Human Rights Commission and other bodies more effective, and it has been told by nationalists that no progress will be made without their agreement. I wonder when the penny — or the cent — will drop with the Members opposite that they will not get an inch further on cross-border co-operation without the assent of unionists. That is a fact that seems to be lost on them.

Just moments ago, the House heard from Mr Gallagher that his party was 100% behind the current cross-border institutions. That is slavish blind devotion to the current institutions, without any question whatsoever about their efficiency, effectiveness or what they are actually delivering. Mr Gallagher went on to suggest that the reason he supported the current institutions was that they had created some jobs in his constituency. However, that is not a sufficient argument. It is not about whether jobs are created in Enniskillen, but whether the jobs should exist at all and whether they are delivering anything effective in a mutually beneficial way.

There are many areas where cross-border co-operation takes place —

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

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

Justice is a good example of where cross-border co-operation takes place on a daily basis to detect child sex offenders or the perpetrators of organised crime.

4.15 pm

Recently, the Minister of Finance and Personnel had discussions with his counterpart in the South on the issue of NAMA — an important issue in Northern Ireland — and about two years ago, there was an agreement in respect of the financial services sectors between the then Finance Minister, Mr Robinson, and the then Finance Minister in the South, Mr Cowen. Of course, things have gone a little differently in that sector since then. However, those areas share a common characteristic, which is that none of them lies within the current bailiwick of the North/South Ministerial Council or any of its implementation bodies. Therefore, cross-border co-operation on practical issues of mutual benefit is possible outside of the current structures.

The review referred to in the motion has not even been published, so it is a bit previous. Nevertheless, the SDLP has well and truly made its mind up. Not only does it want the cross-border co-operation in the current structures to be retained, it wants that increased and accelerated. In the past, we had been told that the division of expenditure on the cross-border bodies was two thirds by the Irish Government and one third by the Executive. It is easy to call for things to be accelerated and increased when Irish taxpayers' money is being spent. Given the previous references to the recommendations in the McCarthy report that cross-border bodies be looked at as a way of saving money for the Irish taxpayer, I am sure that it will not be as enthusiastically welcomed or given 100% support by TDs and Senators in the South as it might be given by members of the SDLP and others.

It has been said that there are a lot of inefficiencies, so let us have one structure for, say, health. Instead of having two health systems, let us have one. I agree with that. Let us have one structure for health, and other services as well. It may take some time —

**Mr Speaker:** Will the Member draw his remarks to a close?

**Mr Hamilton:** It may be difficult and costly. However, I am sure that we could subsume the Republic of Ireland back into the United Kingdom —

**Some Members:** Hear, hear.

**Mr Hamilton:** If people want one structure for health and other things, there is a way to do it.

**The junior Minister (Office of the First Minister and deputy First Minister) (Mr G Kelly):** Go raibh maith agat, a Cheann Comhairle. I welcome the opportunity to reiterate the commitment of the Office of the First Minister and deputy First Minister to mutually beneficial and practical North/South co-operation. I am also happy to reinforce the message that North/South co-operation can deliver economic, social, infrastructural and other benefits for the people of this island. I am glad to have the opportunity to talk about the real benefits.

First, however, I want to pick up on the references to the ongoing review of the North/South bodies arising from the St Andrews Agreement. At its plenary meeting on 17 July 2007, the North/South Ministerial Council agreed to take forward the review of the North/South implementation bodies, including Tourism Ireland Ltd, and the areas for co-operation as provided for in the St Andrews Agreement. The terms of reference for the review are as follows:

- “1. To examine objectively the efficiency and value for money of existing Implementation Bodies;
2. To examine objectively the case for additional bodies and areas of co-operation within the NSMC where mutual benefit would be derived; and
3. To input into the work on the identification of a suitable substitute for the proposed Lights Agency of the Foyle, Carlingford and Irish Lights Commission.”

The review is being taken forward by a review group of senior officials and an advisory panel of four experts and advisers. The St Andrews Agreement review formed part of the discussions of the last North/South Ministerial Council plenary meeting in July. The Council noted that the review group is continuing with its consideration of the report on the efficiency and value for money of the existing implementation bodies and Tourism Ireland Ltd. The Council confirmed the intention to conclude the St Andrews Agreement review process before the end of 2009 and has instructed the review group to accelerate its work on all remaining elements of the review so that a final report can be brought to the next NSMC plenary meeting.

It is intended that, on conclusion of the review, the recommendations that emerge will be referred to relevant Departments, North and South, for consideration and appropriate action. Any changes to the existing arrangements will require the endorsement of the Assembly and the Oireachtas.

Members have asked specifically for the immediate publication and debate of all aspects of the review. However, it would not be appropriate to release the report on the efficiency and value for money of the existing implementation bodies and Tourism Ireland Ltd, as the review group is continuing its consideration of that report. As the review is being carried out under the auspices of the North/South Ministerial Council,



any report or other outcome of the review is a matter for the Council. The Council intends to meet again in plenary format in December, and it would not be appropriate to pre-empt the Council's conclusions on this matter.

We continue to take forward mutually beneficial and practical co-operation, particularly on infrastructure, trade and business, energy, tourism, agriculture, education and health, including through the work of the North/South bodies and other areas of co-operation.

The key issue facing both jurisdictions is the economic downturn. We continue to keep a close watch on the impacts of the economic downturn on local people and businesses, and it remains a standing item on the agenda of Executive meetings. Furthermore, since the downturn began, discussions on economic issues have featured prominently on the agendas of the North/South Ministerial Council.

At the NSMC plenary meeting in January 2009, the First Minister and deputy First Minister and other Executive Ministers outlined the steps that are being taken to mitigate the effects of the downturn, including access to credit and establishing the cross-sector advisory forum. In turn, the Taoiseach and the Irish Government Ministers outlined the steps that they are taking, particularly on infrastructure, innovation and banking. It was agreed by all that there was a need for continuing practical and mutually beneficial North/South co-operation to assist in government efforts to deal with the challenges of the downturn.

At the subsequent NSMC plenary meeting in July 2009, the First Minister and deputy First Minister had a broad discussion with the Taoiseach and Irish Government Ministers on the economic challenges facing both jurisdictions and our respective responses to dealing with the downturn and its impact, particularly on the banking sectors. At the NSMC institutional meeting earlier this month, we had a discussion with the Minister for Foreign Affairs, Micheál Martin, on practical, mutually beneficial co-operation in the context of the current economic and budgetary challenges facing both jurisdictions.

Co-operation extends much further than high-level discussions about the economy. Work being taken forward by the North/South implementation bodies in some of the other NSMC areas of co-operation makes a significant direct contribution to economic development. Through the North/South Ministerial Council, we are continuing to take forward co-operation to deliver real benefits, particularly on infrastructure, trade and business, tourism and education, and to tackle major issues that confront us all, such as child protection, which was mentioned by a number of Members earlier, suicide prevention, barriers to mobility, the environment, and transport.

North/South Ministerial Council meetings focus on practical co-operation, with good open discussions between Ministers. To maintain momentum, Ministers at the plenary meeting in July agreed a schedule of 15 NSMC meetings to take place up to the end of this year, which will further support the positive outcomes of the work being done. Most of those meetings have taken place, and another plenary meeting is planned for December, as I mentioned earlier.

I fully recognise the value of North/South co-operation on transportation issues, and that is reflected strategically in the reviews of the regional development strategy and the regional transportation strategy. Co-operation between both Governments has been enhanced through bodies such as the North/South Ministerial Council and the cross-border steering group.

An example of how cross-border aspects can be delivered can be found in the recently completed A1/N1 Newry to Dundalk dual carriageway. That level of co-operation is being further enhanced through delivery of the A5, the north-west gateway to Aughnacloy, and the A8 Belfast to Larne road improvements. Members will be aware that the Irish Government have reiterated their intention to make available funding for major roads programmes on the A5 western corridor and on the A8 Belfast to Larne route, which was mentioned earlier.

Those projects highlight how progress is being made between both jurisdictions to develop the strategic road network for the benefit of the whole island of Ireland. They will result in substantial improvements in road links, which will enhance the potential for economic development and tourism. It is not just about physical links; trade links are crucial. InterTradeIreland does vital work to boost economic co-operation across the island and to create an environment that makes it easier to do business and to increase the competitiveness of individual companies in the global marketplace.

Tourism, which makes an important contribution to our economy, is another area in which the NSMC, through the work of Tourism Ireland Ltd, is producing good results. Tourism Ireland has worked very successfully to promote the whole island as a tourist destination, and continues to do so at a very challenging time for the tourism industry. That work is, in turn, complemented by the work of other NSMC bodies. For example, Waterways Ireland is taking forward an NSMC decision to proceed with the restoration of the eight-mile Clones to Upper Lough Erne section of the Ulster Canal in light of the Irish Government's offer to cover the full capital cost of that, which is estimated at around £35 million.



Practical co-operation extends into one of this island's most important industries — agriculture. Work is progressing to deliver the draft all-island animal health and welfare strategy, and to finalise arrangements for a cross-border stakeholder consultation event early next year.

However, let us not forget that the work of the NSMC is not just about trade and infrastructure. It is about making people's lives better, for example, in relation to co-operation on road safety.

The continuing downward trend in road deaths in Ireland is encouraging, but the increase in fatalities in the current year to date in the North is a matter of considerable concern. The authorities here and in the rest of Ireland are considering the possibility of introducing new lower drink-driving limits and are exploring the potential for co-ordinating their approaches to the implementation of any new limits that are agreed. The mutual recognition of driving disqualifications between the North and South of Ireland and, indeed, Britain, should be in place shortly, and the mutual recognition of penalty points will be considered after that process has been completed.

Work is being taken forward on important issues such as Traveller education and special education, including the Middletown all-island centre of excellence for children and young people with autism spectrum disorder.

The NSMC work on child protection is another important area of collaboration that was mentioned by a number of Members. Cross-border groups that were established under the current procedures continue to meet regularly to examine areas of mutual co-operation, and work is under way to finalise a range of cross-border advice and guidance materials for parents, carers, employers and anyone who has concerns about a child. Along with Southern colleagues, we are developing a joint protocol to deal with children who are looked after or whose names are on the child protection register and who go missing or move between the two jurisdictions, where there are concerns. Officials are also considering how best to raise awareness around Internet safety and social networking.

Good co-operation also takes place in the area of suicide prevention. Suicide and self-harm respect no borders, and many of the issues that we face here are also challenges for government, local communities, families and individuals in the South. Therefore, it is vital that learning and best practice from both jurisdictions is shared. An all-island action plan on suicide prevention has been in place for some time, and it is encouraging that that plan continues to develop and expand. For example, the deliberate self-harm register that operates in the South is now being piloted

in the North. It provides valuable data to help to inform policy and service delivery.

The north-west gateway initiative is another good example of cross-border co-operation that brings practical benefits for people locally and strategic benefits for the island as a whole. Since the formal announcement of the initiative in May 2006, the task of officials has been to find ways to enrich the Executive and the Irish Government working in co-operation to attract new employers and other economic benefits to rejuvenate the region. A large number of projects is under way, and further progress on those will, individually and cumulatively, bring economic, environmental, tourism, health and social benefits, which will improve the quality of life in the north-west region.

Strong and focused co-operation across all sectors of business and government is key to the success of all North/South co-operation. A good example of that is Project Kelvin, the international telecoms link, which perhaps epitomises the global benefits that can flow from North/South co-operation.

I am sure that Members will appreciate that I have provided only a brief flavour of the range of ongoing North/South co-operation. Undoubtedly, however, that co-operation is delivering mutually beneficial outcomes for all the people. Go raibh míle maith agat.

**Mr Weir:** The debate has been relatively good natured, albeit somewhat predictable, with the exception of Mr Gallagher's brief and inadvertent support for the amendment.

The one contrast in the debate has been between the SDLP and Sinn Féin. On previous occasions, they competed to say who has betrayed Ireland the most, and they may return to that during tomorrow's debate on the Department of Justice Bill. However, today, they have had a competition to see which is the greenest party in the ongoing struggle towards the next election. Mr Gallagher said that he supported the North/South arrangements 100%, and I was surprised that a Sinn Féin Member did not claim to support them 110% or 120%, such was the competition. I suspect that I may have started a bidding war in that regard.

Whether through the honeyed words and more subtle approach of Mr McLaughlin, or the sledgehammer approach that Mr Molloy and Mr McElduff took, we got the same message.

4.30 pm

Several Members described the debate as premature. It is not difficult for unionists to understand the motivation behind it. If I may fall back on a classical analogy, "Timeo Danaos et dona ferentes" — beware of Greeks bearing gifts. Some Members opposite and Mr Shannon are not the only ones who are bilingual.

We on these Benches can see a Trojan Horse when it is wheeled out in front of us. The motion and the support for it have little to do —

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

**Mr Weir:** I have a relatively short time. If the Member is brief, I will give way.

**Mr McElduff:** Is the Member guilty of introducing a non sequitur into the debate? Is he arguing *ad hominem*, as opposed to addressing the merits of the issue?

**Mr Weir:** I am tempted to comment on the Member's schoolboy Latin.

A Trojan Horse is being wheeled in, because the motion has little to do with mutual benefit. It aims to advance an all-Ireland agenda, as various Members admitted. We are told that we should move towards a more all-Ireland economy. If the Celtic tiger were taken to the vet, it might be in danger of being put down.

As Mr Ross said, the Irish economy is something of a basket case. I will use another analogy: during the First World War, the Germans complained that being allied with the Austro-Hungarian Empire was like being shackled to a corpse. If we were to consider greater economic intervention from the Republic of Ireland, we would be shackling ourselves to a corpse. Why on earth would we want to do that?

In contrast, the remarks by unionist Members were consistent and practical. Various Members spoke about value for money and said that North/South co-operation should be practical and mutually beneficial. There is no ideological resistance to co-operation, but it must be based on mutual benefit.

The view of this side of the House is that North/South co-operation must be efficient, and the amendment takes account of that. There is no point in trying to drive out inefficiencies from our system if we simply ignore them in North/South matters. Co-operation must also be based on economic practicalities. At a time of recession, it is not realistic to suggest that we consider a massive expansion of North/South activities, because the money is simply not available for that.

We must also bear in mind opinions North and South of the border. There is a great commitment to North/Southerly, but when there is a practical implication, such as the North/South interconnector, some of the Members opposite fight tooth and nail against the nature and route of that project. When it comes to practicalities, the South makes cuts in its budget for North/South bodies.

Although the South may occasionally want to talk the talk, is it prepared to walk the walk? Mr McElduff and other Members mentioned acute hospitals. I would be interested in which Health Minister would be willing to announce the closure of hospitals in border

areas of the South. I cannot see anyone having that political courage. Are we prepared to abandon the new hospital for Enniskillen in the south-west?

There is also the issue of variable economics. I accept that there can be good practical co-operation between North and South. Many examples that have been mentioned happen outside the North/South Ministerial Council through good practical arrangements.

However, there are also instances of east-west co-operation. The junior Minister Mr Kelly mentioned the co-operation on sex offenders that goes beyond jurisdictions. Mr Gallagher mentioned environmental issues. The Kyoto protocol is based largely on nation states, and Mr Gallagher is right to say that the environment does not recognise a border. However, it does not recognise the Irish Sea or the North Channel either. There is, therefore, a range of issues on which to co-operate.

There should be practical co-operation on matters that are mutually beneficial. Whether the co-operation is North/South or east-west, it must be balanced and practically driven. That is why the DUP supports the amendment.

**Mr Attwood:** At the outset, it is important that I state the SDLP's core political purpose in the debate. Next month, it will be 10 years since the North/South Ministerial Council's (NSMC) first meeting. It is appropriate to mark that event by taking stock, and, more importantly, to voice the anxiety that exists that the aims that are described in my party's motion could, for wider political reasons, be frustrated.

I do not know what motion DUP Members were reading, but it was not the one in the Order Paper. The motion was crafted to address how unionism might face up to its contents. That is why it seeks:

“additional bodies and areas of co-operation within the NSMC where mutual benefit would be derived”.

That is why my party did not prescribe certain implementation bodies that it believes should exist; it calls for the development and enlargement of North/South opportunities. Therefore, the entire motion is crafted in a way to break through the political fog and narrow politics that sometimes prevail on the Floor in order to break through the present impasse on North/South co-operation.

As junior Minister Kelly said, the review of North/South co-operation is due to be discussed at the North/South Ministerial Council in two weeks' time. The First Minister and the deputy First Minister have told the Assembly time after time that the first phase of the review would look at existing bodies and that the second phase, which would look at future arrangements, would report in two weeks' time.

There is grave danger that in the current political turbulence, opportunities that the review may present will be frustrated and sidelined. The SDLP's view is that mutually beneficial opportunities that could be developed will be lost and we will all lose out as a result. That is the purpose of the debate: to pull back from what passes for politics in order to identify how the Assembly, its parties and Ministers can grasp the opportunities that may be presented in the next two weeks.

The debate is not about a united Ireland; not once did Dolores Kelly mention a united Ireland in her speech. That will be confirmed in the Hansard report. However, there is nothing wrong and everything right about nationally minded people such as the SDLP and Sinn Féin wanting to share fully in the life of the rest of the island.

That is not, however, what the debate is about. Its aim was not to reframe the nationalist wish for a united Ireland but to acknowledge the cost of partition. Before partition, there were not two Administrations, economic units or public services on the island. Before partition, all the people of the island, regardless of their political identity, agreed that there was one public service, one economy and one system of administration.

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

**Mr Attwood:** I will take an intervention from Mr Kennedy if he wants to make one.

**Mr Kennedy:** I am grateful to the Member. Will he agree that, before partition, Ireland operated under the auspices of the Crown, which provided its economic basis and welfare?

**Mr Attwood:** Whatever sovereignty resided in Ireland before partition, there was one economy, one administrative unit and one public service. Neither unionists nor nationalists on the island felt threatened or at any peril because of that; they accepted it.

The motion argues that unionists recognise that we are not trying to railroad them into a united Ireland but to undo the costs of partition, which would bring real benefits for administration, the economy, public service, and for the border counties in particular.

That is the thinking behind the motion. If we do not take the opportunity that may present itself in the NSMC review, which is meant to be discussed in two weeks' time, there may not be a breakthrough. We will wait to see whether it is discussed in two weeks' time, because, in the current political climate, some people will be tempted to put that on the back-burner as well.

Members rightly outlined where we can avail ourselves of some opportunities. In proposing the amendment, Alastair Ross said that sometimes he comes to the Chamber and is presented with a one-page statement on a North/South meeting. He was

right about that, but he did not analyse the reason for it. Reports on North/South meetings are sometimes very narrow because those North/South sectors are still working to a programme of work that was agreed seven years ago, in 2002. Who, in 2009, in any area of politics, is working to a programme that was agreed in 2002?

The review, and we will wait to see whether this happens, needs to determine whether the work programme of the existing bodies can be liberated in order that it can be updated to enable the bodies to do more and better work after 2009. That is why reports that come out of North/South meetings are so narrow.

Barry McElduff and others touched on the second test of the review. Some 48% of the North's Budget is spent on health, while 25% of the South's Budget is spent on health. However, that does not take into account all the South's spending, because part of it is done outside its Department of Health and Children. In the round, up to 35% of every euro and pound on this island is spent on health. Is there not a better way in which to do things?

Mr Kennedy said that the motion was informed by some ideological predisposition, but he and the Ulster Unionist Party should go and speak to the Minister of Health, Social Services and Public Safety, who is sitting on a report that was commissioned by the two Departments, North and South. The report makes 37 recommendations about how primary and acute healthcare on this island can be delivered better. That is not some ideological predisposition. Those 37 recommendations would make people on this island's health better, would save money and would make healthcare more efficient and effective. Where is the threat in that?

If I were a member of the Irish Government listening to some of what the DUP said today, I would be tempted to pull the money. In spite of their economic turmoil, they have not withdrawn one penny or euro from subventions to the North. They rightly asked for 3% efficiencies on North/South bodies, but the DUP's amendment offensively referred to that as "efficiencies imposed". That was not imposition but was done through consent and in agreement with the Irish Government. However, at the same time, the Irish Government did not reduce by one penny the millions of pounds that they subvent to the North, including to finance the Derry to Aghnacloy road, the border road, Waterways Ireland and all the stuff in Fermanagh to which Tommy Gallagher referred.

The DUP's amendment is a slap in the face for the Irish Government. In spite of their own economic conditions, they remain generous and committed to North/South development. Therefore, put the amendment aside.

We did not welcome the North/South review. If it produces positive proposals, they should be grasped. They should not be surrendered. Contrary to what Members may think, the review will say that about implementation bodies to date.

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

4.45 pm

*Question put, That the amendment be made.*

*The Assembly divided: Ayes 45; Noes 44.*

#### AYES

*Mr Armstrong, Mr Beggs, Mr Bresland, Mr Buchanan, Mr Campbell, Mr T Clarke, Mr Cobain, Mr Craig, Mr Cree, Mr Dodds, Mr Donaldson, Mr Easton, Mr Elliott, Mr Gardiner, Mr Hamilton, Mr Hilditch, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr McCallister, Mr McCausland, Mr B McCrea, Mr I McCrea, Dr W McCrea, Mr McFarland, Miss McIlveen, Mr McNarry, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Newton, Mr Paisley Jnr, Mr Poots, Mr G Robinson, Mrs I Robinson, Mr K Robinson, Mr P Robinson, Mr Ross, Mr Shannon, Mr Simpson, Mr Spratt, Mr Storey, Mr Weir, Mr Wells, Mr S Wilson.*

*Tellers for the Ayes: Mr Ross and Mr Weir.*

#### NOES

*Ms Anderson, Mr Attwood, Mr Boylan, Mr D Bradley, Mrs M Bradley, Mr P J Bradley, Mr Brady, Mr Brolly, Mr Burns, Mr Butler, Mr Dallat, Mr Doherty, Dr Farry, Mr Ford, Mr Gallagher, Ms Gildernew, Mrs Hanna, Mrs D Kelly, Mr G Kelly, Ms Lo, Mr A Maginness, Mr A Maskey, Mr P Maskey, Mr F McCann, Ms J McCann, Mr McCarthy, Dr McDonnell, Mr McElduff, Mrs McGill, Mr McHugh, Mr McKay, Mr McLaughlin, Mr Molloy, Mr Murphy, Mr Neeson, Ms Ní Chuilín, Mr O'Dowd, Mr O'Loan, Mrs O'Neill, Mr P Ramsey, Ms S Ramsey, Ms Ritchie, Ms Ruane, Mr B Wilson.*

*Tellers for the Noes: Mr D Bradley and Mr P J Bradley.*

*Question accordingly agreed to.*

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

*Resolved:*

That this Assembly recognises that balanced North/South and east-west co-operation can deliver benefits for the people of Northern Ireland; notes that the ongoing North/South review has yet to conclude; and welcomes the efficiencies imposed on the implementation bodies and Tourism Ireland Ltd.

*Adjourned at 4.56 pm.*



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# NORTHERN IRELAND ASSEMBLY

Tuesday 1 December 2009

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

*Members observed two minutes' silence.*

## ASSEMBLY BUSINESS

**Mr Kennedy:** On a point of order, Mr Speaker. I am concerned about the proposed statement from the Minister of Education. During Question Time yesterday, in response to question 5 to the Minister of Education, which my colleague Mr Kinahan asked, she said:

“I am constrained in how far I can go at this point without risking the wrath of the Chair by providing the details that I wish to impart in the statement.” — [*Official Report, Vol 46, No 3, p173, col 2*].

There is substantial concern that media outlets, both press and electronic, relayed the detail of the statement that the Minister of Education is about to make to the House. Mr Speaker, I find that unsatisfactory, and I ask that you investigate the matter and relay to the Minister of Education and all Ministers the importance of treating this House with proper respect.

**Mr Speaker:** I hear what the Member is saying. I have always encouraged Ministers to come to the House first. I have always encouraged Ministers to give the House its place. I recognise that that is not always possible. However, when I meet with Executive members, I encourage that it be the case as far as possible. I expect Ministers to give the House its place before going to the press.

**Mr O'Dowd:** Further to that point of order, Mr Speaker, I am of the firm understanding that there is no indication whatsoever that the Minister of Education made any statement to any press organisation or issued any press release before coming to the House. It appears that the Ulster Unionist Party raises a point of order every time that we enter the House to hear a ministerial statement. It might be useful to hold a class on how to use Standing Orders, because it is clear that that party does not realise what they are for.

**Mr Speaker:** I cannot add much to what I have already said. I am not blaming any Minister. All that I am saying is that, as far as possible, it is important that Ministers give the House its place without going to the

press, and that is what I said to Mr Kennedy. I am not blaming the Minister of Education.

I am not saying that the Minister went to the press. I am just establishing the principle that the House should be given its place in respect of particular Assembly issues.

**Mr B McCrea:** On a point of order, Mr Speaker. As Mr O'Dowd suggested, perhaps you can help me. Will you tell me whether it is necessary for the statement that the Minister of Education is about to make to be brought before the First Minister and deputy First Minister and whether it has been approved by the First Minister?

**Mr Speaker:** That is a matter for the Minister. It is up to any Minister whether he or she wants to make a statement to the House. Ministerial statements do not have to be approved by the First Minister and deputy First Minister.

## MINISTERIAL STATEMENT

### Education: Interim Governance and Management

**Mr Speaker:** I have received notice from the Minister of Education that she wishes to make a statement on interim governance and management arrangements for the education sector in the period before the education and skills authority (ESA) is established.

**The Minister of Education (Ms Ruane):** Go raibh maith agat, a Cheann Comhairle. I would like to confirm that I did not speak to any press in relation to this matter. I have always given the House its place, and I respect the House. Cuirim fáilte roimh an deis seo le ráiteas a thabhairt don Tionól inniu —

**Mr Kennedy:** On a point of order, Mr Speaker.

**Mr Speaker:** Order. I will be happy to take points of order after the statement.

**A Member:** We cannot hear.

**Mr Speaker:** OK; we will see whether we can improve the hearing.

**The Minister of Education:** Cuirim fáilte roimh an deis seo ráiteas a thabhairt don Tionól inniu faoi na socrúithe idirthréimhseacha rialachais agus bainistithe atá á gcur i bhfeidhm agam don earnáil oideachais le linn na tréimhse sula mbainfear amach sprioc an Choiste Feidhmiúcháin an t-údarás um oideachas agus scileanna a bhunú.

I welcome the opportunity to make a statement to the Assembly about the transitional governance and management arrangements that I am putting in place for the education sector in the period before the Executive's objective of an education and skills authority is established. The Executive committed themselves to 1 January 2010 as the establishment date for the ESA, and I have devoted my energies and those of my Department to implementing that Executive commitment. However, the Bill has not reached Consideration Stage, and the agreed operational date of 1 January 2010 is no longer achievable.

The new year was to bring a new era for education here. Sadly, the failure to find a political agreement means that that era has been delayed. The implementation date for the ESA has been put off on several occasions since 2008. That has been unsettling for thousands of staff employed in the sector and potentially disruptive for front line services. We cannot continue to allow things to be delayed and keep on pushing the problems in front of us. By doing so, we forgo the benefits of improved educational standards and the greater efficiency that will be realised from the operation of the new authority in delivering front line services.

Creidim go láidir go gcinnteoidh na daoine ar fad a bhfuil speis acu i leas na bpáistí atá i gceoilár ár gcórais oideachais go ndéanfar an t-aistriú chuig an údarás um oideachas agus scileanna a réidhe agus is féidir tríd. Áirítear ar an méid sin freagracht na bpolaiteoirí atá sa Seomra.

I believe firmly that all those who are interested in the children at the heart of our education system can and will ensure a smooth transition to the ESA as soon as possible. That includes the responsibility of politicians in the Chamber. I pay tribute to the many members and staff in the affected organisations for the contributions that they made towards that goal during the transition period. However, I recognise that the heightened uncertainty, which could impact on front line services if it is not managed, has to be dispelled. As the Minister of Education, I have the responsibility to act. I must ensure that momentum is maintained towards delivering this long-awaited Executive reform. The Assembly, too, must act in a responsible manner in the weeks and months ahead.

Caithfear leanúint leis na hiarrachtaí atá déanta ag an earnáil oideachais go dtí seo i dtreo choinbhéirseacht na ngníomhaíochtaí isteach san eagraíocht nua agus leanfar leo. The efforts that have already been made by the education sector towards the convergence of activities in a new organisation must and will continue.

There are significant financial implications too. Departments are already facing major resource constraints next year. The delay in ESA coming into being has impacted on the £8.3 million that we had expected to achieve this year from ESA, and any further delay could impact on savings in the coming year. Between this year and next, £21.3 million has already been taken out of the education budget and, thus, any delay in establishing ESA has a direct impact on education services. That is something that we simply cannot afford to let happen. The longer the establishment of ESA is put off, the longer education will have to await the benefits and absorb the financial loss.

Caithfear an coigilteas pleanáilte ón údarás um oideachas agus scileanna a fháil. Mar sin, tá rogha simplí ach géarthábhachtach le déanamh againn: is féidir an coigilteas a fháil trí ghearradh siar ar mhaorlathas; nó trí ghearradh siar ar theagasc agus ar fhoghlaím. Tá sé ar intinn agam gearradh siar ar mhaorlathas. Is éard atá i gceist ag ESA ná maorlathas a chuíchóiriú agus caighdeáin oideachais a ardú. Tá an dá rud ríthábhachtach.

The planned savings from ESA must be made, so we face a simple but stark choice: savings can be made by cutting bureaucracy or by cutting back on teaching and learning. I intend to cut bureaucracy. ESA is about streamlining bureaucracy and raising educational standards. Both are vital. I have, therefore, been

considering the transitional governance and management arrangements for the period before ESA is established. We need to keep on the path of convergence. Therefore, I have decided to implement new arrangements to achieve that aim.

A smooth transition is on my agenda, as it should be for everyone in this Assembly. I am, therefore, using existing legislation to press ahead with interim arrangements from 1 January 2010. Those are designed to ensure that we continue to reduce bureaucracy and streamline education services in preparation for ESA; that momentum towards ESA is not lost and that work towards convergence of services across the nine existing organisations is accelerated; that greater uniformity is achieved in the services that are provided; that school improvement and raising standards are pursued more vigorously; that there are greater efforts to drive out savings through efficiencies to protect front line education services; and that there is increased financial oversight in this period of increased uncertainty.

Dá n-athbhunófaí na boird, bheadh sé seo contrártha le cuspóir an Choiste Feidhmiúcháin: athchóiriú radacach na struchtúr oideachais, agus bheadh sin ina chúis éiginnteachta do bhaill foirne agus do scoileanna. Is beag is fiú fad a chur le ballraíocht iomlán na mbord arís don idirthréimhse. Deir cuid mhór de chomhaltaí an ELB go bhfuil a gcion féin déanta acu le himeacht na mblianta, agus tá an ceart acu.

Simply reconstituting the boards would be contrary to the Executive's objective of radical reform of education structures and would only cause further uncertainty for staff and schools. I do not see value in simply extending the entire board membership again for a transitional period. Many education and library board members rightly state that they have already played their part over the years. I have, therefore, decided to use existing legislation to reduce the membership of the boards so that we have smaller decision-making structures in place. For Members' perusal, I have appended to the written copies of the statement the numbers that will be involved in each transitional board.

I plan to reduce membership of the boards by over half, taking into account equality legislation and discussions with the Commissioner for Public Appointments. I aim to ensure that the transitional boards will reflect the communities that they serve. My Department will be in contact with the relevant bodies that nominate to the boards about the details in the coming days.

Tá mé ag iniúchadh socrúithe cuí ballraíochta do Chomhairle na Scoileanna Caitliceacha faoi Chothabháil, don Chomhairle Curaclaim, Scrúdúcháin agus Measúnaithe, do Choimisiún na Foirne agus don Chomhairle Ógra.

10.45 am

I am also looking at the appropriate membership arrangements for the Council for Catholic Maintained Schools, the Council for the Curriculum, Examinations and Assessment, the Staff Commission for Education and Library Boards and the Youth Council. I have considered, too, how the organisations should operate in the interim period towards the implementation of the Executive's decision to establish ESA. There must be a stronger push on the preparations for ESA and a greater focus on the convergence activities.

I have asked the chairperson-designate of ESA, Sean Hogan, to take on a greater role during the transitional period. The chairperson-designate will convene meetings of the chairpersons of the transitional boards and of the other education bodies to ensure that there is a strong co-ordinated approach to the convergence activity. Performance management arrangements will be put in place for the chairpersons so that there is a clear focus for their work. It is important that the transitional boards work increasingly together on the reorganisation and delivery of services to facilitate transformation and convergence. Each board currently operates with a number of committees that perform functions delegated by the boards. I will be asking the transitional boards to introduce a committee structure that will help to facilitate transformation and convergence.

Ba mhaith liom a chinntiú go nglacann príomhfheidhmeannach ainmnithe an ESA, Gavin Boyd, ról níos díri sna hullmhúcháin. Beidh mé ag cur socrúithe i bhfeidhm do na hoifigigh cuntasáochta ar na boird agus ar na forais eile le gur féidir leo tuairisciú don Roinn tríd an bpríomhfheidhmeannach ainmnithe, atá ina oifigeach cuntasáochta leis an Roinn Oideachais

I want to ensure that the chief executive-designate of ESA, Gavin Boyd, now takes on a much more direct role in the preparations. I will be putting in place arrangements for the accounting officers in the boards and in the other bodies affected to report to the Department through the chief executive-designate, who is an accounting officer in the Department of Education.

I will be asking the chairperson and the chief executive designates to produce a convergence delivery plan with clear leadership roles for the incoming ESA directors and associated timescales for implementation. The plan should cover the reorganisation of back-office functions, managing cross-board services and determining how existing organisations should be directed to drive forward key policies, including 'Every School a Good School', the entitlement framework and area-based planning, as well as their adherence to equality duties under the Good Friday Agreement.

In the transitional period, there is a need for increased financial oversight so that we continue to ensure that

services are delivered and that the risks to a seamless transition to ESA are carefully managed. I have, therefore, asked my Department to review the financial delegations to the existing bodies.

As I said, all those arrangements are designed to reduce uncertainty and to ensure that progress continues to be made until ESA is established in line with the Executive's stated objective. The chair and chief executive designate of ESA will play a greater role for the Department in working with the nine existing organisations to ensure that there is a strong co-ordinated approach to the convergence activity. I have set out the measures that need to operate in the transitional period, which, I hope, will be very short. I will monitor the effectiveness of the measures and supplement them with other changes as necessary.

Níor cheart go mbeadh aon mhoill eile ar dhul chun cinn na reachtaíochta i dtreo aidhm an Choiste Feidhmiúcháin le haghaidh athchóiriú na seirbhísí oideachais. Ba chóir do gach duine ar suim leis todhchaí an oideachais anseo a bpáirt féin a imirt lena chinntiú go bhfuil an mhoill seo chomh beag agus is féidir.

A further delay in the progress of the legislation towards the Executive's objective of reforming education services should not be allowed to occur. All those who have the future of education here at heart should now play their part in ensuring that the delay is minimal. I have appended to the written copies of the statement a breakdown of the membership of the transitional education and library boards.

**Mr Speaker:** Quite a number of Members wish to ask questions about the Minister's statement. Therefore, in order to get everybody in, I encourage Members to come to their questions quickly.

**The Chairperson of the Committee for Education (Mr Storey):** It is appropriate that I set the Minister of Education's statement in context.

As Chairperson of the Education Committee, I wish to first remind Members of what the Minister said to the House on 25 November 2008 during a statement on the review of public administration for education, just prior to the introduction of the first Education Bill:

"The RPA is a single legislative programme. My intention is that it will be implemented by means of two Acts that will be intimately linked. Full implementation of both Acts will be necessary in order to achieve the programme's objectives."

She also said:

"local democratic accountability...is vital for a service as important as education." — [*Official Report, Bound Volume 35, p257, cols 1-2*].

The position is as the Minister has just said: the first Education Bill has not reached Consideration Stage, and the second education Bill has not been introduced to the House. A total of 97 amendments and six notices of clause not stand part have been tabled on the first

Education Bill. No information on the scrutiny or the content of the second Bill has been brought before the House. Yet, the Minister today tells the Members of this legislative Assembly:

"I have decided to implement new arrangements to achieve that aim."

That is, the convergence of nine existing statutory bodies into an ESA.

Clearly, the House has not made its decisions on these Bills. So, for the Minister to now implement new arrangements —

**Mr O'Dowd:** Is that a speech or a question?

**Mr Speaker:** Order. It is well known in this House that when Chairpersons of Committees rise in their place they have some latitude before they put their question, and this morning is no different. I encourage the Chairperson to come to his question.

**The Chairperson of the Committee for Education:** The House has invested in its Committees power to scrutinise, and it ought to be the case that, when it comes to a very important issue, the Chairpersons have the right to ensure that they set in context the statement that has been made to the House. It is one thing to make preparations to implement legislation, but pre-empting the will of the Assembly is something that I think is very serious.

To reduce membership of the education and library boards by over half and to introduce transitional boards —

**Mr Speaker:** I encourage the Member to come to his question.

**The Chairperson of the Committee for Education:** I will get to the question.

I can find no reference to transitional boards in the Education and Libraries (Northern Ireland) Order 1986 or to the chairperson-designate of ESA having responsibility to ensure the delivery of convergence. Therefore, I have a number of questions for the Minister.

First, will the Minister state whether the legal status of the individual education and library boards and their chairpersons and chief executive accounting officers will be altered in any way by her proposals and, if so, should there not be legislation before the House? Secondly, what is the current legal status of the chairperson-designate of ESA and the chief executive-designate of ESA, and where specifically do powers exist for them to carry out the tasks that the Minister is proposing in relation to the current education and library boards and other bodies? In conclusion, I come to questions that will be very important for the Minister. The Minister said that she will take into account equality legislation. Has her Department equality-screened her proposals, will an EQIA be carried out and what is the timescale for that to be done?



**The Minister of Education:** Go raibh maith agat as an ráiteas sin.

I had a meeting with the Chairperson of the Education Committee prior to making this statement, and I thank him for that meeting. My officials and I have always worked with the Education Committee, and I will continue to do that.

I will answer the Chairperson's first question, which was whether the revised transitional arrangements are legal. The answer is yes. Officials have scrutinised the relevant statutes. I am using existing legislation; the transitional structures will be constituted within the existing education and equality legislation.

**Mr O'Dowd:** Go raibh maith agat, a Cheann Comhairle. It is worth putting it on the record that the Chairperson of the Committee for Education did not agree any statement of the Committee prior to this meeting.

**The Chairperson of the Committee for Education:** On a point of order, Mr Speaker.

**Mr Speaker:** I will take the point of order at the end of this item of business. There are no points of order during ministerial statements.

**Mr O'Dowd:** Members talk about efficient and effective government and about reducing bureaucracy and investing money in front line services. They talk the talk, but they cannot walk the walk. My question relates to savings in education. Some £21 million has been removed from the Minister's budget, because the Executive had agreed that the ESA would be established by 1 January 2010. How will the Department of Education deal with that loss of £21 million?

**The Minister of Education:** We will deal with it with great difficulty. Efficiency savings were identified on the basis that the ESA would be established in line with the Executive's agreement. The delay in establishing the ESA means that it has not been possible to deliver the savings in the way in which the Department intended, and, as the funding has been deducted from the budget, the reduction will have to be borne across education services. One factor that is more important than savings and one which, I hope, Members will reflect on is that many of our young people are being failed by our education system. Members need to ask themselves what impact the delay in the establishment of the ESA will mean for those young people, be they on the Falls Road or the Shankill Road.

**The Chairperson of the Committee for Education:** On a point of order, Mr Speaker.

**Mr Speaker:** Order. Let the Minister respond.

**The Minister of Education:** What impact will the delay have on the young people in the Waterside,

Coleraine or in any other part of the North? For me, that is the biggest question today.

**Mr B McCrea:** The Minister touched on the loss to her Department of £21.3 million between this year and next year. At an Education Committee meeting, officials confirmed that much of the saving that was to be brought by the ESA was already trapped due to difficulties with vacancy control and various other issues. The anticipated savings were, therefore, already in the system.

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

**Mr B McCrea:** Given that the Minister, in her statement, said that financial oversight is important, will she elaborate on the performance management arrangements of the chairperson-designate of the ESA? Do the education and library boards have a statutory obligation to listen to the chief executive-designate of the ESA?

**The Minister of Education:** The chairperson-designate and the chief executive-designate have key roles to play in the interim phase to keep the momentum going towards the new authority. Therefore, I have asked Sean Hogan, chairperson-designate, to take on the co-ordination of the work of the chairpersons of the education body, so that there is a stronger focus on the convergence activity. I also want the existing bodies to report to Gavin Boyd, chief executive-designate — he has been an accounting officer in the Department for a number of months — so that stronger linkages are put in place between the work of the existing organisations and the preparations for the ESA.

**Mr D Bradley:** Go raibh maith agat, a Cheann Comhairle. An féidir leis an Aire a dhearbhu go mbeidh ceapacháin ar bith a dhéantar san idirthréimhse de réir na reachtaíochta um fhostaíocht chothrom? An féidir léi a dhearbhu fosta nach ndéanfar éagóir ar bith ar théarmaí seirbhíse na n-oifigeach atá sna heagraíochtaí oideachais eile?

Will the Minister assure the House that any appointments or promotions made by the reduced education and library boards in the interim period will meet the requirements of equality legislation? Will she also assure us that the terms and conditions of board officers and those in the other relevant education bodies, such as CCEA, NICIE, CCMS and Comhairle na Gaelscolaíochta will not be adversely affected by the changes?

11.00 am

**The Minister of Education:** Go raibh maith agat as an cheist sin. I can confirm that I will take account of all equality legislation. As I said, I aim to ensure that the transitional boards reflect the community that they serve in a very even-handed way.

**Mr Lunn:** To follow on from Mr Storey's question about the legality of reconstituting the boards, if it is

legal to do what the Minister suggests, surely it would be legal to allow the existing boards to have a stay of execution and to continue in their present form. The Minister speaks about streamlining bureaucracy and taking financial considerations into account, yet board members are not paid. Therefore, would it not be simpler and quicker to allow them to remain in their present form?

**The Minister of Education:** The simple reconstitution of the boards is neither practical nor desirable. Many board members rightly state that they have played their part. Simply to reconstitute the boards for another three months or three years, or for whatever length of time it takes before there is political agreement, will cause only further uncertainty for staff and will be contrary to the Executive's stated objective. We need transitional arrangements to be put in place that are capable of accelerating the convergence process towards the ESA and ensuring that we are fit for purpose to face the financial year. We are about streamlining bureaucracy. What I have said is that I plan to reduce board membership by half.

**Mr Ross:** The Minister is on public record as saying that local democratic accountability is vital for a service as important as education. Can she, therefore, explain why the Belfast Education and Library Board will move from the position of having 14 elected councillors on the board to having only four? How will that board be representative of the community that it serves?

Furthermore, is the fact that the Minister has not consulted any of her Executive colleagues or the Committee for Education an indication that she has given up on trying to find consensus on any of the issues, or is it merely an indication that she knows that nobody will agree with her?

**The Minister of Education:** I never give up.  
[Interruption.]

**Mr Speaker:** Order.

**Mrs McGill:** Go raibh maith agat, a Cheann Comhairle. The Minister answered my question in her response to Trevor Lunn. However, I declare an interest as a member of the Western Education and Library Board — a current member.

**Mr Craig:** I note with interest that the Minister said that she will ask the chairpersons of all the new bodies to converge and produce a delivery plan in conjunction with moving over to the ESA. I take it that she is really saying that Donal Flanagan, the chief executive of the CCMS, has just got the sack, because how will she deal with the fact that he instructed his members to have no dealings with the interim ESA set-up? I take it from what the Minister has said that she has just given that man the sack.

**The Minister of Education:** Absolutely not. I wish to make it very clear that all the organisations have worked closely with me and with my Department over the past number of years. I have chaired regular meetings with all the chairpersons of the existing organisations, and they have all played their part very well and very constructively, including Bishop McArdavey, who is the chairperson — the cathaoirleach — of the CCMS. My officials and I look forward to working with the chairpersons of the transitional boards and with the chairperson designate and chief executive designate of the ESA to ensure a smooth and seamless transition.

**Mr Kennedy:** The Minister indicated that she had not spoken to any media outlet. May I press her on whether her special advisers or the press relations people in her Department were responsible for the leaking of information? Has she instructed her permanent secretary to instigate a leak inquiry?

In streamlining the education and library boards, who will decide which elected members will retain their places on them, and how will that decision be made? Given the Minister's record, how can the House have confidence that she will not appoint her political cronies to those positions?

Finally, will the Minister explain to the House what the ramifications of the transitional reforms will be should the Assembly reject, or substantially amend, the Education Bill?

**The Minister of Education:** I can confirm that my special adviser did not talk to the press. He also respects the House.

**Mr Kennedy:** What about the PR people?

**Mr Speaker:** Order.

**The Minister of Education:** I can also confirm that —  
[Interruption.]

**Mr Speaker:** Order.

**The Minister of Education:** I can also confirm that the PR people did not speak to the press.

**Mrs M Bradley:** The transitional arrangements may allay fears for a while, but we need certainty. Will the Minister clearly state when the Consideration Stage of the Education Bill, which provides for the establishment of ESA, will come before the House? Will she also specify the status that she is using to make the changes?

**The Minister of Education:** I am using existing legislation to make the necessary changes.

**Mr Brady:** Go raibh maith agat, a Cheann Comhairle. I thank the Minister for her statement. Will the Minister tell the House when the current board members will be informed about the revised governance arrangements? Will she also confirm whether the Commissioner for

Public Appointments has been consulted about the transitional arrangements?

**The Minister of Education:** I wanted to announce the changes to the Assembly first. Therefore, board members will be informed of the changes after the debate.

What was the Member's second question?

**Mr Brady:** I asked whether the Commissioner for Public Appointments has been consulted about the transitional arrangements.

*[Interruption.]*

**Mr Speaker:** Order.

**The Minister of Education:** The Commissioner for Public Appointments has been consulted, and the Department will work closely with her.

**Mr Weir:** I note that no reference was made to the South Eastern Board in the Minister's statement to the House and that there is to be a reduction in the overall membership of the transitional boards. If the process is to be carried out equitably, will there be a reduction in the number of commissioners who run the South Eastern Board?

Appendix a of the Minister's statement shows that 21 "others" will be appointed to the transitional boards. Will the Minister confirm that all 21 are existing members of education and library boards?

**The Minister of Education:** I will ask the commissioners to stay on for a short period. That is a proportionate approach, because the board has worked well under them, and it would be wrong to disrupt the system at this key time.

**Ms Ní Chuilín:** Go raibh maith agat. I thank the Minister for her statement. How will the failure to pass the Education Bill affect children transferring between primary and post-primary schools?

*[Interruption.]*

**Mr Speaker:** Order.

**The Minister of Education:** My proposals for a new exceptional circumstances body were dependent on the passage of the Education Bill. I am considering the introduction of other measures to ensure that children are not further disadvantaged by the arrangements that a small number of breakaway grammar schools have put in place this year. *[Interruption.]*

**Mr Speaker:** Order.

**The Minister of Education:** I will make every effort to ensure that children do not bear the brunt of the obstruction or inaction of others, as I did when the Executive failed to consider my proposals for transfer in 2008.

**Lord Morrow:** Most of the Members who are in the House today and those who read the Minister's statement later will come to the conclusion that she may as well have not made it, because it offers no conclusions. Does the Minister accept that her Department is on the verge of meltdown and that her statement contains nothing to prevent that? Will she assure the House that she will adopt a more consensual approach, rather than the belligerent and confrontational manner that she has adopted to date, and sort out our education system once and for all?

**The Minister of Education:** I brought forward the proposals today to ensure a smooth transition for all our children and young people and to deal with the effects of political parties trying to block very important legislation. *[Interruption.]*

**Mr Speaker:** Order.

**The Minister of Education:** Perhaps the Member will go back to his constituency — *[Interruption.]*

**Mr Speaker:** Order.

**The Minister of Education:** Perhaps he will go back to his constituency and explain to the young people who are being failed by the system how his party's policies and the delay in the introduction of ESA help them.

**Mr K Robinson:** I note the Minister's statement today. Many Members feel that the Minister is introducing what amount to educational commissars at a time when the Committee for Education and the House have grave difficulty with the progression of the Education Bill. Does she not realise that not only is that causing the educational world some difficulty but it is adding to the fragility of the current state of the House?

**The Minister of Education:** I absolutely accept that the delay in bringing forward an Executive decision is very serious, and that is why I have brought forward proposals today. Faced with delay and obstruction, I have a duty to act for the benefit of children and young people. That is what I am doing.

**Mr I McCrea:** The appendix to the Minister's statement refers to 24 councillors and, as my colleague Peter Weir said, to 21 others. Will the Minister detail how the 24 councillors will be selected? Can she also answer the question that my colleague asked about the selection of the 21 others?

**The Minister of Education:** That is one of the areas that is under discussion with the Office of the Commissioner for Public Appointments, and the chairpersons and chief executives will be informed in due course of the outcomes of those discussions. I assure Members that I will take equality legislation into account, and I aim to ensure that the transitional boards will reflect the community that they serve.



**Ms J McCann:** Go raibh maith agat, a Cheann Comhairle. I thank the Minister for her statement. Will she expand on why the arrangements that she detailed are necessary? Will she also explain, not only to those in the House but to people in the community, who are important, exactly what or who is causing the delay in the establishment of ESA?

**The Minister of Education:** The Education Bill has not proceeded to Consideration Stage because the Executive have not yet considered the amendments that I, the Committee for Education and individual Members have tabled. I trust that my Executive colleagues will recognise the need to consider the amendments urgently so that the much needed reform of education administration, which the Executive have agreed, can go ahead. That is essential, because we can ensure that schools will be well supported and that children will get the best chance. It is no secret that Members on the unionist Benches are trying to block change.

**Dr Farry:** I thank the Minister for her statement. I appreciate the situation that the Minister is in at the moment. Further to her previous answer, will she expand on what processes are under way to try to find agreement on the way forward for the Bill between parties on the Executive so that we can have some clarity and so that the transitional period will be closed? Can the Minister also clarify the situation on speculation in the media about lowering the threshold for delegated financial authority? That was mentioned in media reports last night but was not referred to in her statement.

**The Minister of Education:** I am putting financial arrangements in place, and I will bring forward details on those in the coming days.

**Mr McClarty:** In light of the fact that the Education Bill has not reached Consideration Stage, will the Minister inform the House what her centrally controlled convergence plan will be converging towards?

**The Minister of Education:** The convergence plan will be implementing the badly needed reforms and ensuring that there is a smooth transition for all our children and young people. It will also ensure that ‘Every School a Good School’, area-based planning and the entitlement framework will be policies that will be implemented fully. The convergence plan will ensure that we use the scarce resources that we have to the best possible effect.

**Mr McCallister:** I note that the Minister passed on most questions. She said that she must ensure that momentum is maintained and that there will be a smooth transition process. What does she feel that she could have done better?

**The Minister of Education:** I think that the House agrees that it would be better for everyone if all the parties that had originally agreed an Executive decision

had followed through with that decision. I am ready and waiting to make sure that the ESA is established.  
[Interruption.]

**Mr Speaker:** Order.

**The Minister of Education:** In the absence of that body, I have brought forward proposals, because I am not prepared to stand idly by while children are failed by the system.

**Mr Speaker:** Order. That ends questions to the Minister of Education on her statement.

**The Chairperson of the Committee for Education:** On a point of order, Mr Speaker. Some Members of the House seem to think that it is funny that Members want to raise points of order. However, this is a serious issue.

Will you confirm — [Interruption.]

**Mr Speaker:** Order, order.

11.15 am

**The Chairperson of the Committee for Education:** We are well used to the arrogance of the party opposite; it is nothing new.

Mr Speaker, will you confirm that I, as the Chairperson of a Statutory Committee of the House, have every right to ask questions of the Minister that are relevant to the Committee on the basis of its debates and discussions and on information that has been made available to the Committee? Secondly, will you make a ruling on the totally dismissive nature of the Minister of Education in the way in which she dealt with some questions, whereby, in the normal way that she deals with the House, she dismissed, and, therefore, did not answer, the questions that were asked on a very serious point and a very serious issue in relation to what was said in the House today?

**Mr Speaker:** With regard to the latter issue, I have always said in the House that it is up to all Ministers to decide how they might answer a question. I certainly do not intend to sit in judgement on how a Minister might answer a question. With regard to the Member’s first point, that is certainly a responsibility of the Committee for Education and its Chairperson; it is not an issue for the House. It rests with the Committee.

**Mr Ross:** Further to that point of order, Mr Speaker, you said that it is up to Ministers to decide how they answer questions. However, is there not a directive that Ministers give at least some type of answer to questions? No answer whatsoever was given to my question about the Belfast Education and Library Board or to other Members’ questions.

**Mr Speaker:** As Members know, I encourage Ministers, as far as possible, to answer questions as fully as possible, but I will not sit in judgement on how a Minister might answer a question — that is the key — because that would be a very difficult role.



**Mr B McCrea:** On a point of order, Mr Speaker.

**Mr Speaker:** Is it a point of order on the same issue, Mr McCrea? We really need to move on.

**Mr B McCrea:** I appreciate the need to move on because we have other important business. However, this is a fundamentally important issue. When Members ask a direct question, are they not entitled to a response?

**Mr Speaker:** I hear what the Member is saying, but I cannot add any more to what I have already said this morning, and I feel that we should move on.

## EXECUTIVE COMMITTEE BUSINESS

### Goods Vehicles (Licensing of Operators) Bill

#### Final Stage

**The Minister of the Environment (Mr Poots):** I beg to move

That the Goods Vehicles (Licensing of Operators) Bill [NIA 15/07] do now pass.

Today, as one might expect, I want to draw attention to the purpose, aims and objectives of the Bill, to thank the Committee for the Environment and other Members for their contribution to its passage and to say something about looking forward to working with the Committee to develop the regulations that are needed to give the Bill full effect.

I will go back in time and pick up on the early days of the proposals that are now included in the Bill. Members will see why many people, my officials among them, are relieved that we have arrived at Final Stage. I guess that those who are sitting in the Officials' Box to my left may still be biting their nails and wondering what could go wrong.

Nearly 18 years have passed since legislative change for the freight industry was first reviewed. It would not be out of place to call it 'The Long and Winding Road'. In 1991, the issue was the responsibility of direct rule Ministers. In fact, a total of 14 Ministers have, in some way or another, had responsibility for leading the process to its current position: that is, nine direct rule Ministers and five devolved Ministers.

I will return to the real business of today's debate. I remind Members of the purpose and aims of the Bill. Its purpose is to provide enabling legislation to create a new legal framework for freight licensing. It is the outcome of a number of comprehensive reviews that were conducted by officials and has been drafted with great skill by the Office of the Legislative Counsel (OLC) and hand tailored to meet the demands of an important sector of industry in Northern Ireland. The aims of the Bill are to improve the standard of goods vehicles on the roads, promote fairer competition in the sector through the reduction of illegal freight operational activity, provide a fairer share of the burden of regulation and develop a better approach to dealing with the environmental impact of the industry.

The Bill is the third major piece of primary legislation to have been introduced by road safety division in as many years. It follows the Road Traffic (Northern Ireland) Order 2007 and the Taxis Act 2008, and, together, the three Bills represent a commendable endeavour to improve road safety. It is the first Bill that I have brought to Final Stage as Minister of the Environment. I do not expect it to be a Christmas number one, but if it were, I

would have to share the royalties with my predecessors, Arlene Foster and Sammy Wilson. I expect it to be the first of many Bills, and, although some of those will be of greater significance than others, I am proud that my first Bill deals with bread-and-butter issues such as the freight and logistics industry.

The freight industry is of significant importance to the Northern Ireland economy. Some 25,000 goods vehicles lift over 75 million tons of freight in Northern Ireland every year and transport it by road. The most popular commodities are crude minerals, food, drink, tobacco and building materials. Most end users do not appreciate the planning effort and risks that are associated with the road-based industry, and all that is reasonably possible must be done to reduce the risks and ensure the effectiveness of that key industry in Northern Ireland. For those reasons, I am pleased to ask the House to support the Bill.

I thank Members for their attention to the Goods Vehicles (Licensing of Operators) Bill, not only during Consideration Stage, when the amendments were approved, but in the detailed consideration of the Bill in Committee. I am pleased with the level of consensus that the Bill enjoyed in all parts of the House, and I particularly thank the members of the Committee for the Environment and its current and former Chairpersons for the Committee's considered evidence taking and detailed scrutiny of the Bill, its useful suggestions for amendments and its comprehensive report, which was published in December 2008.

My officials have aged slightly during the Bill's passage; I think that they were about 21 when they started. They are appreciative of the constructive working relationship that has been established between them and Committee members and, on their behalf, I thank the Committee.

The Bill, as it stands to be voted on in the Assembly, shows that a Minister, a Committee and officials can achieve positive outcomes by working together. I look forward to continuing that relationship as I consult with the Committee for the Environment on the detailed proposals for the Bill's implementation. I commend the Goods Vehicles (Licensing of Operators) Bill to the House.

**The Chairperson of the Committee for the Environment (Mrs D Kelly):** I thank the Minister for moving the Final Stage of the Goods Vehicles (Licensing of Operators) Bill. The Committee welcomes the Final Stage of that important Bill, which is needed to deal with all matters relating to the regulation of road freight operators. The Committee recognises that the Bill has the potential to enhance road safety, improve the image of the freight sector and contribute to the fight against organised crime.

The Bill was referred to the Committee on 21 May 2008, and members conducted detailed scrutiny, making recommendations and prompting amendments where they deemed necessary. The Committee considered that the key issues relating to the Bill were the fact that the own-account sector is not currently regulated; the financial impact of the proposed new arrangements on operators; the definition of "operating centre"; organised crime; the poor reputation of Northern Ireland's haulage system; cross-border issues; exemptions; planning; and enforcement.

The Committee outlined its recommendations for the Bill at Consideration Stage, and it would be remiss of me not to thank the Deputy Chairperson for speaking in my absence on behalf of the Committee on that occasion. Committee members had particular areas of concern, and I request that the Minister and his Department keep a close eye on those. The first of those is the issue of flagging out. Several stakeholders expressed concern that the Bill would distort operating conditions and competitiveness across the border and that businesses would be under pressure to relocate their operating centres. The Committee feels that that issue will require monitoring by the Department so that we are aware of any negative impacts of the Bill in that regard.

The second issue is that of the financial impact of the proposed new arrangements for operators. Many stakeholders expressed concern about the Bill's cost implications. In addition to the licensing process, costs will be associated with extra paperwork, insurance implications, obtaining professional competence and more time off the road for maintenance. The Committee calls on the Department to ensure that, in the current economic climate, any increased costs and bureaucracy that the industry faces are kept to an absolute minimum.

The third and final issue is enforcement, which the Committee discussed at length. Although members support the Bill and recognise its importance in improving the industry and, consequently, road safety, they feel that it will not bring about the intended improvements unless it is properly enforced. I, therefore, call on the Minister to ensure that adequate resources are allocated to ensure proper enforcement, and I urge him again to consider the feasibility of appointing an independent traffic commissioner for the North.

On behalf of the Committee, I thank the Minister for addressing its concerns and for bringing forward amendments in response to the Committee's scrutiny of the Bill. Once again, I put on record my thanks to the Committee staff and departmental officials for their hard work in assisting the Committee during its scrutiny of the Bill. The outcome is improved legislation that will genuinely help to protect lives.

The House will know that the Minister has several other Bills in the pipeline. I welcome his constructive working relationship with the Committee and look forward to working with him on those Bills.

**Mr McQuillan:** I thank the Minister for the opportunity to discuss, at this Final Stage, the Goods Vehicles (Licensing of Operators) Bill.

We all understand the importance of road safety in Northern Ireland, and it is with this legislation that we will be able to control and monitor the operators of goods vehicles. The current situation in Northern Ireland allows any heavy goods vehicle operator to use our roads without having their vehicles and drivers properly regulated. That includes operators with only one vehicle as well as a large operator with a fleet of however many vehicles. The proposed legislation will allow the Department of the Environment, through the licensing of operators, to ensure, for example, that drivers' hours are correctly enforced, that only roadworthy vehicles are used, and that, if not, corrective action will be enforced, with subsequent penalties.

The legislation will bring Northern Ireland into line with Great Britain, which enforces the licensing of operators. It will apply to all operators fairly and will ensure that all vehicles are maintained and used on the road by an experienced and responsible driver, thereby reducing the possibility of accidents and keeping the roads safer. I support the Bill.

**Mr Boylan:** Go raibh maith agat, a Cheann Comhairle. Ba mhaith liom cúpla focal a rá.

I thank the Bill Office, the Committee Clerk and her staff, and anyone else who contributed in bringing the Bill to the Chamber. I also pay tribute to the former Chairperson of the Committee.

The Bill, when implemented, will complement the road safety strategy. It will also paint freight operators in a better light in the eyes of the public, which was an issue that raised its head in discussions on enforcement during scrutiny of the Bill. However, I want to bring to the Minister's attention the fears that were expressed to the Committee about the effect that operator centres would have on independent carriers who operate from home. The Minister told the Committee when he appeared before it that that policy was only in the form of guidelines. I would appreciate it if that rationale and common sense could be applied to some of the independent operators in relation to planning.

The Minister said that this was his first Bill, and it may be a Christmas number one. However, the Committee spent a long time scrutinising the Taxis Bill, which has taken a long time to implement on the ground. I hope that this Bill will be fully implemented more quickly.

11.30 am

**Mr Kinahan:** I congratulate the Environment Minister on the Final Stage of his first Bill.

As Members know, goods vehicle operators are Northern Ireland's lifeblood. They need all the support that they can get. I congratulate the Committee, the Minister and the Department on their hard work. Many Members will be aware that, as the Committee's junior member, I was not involved in any of that. However, I congratulate it on that work, which I know to have been thorough. I also encourage the Assembly to keep an eye on the concerns that have been raised and to ensure that enforcement is effective. I look forward to the day when Northern Ireland's freight industry is seen as one of the best in Europe. My party supports the Bill.

**Mr Ford:** One example of what happens in this place when a good Bill is made better by a Committee is that there is nothing left to say when the Bill reaches Final Stage. If one happens to be the sixth Member to speak in the debate, one has even less to say. I shall, nonetheless, do my best to say a few words.

I welcome the fact that we have reached the Bill's Final Stage and have done so with such unanimity around the Chamber. In that context, it is right that Committee members, especially old, grey-haired, bearded veterans of two Committee Bills, so far, should thank the current Minister, the former Minister Arlene Foster — I am not sure that the one who came between them was necessarily as enthusiastic for the Bill as has been suggested — departmental officials and Committee staff for the good work that they did together to ensure that a good bit of proposed legislation will be even better in its implementation.

Key issues needed to be addressed — for example, road safety and having a level playing field for legitimate freight transport operators in Northern Ireland who, at present, suffer due to the behaviour of others who observe the law somewhat less than they should and get through loopholes in the inadequate current law. It is therefore welcome that the Bill was introduced by Arlene Foster and completed by Edwin Poots.

Of course, the issue is not just to pass the Bill through the House today. As the Deputy Chairperson of the Committee has already highlighted, enforcement of the Bill's provisions is also significant. A major issue remains to be followed through with regard to secondary legislation. Therefore, although it is a pleasure to see the Bill team smiling and happy at your end of the Chamber, Mr Speaker, I trust that we will not detain them too long and that they will be back at their desks to prepare the secondary legislation that is now needed. I wish the Minister good speed in taking that forward.

**The Minister of the Environment:** I thank Members for their contributions to the debate. It is particularly relevant that Mr Ford could not find anything negative to say. That is significant and demonstrates the unanimity that has been achieved.

**Mr Ford:** Trevor Clarke is not present. *[Laughter.]*

**The Minister of the Environment:** I also want to thank the Chairperson of the Environment Committee.

One of several issues that have been raised is flagging out and the relocation of operating centres outside Northern Ireland. The Department has looked at that and believes that there is not a considerable amount of evidence to show that that will happen. Given the deficit that would exist, if there were savings to be made, they would, at best, be minimal. We do not believe that the benefits that would be derived would be significant. Therefore, in that respect, we do not believe that significant flagging out, if any, will occur. However, the Department will continue to consider and keep an eye on that issue.

**Mr I McCrea:** The Minister referred to flagging out. Will the Department of the Environment's enforcement powers apply to vehicles that come into Northern Ireland from the Republic of Ireland, where there is not the same level of enforcement and requirement to keep vehicles to an adequate standard?

**The Minister of the Environment:** The Department's powers will apply to vehicles used on Northern Ireland's roads. Such vehicles will be expected to be of the same standard as those registered in Northern Ireland.

When we implement the regulations, it will be done through the regulatory process that will flow from the Bill. We will be looking for adequate powers to impound vehicles that are not roadworthy, an appropriate level of fines to dissuade people from the notion that it is a good thing to use vehicles that are not roadworthy and extensive powers to deal with people who wish to break the law.

The second issue raised by the Chairperson of the Committee related to the financial impact for the operators. They will have to spend more on maintenance and ensure that vehicles are in proper roadworthy condition. That money ought to have been spent in the first instance. The operators who are doing the job properly and whose vehicles are in a roadworthy condition are already doing that and competing in the market. Sometimes they are competing against those who are taking short cuts, and those who take short cuts have an unfair advantage over those currently operating their vehicles safely and in accordance with the law.

Another point is that those who operate their vehicles to the highest levels indicate that there are savings to be made by having vehicles kept in a well-maintained

condition. Keeping a vehicle well maintained is a cost-effective thing to do.

As a result of the comprehensive spending review, we have enhanced enforcement resources, which will increase over a three-year period. Because a fairer licensing structure will be introduced by the Bill, we expect there to be a further improvement in the resources that will be dedicated to freight enforcement. Therefore, we will have the appropriate enforcement officers in place to deal with it.

The prompt implementation of the Bill has also been raised. A lot of regulations flow from this Bill, and indications have been given that the Assembly would like to see faster progress made on the regulations associated with the Taxis Act (Northern Ireland) 2008. I will pass that on to my officials, and I trust that, with respect to both pieces of legislation, we will be able to respond effectively and bring forward appropriate regulations within an appropriate timescale.

Subject to the Bill's passage, I look forward to working with the Committee to fulfil those plans and to improve the regulation of the freight industry for its own benefit, that of its users and that of the wider Northern Ireland public. I am delighted to have brought the Bill to this Stage.

*Question put and agreed to.*

*Resolved:*

That the Goods Vehicle (Licensing of Operators) Bill [NIA 15/07] do now pass.



## Department of Justice Bill

### Final Stage

**The deputy First Minister (Mr M McGuinness):**

Go raibh maith agat, a Cheann Comhairle. I beg to move

That the Department of Justice Bill [NIA 1/09] do now pass.

This is a very short Bill with three clauses and one schedule. It is possibly one of the shortest Bills to be brought before the Assembly, and yet it has generated considerable debate in the Chamber. In total, in its Second Stage, Consideration Stage and Further Consideration Stage, there have been over 20 hours of debate. That does not take into account the time spent in scrutiny of it by the Committee for the Office of the First Minister and deputy First Minister.

There is good reason for the Assembly's entirely appropriate interest in the Bill. It is an essential part of a process that has great relevance to us all. At the end of Second Stage, the First Minister said:

"The devolution of policing and justice will bring significant additional responsibilities but, more importantly, it will carry enormous potential for all of us here and for all our people. It will bring real local accountability and real local leadership and provide genuine synergies between policing and justice policies and the wider social and economic initiatives of the Executive and the Assembly." — [*Official Report, Vol 43, No 4 Part 2, p253, col 2*].

Those are some of the reasons why the First Minister and I have consistently maintained that we want to see devolution of policing and justice powers without undue delay.

The Bill itself does not give effect to devolution. That will happen only after a further process, as set out in the Northern Ireland Act 2009, that will begin when the Assembly approves, by cross-community vote, a resolution requesting the transfer of powers. However, the Bill means that structures can be established quickly to support the powers once a decision to proceed has been taken.

The purpose of the Bill is that simple. It will enable the establishment of a Department of justice and make arrangements for appointing its Minister by drawing on one of the models that is outlined under the Westminster legislation.

Despite its brevity, the Bill has deep roots. The Good Friday Agreement recognised the imperative of having a criminal justice system that delivers a fair and impartial system of justice to the community, that is responsive to the community's concerns, that encourages community involvement, where appropriate, that has the confidence of all parts of the community and that delivers justice efficiently and effectively.

Responsibility for policing and justice was, however, reserved from the Assembly under the terms of the 1998 Act, which established the arrangements for the

devolved Administration. The matter was revisited in subsequent discussions, but it was not until the St Andrews Agreement in 2006 that the way forward became clear. With the establishment of this Assembly in 2007, the Assembly and Executive Review Committee commenced its valuable work on the legal and practical implications of the devolution of policing and justice powers.

It was against that background that the First Minister and I announced in November 2008 that we had reached agreement on a number of key issues relating to the devolution of policing and justice powers. In particular, we had come to a view that there should be a Department known as the Department of Justice to exercise the majority of policing and justice powers and that the justice Minister should be elected on the basis of a cross-community vote in the Assembly.

Those will be interim arrangements that will last until 2012, before which the Assembly will need to come to a considered view on permanent arrangements. We also took the opportunity of using that announcement to state that the devolution of policing and justice powers should happen without undue delay, and we made public a paper setting out a process by which devolution will be achieved.

Since then, preparations for the devolution of policing and justice powers have continued to progress in line with that process paper. In January 2009, the Assembly and Executive Review Committee reported on arrangements for the devolution of policing and justice matters. The Assembly endorsed that report, and legislative changes have been enacted at Westminster to reflect some of its recommendations.

One of the essential steps that was identified in the process paper was the satisfactory conclusion of financial discussions involving us, the NIO, the Treasury and the British Prime Minister. Those discussions have been pursued intensively in recent months. An offer of a generous financial package to meet the pressures faced by bodies delivering policing and justice functions has now been set out by Gordon Brown in a letter that he made public on 21 October.

The passage of the Bill will complete another of the essential steps in the process. When I introduced the Bill on 14 September, I said that it was succinct. The first clause establishes a Department of justice, and the second clause sets out a process for appointing a Minister of justice by vote of the Assembly, requiring that not only a majority of Members vote on the resolution but that a majority of designated nationalists and designated unionists vote. That condition will ensure that there is cross-community support for the new Minister. The First Minister and I are on record as saying that, initially, neither of our parties would

nominate one of its own members for the post of Minister of justice.

The third clause ensures that the preceding clauses, which are the operative parts of the Bill, will not come into operation until the First Minister and I jointly make a commencement Order. That will be in the final stages before devolution is achieved.

The schedule to the Bill is technical in nature and tidies up a number of references in existing legislation to the future Department by amending them to use the new title of Department of Justice. The content of the Bill was agreed by the Executive in the summer, and it has now been scrutinised in the OFMDFM Committee as well as in the Chamber during exhaustive debates at Second, Consideration and Further Consideration Stages.

11.45 am

I would like to take this opportunity to thank all those who have contributed, through constructive debate, in getting the Bill to this point. In particular, we are grateful to the Committee for the Office of the First Minister and deputy First Minister for its prompt but thorough scrutiny of the Bill and for its ultimate approval of the Bill as drafted. Earlier, I referred to the valuable work of the Assembly and Executive Review Committee, which provided the essential framework for the provisions of the Bill. I also thank Members who tabled and debated amendments at Consideration Stage and Further Consideration Stage. The fact that the wording of the Bill has remained as introduced, even after such lengthy debates, is, I hope, a measure of its robustness. I thank Members for their forceful challenges in that regard. Such challenges are a valuable part of the passage of any Bill in concentrating minds on the objectives of legislation and the means employed to achieve them.

I am no less convinced that the Bill's objectives are right and its means appropriate than I was on its introduction on 14 September 2009. I commend the Bill to the Assembly.

**Mr Spratt:** I declare an interest as Chairperson of the Assembly and Executive Review Committee and as a member of the Northern Ireland Policing Board. I want to make it very clear that I am not speaking as Chairperson of that Committee.

As the deputy First Minister said, the Bill is very short, and it has certainly had its fair share of debate in the House. The deputy First Minister referred, I think, to some 20 hours of debate. He will be pleased to know that I intend to add only two or three minutes to that to say that we, on this side of the House, support the Bill in its passage through Final Stage.

The deputy First Minister referred to the work that has been done on the Bill, including that done by the

Assembly and Executive Review Committee. I hope that that Committee made a valuable contribution, particularly through the financial work that it did, and that that was helpful in the discussions that took place. The Committee will report to the House on that work in the not too distant future. I hope that it assisted in getting the financial package that the deputy First Minister referred to and which was laid out and made public in the Prime Minister's letter.

The Bill is very short but necessary to set up and pave the way for the Department of justice. In the long debates on the many amendments that came before the House, in particular from the SDLP, those amendments were duly debated, given due care by the House and dealt with. We are now beyond that stage, and we, on this side of the House, support the Bill in its Final Stage.

Members will be pleased to know that I do not intend to say anything other than that.

**Ms Anderson:** Go raibh maith agat, a Cheann Comhairle. Éirím le tacaíocht a thabhairt don mholadh seo. I support the Bill in its Final Stage. I declare an interest as a member of the Policing Board.

The Bill and all the discussions that we have had around it demonstrate that the process to deliver policing and justice into the hands of locally elected politicians is moving ahead. Unfortunately, along the way, we witnessed what I think were attempts by the SDLP, through unsuccessful amendment after unsuccessful amendment, to almost hijack and frustrate the process. Although it is everyone's entitlement to table amendments when Bills are being processed and discussed, the SDLP's continued opposition clearly demonstrates a lack of leadership and shows the disarray that that party is in. The SDLP spent months demanding that it be given a future justice Ministry. We were then faced with its opposition to the Bill and the establishment of a justice Department.

In reality, the SDLP's opposition to the Bill was not about scrutiny. There were amendments on scrutiny and North/South co-operation, but the opposition was not based on either of those issues. The opposition was based on the SDLP trying to get its hands on the Ministry and putting its party political interests before the needs of the people.

**Mr Speaker:** I ask the Member to return to addressing the contents of the Bill, because the House has already debated the amendments.

**Ms Anderson:** I accept that the amendments have been debated, but it is important to note them at Final Stage.

As the Minister said, a title for the justice Department has been agreed, and the process paper was discussed at length, not only at the Assembly and Executive Review Committee but also when it was

reported to the House. The financial package was also fought for and agreed.

As the most popular Minister, the deputy First Minister said, the Bill's passage represents another important part of the process. We must secure cross-community support for the Bill. Sinn Féin has always stated that it will support an SDLP candidate for justice Minister, if that party is able to nominate one.

We must all show leadership in the process. When the commencement Order comes through and the Department of justice is established, we will need to realise that many of our constituents want to see us taking control of our own destiny. That is what the people whom we represent demand. I and many other Members recall seeing the faces of many distressed constituents who are sick and tired of the revolving door justice system that allows hoods and thugs back on the streets only an hour after their arrest.

As we were discussing the Bill and the amendments that were tabled to it at its different stages, our constituents had had enough of seeing death drivers walking the streets and being granted bail after continually attacking the community. Following the transfer of policing and justice, the statutory framework that governs what constitutes a crime and its appropriate penalties will become the responsibility of an Assembly Minister. For instance, it will be possible to deal with sexual offences, to which Members often refer, more appropriately within that framework. That is what society wants from the transfer of policing and justice.

The Bill presents us with the opportunity to take on a new responsibility in the Executive and in the Chamber. We must all embrace the opportunity and provide the kind of leadership that the vast majority of our constituents want and need, regardless of their political affiliation. Although there are issues, many of which were discussed in the Chamber, we must use the time ahead to secure a consensus built on equality and mutual respect.

For that reason, I call on all Members to ensure that we give the Bill the appropriate support, that we move forward together and that the Bill is supported in a way that allows us to demonstrate unity to the many people who are sick, sore and tired of the debate on policing and justice. People want to see action, and they want to see it now.

**Mr B McCrea:** Today I will speak on policing and justice for the first time in some time. Many Members have spoken at some length on the Bill, but we are nearing the final elements of its passage. Although it is not my normal style, I have been provided with a few notes. I will not bore the House by reading all of them.

I genuinely hope that every party in the House wants progress to be made in Northern Ireland. That is why the Ulster Unionist Party is participating in an

Executive that is, at best, dysfunctional. The Ulster Unionist Party has always stated that it is, in principle, in favour of the devolution of policing and justice. We have always believed that it would be of great benefit to the entire community in Northern Ireland if justice were to be administered from this place.

I will deviate a little bit to address matters that colleagues have raised previously. There was some discussion about the need for leadership. In fact, certain parties in the House remonstrated about the lack of leadership. Parties might disagree with other parties, but that does not mean that they do not show leadership. In an Assembly such as this, it is entirely appropriate for Members to have differences of opinion, which they can bring to the House for discussion in a proper manner. Even if a motion is defeated, it does mean that it was wrong to bring it to the House.

I mentioned leadership. I want to talk about the other key word that was mentioned: respect. The phrase "mutual respect" was mentioned towards the end of a certain Member's contribution. There are lessons to be learnt. It is not only the case that some people must proffer respect to Benches near the front; it must come in the other direction as well. Everybody here has a mandate, and we all have a voice on behalf of other people who are not here. Therefore, I urge sections of the House to respect suggestions made by those of us who disagree with them.

**Mr Storey:** I want to talk about mutual respect. In my constituency at the weekend, a leading member of the party opposite took part in an event and, basically, made threats about deadlines and timetables concerning the devolution of policing and justice. However, the irony is that he made his statement in the village of Dunloy, which is the very place where there is no respect for the tradition of Orangemen who only want to parade from their Orange hall to their place of worship. However, they have not been allowed to exercise that God-given right for eight or nine years, because a small element of vociferous republicans in that village has prevented it. Is that not a lack of mutual respect?

**Mr Speaker:** Order. I must insist that even interventions, as far as possible, relate to the contents of the Bill. That is the only subject that we are discussing this morning. I know that Members might want to go slightly outside that. Provided that they do not go too far outside it, we can resolve the issue. However, as far as possible, Members should try to keep to the contents of the Bill. Although I will allow some latitude, I must say that to the whole House.

**Mr B McCrea:** I am grateful for that, Mr Speaker. I think that I have broken new ground, given that I am now being admonished for the interventions of others.



However, the Speaker and colleagues on both sides have raised important points: the language used by people is an issue. In the past — not always but in general — I have sought to convey the message that, if we are to build mutual respect and offer genuine leadership, our language must address, in a civilised and seemingly way, the genuine concerns raised by colleagues to my left. In the spirit of Christmas, I must also respect the fact that words of wisdom come from Benches to my right.

I am sure that the deputy First Minister will not mind my mentioning that, according to the 'Belfast Telegraph', he is making something of an impact.

12.00 noon

There may be something for all of us in the legislation. There is much that unites us. I am wearing a ribbon on my lapel in support of the campaign against domestic violence, and I know that Mr Storey spoke most eloquently in Larne last night on that subject. Ms Anderson explained that we want the Department of Justice Bill to pass because we want to tackle issues that unite us. Surely there can be little that we abhor more than violence against the most vulnerable people in society. We are absolutely committed, on a cross-party basis, to stopping that. There is complete unanimity in the House against violence against elderly people, which is the most obscene of crimes, and we want to find ways to deal with those issues.

I would welcome the opportunity to address the somewhat tetchy relationship that exists between the Public Prosecution Service and the PSNI. I want speedier justice; I want the Court Service to have responsibility, and, most importantly, I want the justice system to focus on the concerns and tribulations of victims. There is definitely a feeling in society that our justice system focuses on the perpetrators of crime, not on the victims of crime. We could unite on those issues if there was goodwill, mutual respect and a genuine way to move on together.

It may have been a year ago that the deputy First Minister responded to the Alliance Party by saying that we must be careful about the language that we use, because it can inflame situations unnecessarily. With that said, the Ulster Unionist Party believes that the only long-term strategic direction for the Assembly and this part of the world to take is one in which we achieve complete community confidence in the forces of law and order; in which policing and justice are at the centre of democracy; and in which we are all democrats.

I hope that the message is loud and clear that we are positively behind the devolution of policing and justice powers. However, we have some legitimate concerns that should be raised and addressed. As democratically elected politicians, we should have asked ourselves

some telling questions long before this process began. I will say this as gently as I can: Sinn Féin and the DUP have not asked each other those difficult questions. In fact, they may not have even asked them of themselves. Therefore, we started down the road to devolution ill-prepared for the journey and the destination.

What are those questions? First, is the Assembly ready for such an important, significant and controversial mandate? I do not presuppose the answer, but it is right to pose the question. We are not alone in asking that question. In its 2007 manifesto, the Alliance Party stated:

"Alliance believes that the timing for the devolution of policing and justice should be primarily determined by the correct conditions being in place, including the executive operating in a collective and responsible manner."

On 4 August 2008, Mr Ford stated:

"The Alliance Party will not be taking the Policing and Justice Ministry. This Executive is failing in its duties".

I have to ask the Alliance Party: what has changed between then and now?

The Department of Education, as we heard earlier, is still in a mess. The transfer debacle is ongoing, and now we are facing the potential administrative meltdown of the entire system because of the controversial stalling of the Education Bill. There is still a limited amount of legislation coming to the House, no progress on A Shared Future, and Executive meetings are still being run, I am told, in a shambolic manner.

The Ulster Unionist Party's answer to the first question is that we are concerned that we are not administratively ready to take on a mandate such as policing and justice. Other parties here must answer, or at least address, that question.

The second question that the DUP should perhaps have asked Sinn Féin and that Sinn Féin should have —

**Mr Speaker:** Order. I have already said to Members that it is important that they address the content of the Bill. They may be imaginative in developing their arguments as long as they keep to the content of the Bill. I urge the Member, as far as possible, to keep to the content of the Bill.

**Mr B McCrea:** I am grateful for your direction, Mr Speaker. I apologised earlier, as I am reading from a prepared speech, which is not normal for me. I will try my level best to deal with the issues. There are important things to say, and we are trying to contribute properly to the debate to bring it to a satisfactory conclusion.

The question asked was whether Sinn Féin is ideologically ready to devolve United Kingdom justice to Northern Ireland. It is a serious and fundamentally important question. The Ulster Unionist Party poses that question in recognition of our troubled past and in full recognition of the journey that many Members



have made over the past 15 years. We do not mean to be negative, just to pose a question that must be asked.

Northern Ireland is facing the highest level of dissident republican threat that it has faced in the past 10 or 15 years. The recent events in Fermanagh and at the Policing Board, as well as the tragic events in March, illustrate perfectly that some are intent on violence at all costs. The next justice Minister, whoever that may be and with whatever influence the DUP and Sinn Féin will have over them, will have to address robustly the threat of terrorism. If Northern Ireland is to have the future that we all want, the Police Service will have to deal with that threat within its powers and remove those people from society, because they offer nothing to our future.

Is Sinn Féin ready for reality, and will it give the PSNI and the next justice Minister the full support and resources that they need to tackle terrorism and criminality? I do not wish to put Sinn Féin on the spot unnecessarily, but that is a question that has been asked by my community.

The recent events surrounding the arrest of Sean Hughes raise serious questions about certain parties' commitments to supporting all arms of the law and about their actual knowledge of the police and legal system. To accuse a UK-wide, independent investigatory body such as SOCA of acting politically is a very worrying progression. I ask all parties whether they are mature enough to devolve those institutions without jeopardising the work of the police or the security of men, women and children.

**Mr Speaker:** Order. Once again, if the Member fails to address, or to relate his remarks to, the contents of the Bill in some way, I really will have to move on.

**Mr B McCrea:** Mr Speaker, I am somewhat at a loss. We, as a party, are trying to make a very constructive policy position clear. Serious debates are taking place even now, and we think that this is germane.

**Mr Speaker:** I appreciate what the Member is saying, but I ask that he ties whatever he is saying to the contents of the Bill. That is what I am trying to achieve from the Member.

**Mr B McCrea:** If I can refer directly to the Bill, Mr Speaker, I must say that, during discussions on the Bill, questions have been asked about the particular vision for a justice Department in Northern Ireland.

Some Members who are not present in the Chamber have made confusing statements about the way forward. In the 'News Letter' in October, Mr Donaldson stated that he had no idea what power the justice Minister would have as it was one of the issues yet to be agreed. The headlines in last Friday's edition of the 'News Letter' further illustrate the ongoing issues that have to be resolved.

The Department of Justice Bill will create a shell of a Department, and there is no agreement on how to fill it. A power will be accepted without knowledge of how, by whom, for what purposes and for how long it will be administered. Would such a scenario arise anywhere else in western Europe? The entire process raises a number of questions, and we bring those issues forward in the debate on the Bill. A more detailed look at the process raises questions that other parties have tried to put forward somewhat inconclusively.

A deal has been contrived between two parties, aided and abetted by a third party. That deal excludes the SDLP and the UUP. We have tried to say that it is not the right way forward and that we want the Bill to reflect genuinely the views of all Members. The issue is so important that it behoves us all to find consensus.

**Dr Farry:** The Member has made a number of comments in relation to the Alliance Party. It would take too long to address them all in one intervention, so I will come back to them.

The Member said that deals are being made, aided and abetted by the Alliance Party. Can he give me an example of any deal on policing and justice that has been made between my party and either the DUP or Sinn Féin? There has been speculation surrounding my party, but I am not aware of any deals. Indeed, we have raised a number of issues on which we want clarification. Will the Member also reflect on the reality that his party is a full member of the Assembly and Executive Review Committee, and my party is not? Of all the parties in the Chamber, it is the Alliance Party, not the Member's party or the SDLP, that is most disadvantaged in the discussions.

**Mr B McCrea:** As the Member knows, I am always happy to allow helpful interventions, and I will address that issue. The Assembly and Executive Review Committee has also been sidelined. We all know that agreement will be reached by people outside that Committee. The Bill has been pushed through by a triumvirate of the DUP, Sinn Féin and the Alliance Party, which has rejected the genuine concerns of the SDLP and the Ulster Unionists. I would be happy to hear clarification to the contrary from the Alliance Party.

**The First Minister (Mr P Robinson):** I know that the Member is having a difficulty, because he does not seem to have any thoughts of his own on the issue and is unable to move away from the script that was prepared for him. Will he explain to the House how the Ulster Unionist Party is not involved when it is a full member of the Assembly and Executive Review Committee, which deals with the progression of the devolution of policing and justice? Will he tell us how his party is not involved when his leader has had at least four phone calls and meetings with the Prime Minister on policing and justice? Will he tell us how his party is not involved

when it has had a meeting on policing and justice with the Secretary of State? Will he tell us how his party is not involved when there have been numerous debates on policing and justice in the Assembly?

All parties in the Assembly have had every opportunity to have their say at one point or another. All that the legislation is doing is putting in place the ability to have policing and justice devolved when the other decisions have been taken. As the Member said, one of those decisions is to determine what powers will be exercised solely by a justice Minister and what powers will be referred to the Executive. It is not unusual for the necessary apparatus to be put in place in order that the powers can be devolved when everything else has been agreed.

**Mr B McCrea:** I thank the First Minister for his comments, but let me tell him quite clearly that I have no problem talking for myself on any issue or tackling matters directly. What I was expected to do — *[Interruption.]*

**Mr Speaker:** Order.

**Mr B McCrea:** What I was asked to do was to put forward a helpful position on behalf of the party. I can deviate and express my personal opinion, and I can certainly address the language in which certain Members address other Members.

12.15 pm

Earlier in the debate, I talked about the need for mutual respect, temperate language, and the need to reach consensus. Frankly, I have seen very little of that in certain situations. I am trying to make a contribution that will move the situation forward in relation to certain serious matters. If we come to a point at which the DUP and, for that matter, Sinn Féin, do not need our contribution or support, so be it. However, we have made a positive contribution.

Our party feels that it is not included in these matters because it is totally ignored when discussions take place. We have a contribution to make in building confidence in the community that we represent. If there is some failure or misunderstanding, it is for the leaders of the various political parties to address. All that I can do, in addressing this Bill, is explain our thinking.

**The First Minister:** I notice that the Member has avoided answering any of the issues that I raised. I will throw another one towards him. The deputy First Minister and I met the leader of the Ulster Unionist Party and offered to set up a Committee to deal with education, policing and justice, and all the other issues in an informal setting. Weeks after we made that offer, we are still waiting for anybody to take it up.

**Mr B McCrea:** Therein lies the problem with communication. I have heard the First Minister raise

that point before and I have discussed it with the leader of the Ulster Unionist Party. We do not want some sham procedure in which we produce papers for others to sign off. If genuine engagement and a genuine coalition Government are desired, the First Minister has to talk properly with people. He needs to engage with and listen to others. *[Interruption.]*

**Mr Speaker:** Order.

**Mr B McCrea:** The First Minister may well laugh. It shows the seriousness with which he takes this issue. I am being quite clear in response to a direct question. The Ulster Unionist Party is prepared to engage, but in a proper way. We will not just sit there and — *[Interruption.]*

**Mr Speaker:** Order. Allow the Member to continue.

**Mr B McCrea:** I have already given way twice to the First Minister to allow him to make his point.

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

**Mr B McCrea:** I will give way, but I want to make my point.

**Lord Morrow:** I have listened intently to what Mr Basil McCrea has said. Does he want to be taken seriously in here or not? I suspect that he does. He will not be taken seriously if he sets up straw men and then knocks them down. I am very sincere in this regard, and I want you to answer. The First Minister has stated that your party leader has been consulted. They have had meetings on a number of occasions. With respect, if you have an internal problem of communication in your group, you should address that internally rather than trying to flout it here on the Floor of the House.

Will you be good enough to tell the House that you have been consulted? It may be that you either do not like what you are hearing or you do not understand it. There is no shame in that, but let us not put up straw men here and say that you have not been consulted when it is quite clear that you have been consulted on more than one occasion.

**Mr Speaker:** Members should address their remarks through the Chair.

**Mr B McCrea:** I will answer that question directly: there are all sorts of ways to be consulted. In fact, when I became involved in politics, I discovered that, in politics, consultation does not mean the same as it does in the real world. In politics, consultation involves being told what is to be done and then, when people hear whether we agree or disagree, doing it the same way anyway. That is not real engagement. People want to be involved in a coalition Government. It may well be that there is some confusion in the message, but it is not a one-way street: it is a two-way street. Let me say clearly to the Lord Morrow that I have spoken

to the leader of the Ulster Unionist Party about these issues.

My party's message is that the type of engagement, consultation and discussion that is being offered is not satisfactory to resolve our concerns. It may well be that we cannot find a way to do that, but I am telling the DUP where the problem lies.

We are prepared to engage with all Members and parties, whether they are in the Executive or not. Policing and justice is a serious issue that we want to see addressed and are prepared to address. However, we will not be railroaded into something that we are not part of. I do not know how to make that any clearer. One can say that one has been consulted and talked to, but we all know how the political game works. Therefore, when it comes to the issue, I do not know whether the DUP thinks that the UUP's input and involvement is useful. That is a matter for the DUP but, if it does want the UUP's input, things are not going very well. We are prepared to discuss the issues, because we all want to find a way to make policing and justice work.

**Dr Farry:** I appreciate that the Member is trying to be constructive. At the start of his speech, he reflected on Martina Anderson's comments about the important issues that need to be discussed. At the beginning of September, my party leader, David Ford, wrote to Sir Reg Empey suggesting that parties need to meet to discuss the programme that any future Minister might wish to undertake. Sir Reg Empey merely acknowledged the letter, saying that his party officers would discuss it. He has not responded further to that invitation. I ask Mr McCrea to take that point to his party leader. In light of what he has just said, it is in his party's interests to engage in that type of discussion.

**Mr B McCrea:** Lots of parties here send letters to lots of people requesting meetings, but nothing happens. However — *[Interruption.]*

**Mr Speaker:** Order. Allow the Member to continue.

**Mr B McCrea:** However, in response to Dr Farry, I will say that in other situations, notably those to do with education, there has been engagement and we have responded. I wonder whether Dr Farry wishes to clarify the following statement that he made:

"As things stand the legislation suggests that any minister including an Alliance Minister could be elected on a cross-community vote in the assembly but also removed by such a vote. Under a political whim the DUP and SF could reach a conclusion they want to remove a minister from office. If a Minister is looking over a shoulder then their ability to take those decisions is going to be significantly impaired."

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

**Mr B McCrea:** Mr Speaker will stop talking to me if I carry on.

Those were Dr Farry's words, so I ask him and his Alliance colleagues: as things stand, has the Bill changed since he said that?

**Mr Speaker:** Please make your remarks through the Chair.

**Dr Farry:** I am more than happy to clarify that point. My party believes that, on balance, a cross-community vote is the best way to elect a Minister and to provide him or her with legitimacy. However, it poses a number of risks for that Minister, particularly for one who has come from any of the three parties other than the DUP and Sinn Féin. Time after time, in the Chamber and elsewhere, my party has stressed that the best protection against the arbitrary removal of any Minister from any of those three parties is agreement on a substantive Programme for Government addendum to cover policing and justice in advance of devolution. If the Member's party is happy to engage in such a process, we will have that protection not just for Ministers but for the integrity of the devolution project.

**Mr B McCrea:** I thank the Member for that clarification, and we are prepared to discuss those issues. However, the impression that we have is that the Alliance Party has supported the DUP and Sinn Féin at every stage. Therefore, we have little confidence that dialogue between our parties on those substantive issues will produce a meaningful outcome.

On a personal note, given that the Alliance Party occasionally gives the impression of being the moral guardian of this place and tries to bring people together, I am surprised at its stance on the issue.

I simply do not understand why the Alliance Party adopts a position that supports the DUP and Sinn Féin but which will not give it anything of any substance. I also do not understand why the Alliance Party ignores the genuine concerns of the UUP and the SDLP. The process of the Bill has been a revelation to me. If there is a change in the Alliance Party's stance or if it wishes to engage on these matters, my party is all ears.

My party would prefer to have genuine, round-table, all-party discussions because, to be frank, the discussion on the devolution of policing and justice is not going terribly well. There is talk of crises, free fall, meltdown and things not going right. If we are to tackle the issue in the timescale in which parties here say that they want it to be tackled, we need to get round the table and start talking about it. That, surely, is the premise of the Bill. The Bill must address those issues.

We are unhappy about the sunset clause and what will happen in 2012. I think that history will judge the Bill to be the most ill-thought-out piece of legislation, which will cause only further brinkmanship —

**A Member:** It says here that —

**Mr Speaker:** Order. Allow the Member to speak.



**Mr B McCrea:** I hear an intervention from a sedentary position. As you know, Mr Speaker, I am quite happy to rise to my feet to deal with any issue or topic, but when it comes to important issues —  
[*Interruption.*]

**Mr Speaker:** Order. Allow the Member to continue.

**Mr B McCrea:** When it comes to this issue —

**The First Minister:** On a point of order, Mr Speaker. Is it in order for us to find out who wrote that speech for him?

**Mr Speaker:** I ask the Member to continue.

**Mr B McCrea:** If Members want to find that out, perhaps they should engage in meetings with us, and we will be able to tell them that what I have outlined is the collective view of the Ulster Unionist Party Assembly group.

I will move on to the questions that DUP Members have been asking themselves. It appears that some DUP Members have been asking very different questions from other Members. Given the number of interventions that I have taken, I look forward to some clarification on that matter. Mr Donaldson rather haphazardly asked himself whether the full-time Reserve was a deal-breaker on devolution. He answered that it was a deal-breaker. I do not need to give the quote because it is well known. However, I ask the First Minister, since he is here in person, whether he agrees with the stated position that the full-time Reserve is an operational matter for the Chief Constable. Does he demur from the views that have been put forward by the honourable Member for Lagan Valley?

**The First Minister:** The Rt Hon Member.

**Mr B McCrea:** Yes, I agree.

I ask Mr Robinson whether he still believes that it is an operational matter, and I ask Mr Donaldson, who, I am quite sure, is listening from another place, whether he still believes that the DUP will not agree to devolution if the full-time Reserve is disbanded.

Mr Donaldson and other Members talked about public confidence. The Ulster Unionist Party has long believed that adequate public confidence is crucial for the devolution of policing and justice, which is why we have been appalled by the process so far. Mr Robinson said that the following actions constitute the process to effect the transfer of policing and justice powers:

- “Commence process of building confidence to achieve cross community buy-in
- Consult party organisations ...
- Public consultation
- Secure necessary community confidence for transfer of P&J.”

I ask Mr Robinson where we are in that process.

Yesterday, talking about a date for the devolution of policing and justice —

**The First Minister:** Would the Member like an answer?

**Mr B McCrea:** Gregory Campbell stated —

**The First Minister:** Does the Member not want an answer?

**Mr B McCrea:** Of course I would like an answer.

12.30 pm

**The First Minister:** If someone else researched and wrote the Member’s speech, I accept that he will have difficulty knowing where the quote came from. In case he does not know, the Member quoted from the process document that the deputy First Minister and I agreed last November. One of the sets of processes that we must go through is building confidence and selling the package that has been agreed. That is precisely what will happen when we have agreed the package. At that point, I am sure that the Member will want to join us in selling it to the community and asking people to buy into the devolution of policing and justice. Perhaps he will tell us whether he will do that.

**Mr B McCrea:** Mr Speaker —

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

**Mr B McCrea:** I give way to everyone.

**Mrs D Kelly:** It is interesting to hear the First Minister’s interpretation of what was agreed last year, because it differs from that of Sinn Féin, which thought that a date had been agreed. That is why the deputy First Minister said that, if there is no date for the devolution of policing and justice by Christmas, we will be in deep trouble. Clearly, there is a communication problem between the First Minister and deputy First Minister.

**Mr B McCrea:** I am grateful to the Member for that point of information. If clarification has to come from other parts of the Chamber, I am all ears. If the First Minister wishes to intervene, I am happy to take his intervention.

The First Minister talks about dates and misunderstandings. It is helpful that Mr Campbell is in the Chamber, because he can clarify something for me, if he so wishes. Yesterday, he stated that:

“It will take years, for not only my colleagues and myself, but for many in the unionist community to see Sinn Féin continuing to work the Northern Ireland Assembly and not using it as some sort of battering ram, because that’s where we are now.”

That is somewhat different to the timescale on which others are operating.

In Friday’s ‘News Letter’, Mr Campbell’s leader made no mention of years or community confidence. He laid the blame for the delay in the devolution of



policing and justice squarely at the feet of Sinn Féin. In his conference speech, he said —

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

**Mr B McCrea:** That was a slightly delayed reaction from Mr Campbell.

**Mr Campbell:** I was hoping that the Member would complete the quote. The Member keeps talking about timelines and dates. We are all aware of the outstanding issues of community confidence. The Member says that he believes in openness and transparency. In light of that, will he join us in resolving the outstanding issues, so that it will not take years or decades for policing and justice to be devolved? Will he join us in ensuring that policing and justice is devolved in a manner and time frame that everyone in the community finds acceptable? We are working on the outstanding issues. Will the Member join us?

**Mr B McCrea:** Yes. We would like to be involved in resolving those issues. We have laid out a number of our concerns, such as education and the need for full, frank and inclusive debate. We are open to such debate, as we have made clear. The response to Mr Campbell's question is yes. I know that our involvement would truncate the negotiations and discussions, but the answer is yes. We want to have proper discussions and round-table, all-party, inclusive debates to resolve the issue to the satisfaction of all.

Our biggest concern about the devolution of policing and justice is that we do not think that the Assembly can run anything, never mind policing and justice. Let us look at a host of areas, including education and local government reform. The UUP's position is that, if the Assembly can start to show the people of Northern Ireland that it is capable of governing, then, and only then, should policing and justice be devolved. The justice Bill is connected to that process, and the devolution of policing and justice can happen whenever Members want. Some parties want it to happen before Christmas, and others think that it will take considerably longer. However, as other Members pointed out, we are not timeline-led; we are condition-led. Show us the conditions in which this place can deal with the issues, and the Ulster Unionist Party will not be found wanting.

We are concerned about some of the issues that have been raised, but they can be resolved through discussion and all-party talks. That is what we call for, and that is what the people of Northern Ireland want.

We do not expect parties that have legitimate mandates to be reviled for daring to put up a contrary position.

**Mr Speaker:** Order. Has the Member finished?

**Mr B McCrea:** You called me to order, Mr Speaker.

**Mr Speaker:** I was calling other Members to order.

**Dr Farry:** I appreciate that the Member is coming to the end of his speech. However, I would be grateful if he could clarify for the House whether his party is going to vote for or against the motion to pass the Final Stage of the Bill; he did not mention that.

**Mr B McCrea:** It is like all good books and films; you do not rush to read the last page until you have read the whole book. *[Interruption.]*

**Mr Speaker:** Order. Allow the Member to continue.

**Mr B McCrea:** Before I accepted those interventions, I was talking about the First Minister's conference speech, in which he stated:

“Those who are opposed to devolution seek to exploit the imperfections of the present system.”

Can we read from that that Mr Robinson is now fully committed to devolving policing and justice powers as soon as possible? The answer to that question will be interesting. If that is the case, where does that leave Members such as Mr Campbell, Mr Donaldson and Dr McCrea?

**The First Minister:** Does the Member want an answer?

**Mr B McCrea:** As the First Minister knows, I will be happy to take an answer. Any answer might be helpful for the people of Northern Ireland.

**The First Minister:** The next time that somebody writes a speech for the Member, it might be worthwhile if they insert wee gaps so that the Member can pause now and again to allow other Members to respond to his questions.

I am on public record as indicating that I want policing and justice powers to be devolved. I am also on public record as saying that I want it to happen without undue delay.

**Mr B McCrea:** I am sorry, Mr Speaker, I was just making a little gap in my speech. I am grateful for the lecture and for the advice on good public speaking; it is always useful to get advice. It has been useful to have an interchange such as this, in that Members aired serious issues. I think that some progress has been made.

We have come an extremely long way in Northern Ireland in the past 10 years, and I believe that we should not jeopardise that by hastily devolving policing and justice powers into institutions that are not ready and to parties that have not thought long and hard enough about the potential ramifications of their actions. I have made it clear throughout the debate that the timeline is not the issue; the concern is our ability to address the issues. If the issues are addressed, people will find that we have reached a particular position.

The people of Northern Ireland are not actually talking about policing and justice powers, which is more of a political issue. The people of Northern Ireland are

talking about education, jobs, energy costs and crime on our streets. They are not talking about devolution. In fact, many people do not actually understand what will be different when those powers are devolved. Nevertheless, we should get it right.

**Mr Weir:** I thank the Member for his patience in giving way. Will he clarify why the Ulster Unionists are now so opposed to the devolution of policing and justice powers when they were perfectly prepared to devolve those powers in 2005 before Sinn Féin had given its support to the police, before it had decommissioned, and, indeed, before the terrorist campaign had been put behind it?

**Mr B McCrea:** I will break with tradition and actually answer that question. When people pose that question, it is interesting to note that they do not recognise that we are in a completely different place now and that circumstances have changed. From my experience, in all walks of life, people have an imperfect knowledge about what is happening, and they make calculated decisions. I am sure that Members from all parties will find that. Nobody ever has the complete answer to everything.

The Member asked me to comment on what happened in the past, and it is important to learn lessons from the past. However, we are where we are now, and the Ulster Unionist Party is outlining its position on the Department of Justice Bill — a piece of enabling legislation — in a way that it thinks might be helpful.

The DUP must demonstrate to the Assembly, and to the public, that it can govern and that it has the responsibility, maturity and right attitude to do so. That will remove some concern. How might we do that? The Assembly could begin the process of achieving community confidence by demonstrating that, when it tackles issues, it is prepared to listen to others and to advance their views. If we could do that, that would build confidence. Nothing would send a more powerful message to the people of Northern Ireland than if the entire Assembly were able to agree to the Bill's proposals, and I regret the fact that certain Members have felt that that has not been necessary. However, that, in essence, is what the discussion is all about.

I have some —

**Mr Speaker:** Order. I do not wish to interrupt the Member, but I am also conscious that the Business Committee has arranged to meet at 12.30 pm today. Are you finished or coming to the end of what you are saying, Mr McCrea, or should I suspend the sitting and allow you to continue after lunch?

**Mr B McCrea:** It may be better to suspend the sitting to allow the Business Committee to meet. I will continue my remarks when we return.

**Mr Speaker:** I propose, by leave of the Assembly, to suspend the sitting until 2.00 pm. On resumption, Mr McCrea will finish his contribution.

*The sitting was suspended at 12.41 pm.*

*On resuming (Mr Speaker in the Chair) —*

2.00 pm

**Mr B McCrea:** No doubt, Members will be relieved to know that I do not have much more to say on the matter. However, I conclude by saying that the Ulster Unionist Party is not, in principle, opposed to the devolution of policing and justice to the Northern Ireland Assembly, but it remains of the view that the Bill leaves too many questions unanswered. The deputy First Minister referred to the legislation and the various models at Westminster, and part of that included a discussion on the sunset clause, without which no discussion of the Bill is complete. It remains unfinished business. We would prefer that the matter was dealt with now so that it does not become an overhang to be dealt with in the future.

In our opinion, the Bill represents gerrymandering in its most undiluted form, and I use that much maligned word because I can think of no other word to describe it. It is a side deal between the DUP and Sinn Féin, a side deal concocted in November 2008 in which Sinn Féin set out its terms for allowing Peter Robinson to reconvene the Executive after 154 days of not meeting. The other parties, including mine, were not party to the original deal, and we have been mostly sidelined in the discussions since then.

The crux of our concern is that no specific powers have been outlined for the new justice Minister, and Jeffrey Donaldson admitted as much in a letter to the 'News Letter' a couple of weeks ago. Furthermore, no specific powers have been outlined for the new justice Department. On Saturday, Peter Robinson accused Sinn Féin of holding up the decision-making process governing the justice Minister and that Minister's relationship with the Executive. In other words, we have been asked to agree the creation of a new Ministry and the appointment of a new Minister without actually knowing the powers and duties of either and without knowing to whom the new Minister would be accountable. Mr Speaker, you can call that what you will, but it does not seem to be democracy.

There is a challenge for all Members. An opinion poll in the 'Belfast Telegraph' indicated that almost 60% of people believe that the Assembly has either made no difference or has made matters worse. Regrettably, 74% of people in Northern Ireland rate our performance as average, poor or very poor, and I know that I am part and parcel of that. Those ratings are low because people believe that we are making a mess of the transfer process in education, council boundaries and our Shared Future strategy, to name just a few. Therefore, why would they trust us to make a good job of policing and justice, particularly when the background negotiations have been so prolonged

and acrimonious and where so much fog and ambiguity have surrounded those issues?

The Ulster Unionist Party is not unsympathetic to the policing and justice situation; we made it clear that we would like issues to be addressed constructively. However, let us try to get some things right before lumbering ourselves with a potential albatross. The Ulster Unionist Party has said many times in many debates that policing and justice — the core of democracy — is simply too important an issue to get wrong. The Ulster Unionist Party still believes that the major parties have not yet got it right. Therefore, it is with regret that I say that the Ulster Unionist Party will not be supporting the passage of the Bill.

**Mr A Maginness:** This is a proxy debate. It is really an argument between the DUP and Sinn Féin over the actual transfer of policing and justice powers to the Assembly. Unfortunately, that debate goes on outside the Chamber.

It is time for sober reflection in the Chamber, as well as outside, because this institution and the Executive are threatened by the destabilising argument over the devolution of justice and policing. I appeal in particular to the DUP and Sinn Féin not to prejudice the good work of the Assembly and to rethink their position so that an agreement can be reached. The people we serve deserve more from us on this issue. It should not be used as something that threatens the Assembly.

Before I address the detail of the Bill, let me make it plain that we in the SDLP fully support the transfer of justice and policing powers to the Assembly. We believe that that is very important indeed. We do not want to see the transfer before Christmas; we wanted to see the transfer of justice and policing powers a long time ago, and we believe that it is now timely that such a transfer takes place.

As the deputy First Minister said, the Bill does not bring about the actual transfer of justice and policing powers. It does not bring about actual devolution, and, as I said, the argument about that transfer goes on outside the Chamber. However, I want to make it very plain that we are fully supportive of the immediate transfer of justice and policing powers to the Assembly.

We have said before and will continue to say that the Bill is defective in two crucial aspects. The first is the future stability of a Department of justice and a Minister for justice, and the second is the method used to appoint or elect the Minister for justice. Those are two crucial issues. In dealing with the issue of instability, it is right and proper for us to highlight, as Mr Basil McCrea did in his speech, the so-called sunset clause. I accept that it is not a part of the Bill, but nonetheless one cannot read the Bill without reference to the sunset clause in schedule 1 to the 2009 Act. It is a very dangerous piece of legislation, because

it writes an instability into the Department of justice and policing, which, I believe, will undermine the effective working of the Department of justice and the effective operation of that Department by a Minister for justice.

It is a matter of regret that we must point that out to the House. It is regrettable and could destabilise this institution if a Minister for justice is appointed or after a subsequent election in 2011 or earlier. It creates such instability in the institution that it could threaten any future Assembly. It is not some minor matter of detail, some fiddly point or simply some smart observation by the SDLP. It is a real danger that is written into the operation of any Department of justice, and parties should rethink that seriously.

The SDLP has been scolded by DUP and Sinn Féin Members for raising concerns in the House, but it is our job as legislators to raise concerns. That may be an alien concept to some Members, but it is proper parliamentary process to scrutinise legislation that comes before the House, and it is our duty to do so. The fact that we press our case may not please others, but it is proper that we do that. We do so not to obstruct legislation or the devolution of justice and policing but to make devolution perfect. We make our arguments to strengthen the legislation, and we will not accept criticism on the grounds that we should not make arguments. It is right and proper that we do so.

We have made arguments previously to do with the election of a Minister of justice by cross-community support, but it is important to re-emphasise and reiterate those arguments. The election of a Minister by that method would mark a serious departure from the d'Hondt mechanism, which supports the principle of democratic inclusion. The d'Hondt mechanism supports the principle of partnership, the means by which this political institution and our other political institutions can make progress to bring together our fractured society and to create the conditions in which we can achieve reconciliation. If we abandon the principle of partnership, we abandon the hope of bringing society together, of binding the wounds and of bringing about the unity of our people. Those hopes are good for all in society, so the partnership principle is fundamental to the agreement and to the working of this institution.

If we depart from d'Hondt, we effectively undermine and weaken partnership in this institution. Partnership is at the core of the agreement, and it should be the hallmark of the workings of this institution. It is also the fairest way to bring about proper representation and a level of input from every significant political opinion. If we abandon that, we abandon fairness. Therefore, I emphasise the importance of maintaining d'Hondt.

In practice, the legislation will import a veto into the election of a Minister. The d'Hondt system does not permit that, and rightly so. In a sense, it creates a level playing field for all political parties. Therefore, the introduction of a veto damages the political process, and we must resist that. I ask parties to rethink what they are doing, because they are damaging a critical and sensitive political calibration in the Assembly and in the other institutions. If we really want to achieve partnership, we should maintain the d'Hondt mechanism. In itself, d'Hondt is not a principle, but it highlights the principle of inclusive democracy and partnership, which is such an important and integral part of the political dispensation.

2.15 pm

We have been told that we object to and criticise the legislation for self-serving reasons alone, because the SDLP would be the beneficiaries were d'Hondt run for the post of justice Minister. That is not true. The SDLP is committed to d'Hondt and would like, in the first instance, d'Hondt to be completely rerun. If that is required, let us do that. If that cannot be achieved, let us top up d'Hondt. In any event, we are not saying that we claim the Department as an SDLP Department. It is a matter —

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

**Mr A Maginness:** I will take the Member's intervention in a moment. It is for us to protect the d'Hondt principle, and if that means a DUP, Sinn Féin or Ulster Unionist justice Minister, so be it.

**Mr Hamilton:** Is the Member now saying that the SDLP's firm position — I use the word "firm" because the party's position appears to be a little wobbly — is to want a complete rerunning of d'Hondt? If so, that would appear to be at total odds with SDLP comments made at earlier stages of the Bill, including those from Mr O'Loan, who spoke about his party being denied the Department.

**Mr A Maginness:** Unlike the DUP, we do not change our position from day to day or from personality to personality. We heard from Mr Campbell that it may take years for justice and policing powers to be devolved. Other colleagues of Mr Hamilton have said that it will take a lifetime. No, the SDLP's position from the outset — I emphasise this — has been a commitment to d'Hondt and its total rerunning.

We have said that, in circumstances in which that is not done by agreement among the parties, we will accept a top-up situation, whereby d'Hondt is run to fill the post of justice Minister. However, on realising that in a top-up situation the SDLP would get the post, other parties were determined to frustrate that scenario. Indeed, Mr McCrea and his party leader made it clear that a cross-community vote in those circumstances would be tantamount to gerrymandering. The suggestion



did not come from the SDLP, but we accept that, when other parties are attempting to frustrate the d'Hondt process, they are doing so to engineer a situation in which, in the event of there being a top-up by d'Hondt, the SDLP does not get the justice portfolio.

Cross-community voting imports a veto into the appointment of a Minister. If the Member does not believe me, he need only listen to the First Minister, who on 9 July this year said that he would veto an SDLP Minister. I am not bringing some academic proposition to the House but something that the First Minister has predicted. It is he who said that he will exercise a veto, and a veto should have no place in the selection or election of a justice Minister. That is wrong and is alien to the spirit of partnership that should pervade this institution, the Executive and our political culture in Northern Ireland. It is through partnership that we will all progress to healing our society's wounds. Therefore, I totally reject the suggestion that the SDLP is supporting d'Hondt simply on the basis of some self-serving proposition — we are not.

Further to that, the 2009 Act, which again is related because it precedes the Bill, contains a mechanism whereby the Minister for justice can be removed from office by cross-community vote. The very fact that that is in legislation will threaten the Minister for justice's freedom, manoeuvrability and exercise of clear and independent judgement. The Minister will know that, if he or she offends both the major parties in the Executive, he or she could be threatened with exclusion from the Executive. That is another departure from the rules that the House has established. The House should not take that lightly. Surely, the Assembly wants a Minister for justice who is free to act on his or her own judgement to the betterment of all in the House and in society.

I believe and my party believes that there is a pressing need for the transfer of justice powers to Northern Ireland. In his contribution earlier, Mr Basil McCrea referred to the problems of criminality that confront older people. Indeed, other Members also referred to that particular problem. Domestic violence is a problem, as is getting proper justice for victims of crime and their families. That is an important issue that all of us should be addressing in this House. The best way to do that is through the establishment of a Department of justice and Minister for justice.

There are many other issues: the Public Prosecution Service (PPS); sentencing policy; community policing; the reform of criminal legal aid; the Prison Service; youth justice. The list is endless. We should be addressing those and other issues in this House. The people whom we serve would be grateful if we did that.

I refer to that list because it is timely that the transfer takes place. However, the Bill removes

timeliness from the transfer process. It makes no reference to any date or time. The transfer could take place in 2015 or beyond. Timeliness is important: now is the right time to do this. Some people will say that it is not the right time because of such-and-such. There will never be a good time. However, it is timely because of the long list of issues that need to be addressed by us, as legislators, and by any future Minister for justice. Time is of the essence. Now is the right time for us to make that transfer.

Mr Speaker, you will recall that, in an amendment to the Bill, my party proposed that 7 December 2009 would be an appropriate date not for the devolution of justice and policing but for kick-starting the process, using that as the key to the establishment of a Department and for the appointment of a Minister. Surely, that was a timely date to select in order to progress the transfer of policing and justice in a goodly fashion.

The defects that we have identified in the Bill are rightly and properly brought to the attention of the House. Far from doing the House a disservice, obstructing the transfer of policing and justice or opposing devolution, we would strengthen the process by our arguments, criticisms and amendments, which were rejected by the DUP and Sinn Féin. Those amendments would have strengthened the legislation and brought back the basic principle of partnership, which I have referred to and which is absent from the Bill. Only through partnership can we progress to a mature and reconciled society.

**Mr Ford:** The Member has set out a list of strong reasons why the House should move forward on the devolution of justice, a view with which I entirely agree. However, he and his colleagues voted against the Bill at Second Stage.

The amendments that the Member and his colleagues put forward were argued comprehensively in the Chamber and defeated. In those circumstances, the Member and his colleagues can either accept the only possible plan for the devolution of justice contained in the Bill as it stands following Further Consideration Stage or else state that they are opposed to it. I am unsure from what the Member says which position he takes.

**Mr A Maginness:** It is difficult to take criticism from Mr Ford, who, for a long time and on many occasions, said that the devolution of policing and justice was not a priority. It is therefore disingenuous of Mr Ford to raise that point. At the conclusion of our contribution to the debate, we will make known our voting intentions to Mr Ford and to other Members.

**Dr Farry:** The Alliance Party welcomes the Final Stage of the Bill, which has been on a strange and frustrating journey. The Alliance Party supports the devolution of policing and justice. It may not be the number one issue on the lips of the public of Northern

Ireland, but it is important. It is important in making further political progress — an important aspect of the peace process — for accountability in policy making and resource allocation, and for joined-up government, as it will put criminal justice alongside other issues that provide outcomes for the people of Northern Ireland. It should lead to a reduction in offending and antisocial behaviour and to a more effective way of dealing with offenders.

The Bill is critical to achieving the devolution of policing and justice. There are other issues on the outside, but this Bill deserves to be judged on its merits. It is not a side step or a step backwards but a step in the right direction.

We have clarity on the powers and responsibilities that will be devolved; that is governed by Westminster legislation. We also have clarity on the financial package. Today, if we pass the Bill, we take yet another step forward.

Other issues remain to be addressed, including the relationship between the justice Minister and the Executive and those relating to the process by which a justice Minister will have a programme for government in place that will govern the exercise of power. My party has taken an extremely strong stance on the importance of having such a programme in place before devolution one that is agreed by both the Executive and the Assembly to give greater surety to the process. There is the wider issue of the decision to be taken by parties to see the devolution of policing and justice occur.

2.30 pm

Confidence may be an issue today, before policing and justice powers are devolved. Every party in the Chamber can have an influence and can help to build confidence. Through leadership, confidence can be delivered. However, there is also the confidence that will exist after devolution, because devolution is not something that happens on a certain date, after which we can all sit back and congratulate ourselves. In many respects, that is when the real work will begin. Confidence will come from seeing devolution work and seeing it make a real difference to the people of Northern Ireland. Therefore, confidence happens before and after devolution.

With respect to the issues that have been raised in relation to devolution, it is important that we keep focused on those that are relevant. My party thinks that it is entirely appropriate for parties to discuss financial matters relating to the exercise of power to ensure that we do not short-change ourselves or leave people, particularly those on the front line, without the resources to do the job on behalf of the community. It is equally important that we focus on a Programme for Government in order to clarify policies. However, we think that the

other issues that have been thrown into the mix are not directly related to the devolution of policing and justice and are holding the process back.

The Bill is relatively simple and straightforward and has two different aspects. First, it provides for the creation of a Department, and, secondly, it provides for the mechanism for an election. Clearly, a justice Department needs to be created for devolution to happen, and that is why the Bill is important. That aspect has received less comment and controversy than the mechanism for election.

There seems to be the notion that the choice is between d'Hondt and a cross-community vote. I welcome the fact that we are moving away from d'Hondt, and I am glad that the SDLP has now accepted that d'Hondt is only a mechanism, not a principle, which is what it had argued initially. D'Hondt as a mechanism for proportionality is flawed. It delivers many anomalies, which I have explained in the past; and, in some circumstances, it is not proportionate, particularly when dealing with a fragmented society. The SDLP itself has recognised the limitations of d'Hondt and has recently argued against its use at local government level in Lisburn City Council. We support what it is doing and the logic of what it is saying. Therefore, the argument that d'Hondt is an important principle is already crumbling.

I fully accept the importance of proportionality in the way that we do business in the Chamber and elsewhere in society. However, there is more than one way of achieving that. By contrast, a cross-community vote brings many advantages. It will bring a unique sense of legitimacy to any new justice Minister that does not exist through the d'Hondt mechanism. Under d'Hondt, Ministers are picked through a random process to control a certain portfolio. However, to a certain extent, that means that the opinions of other sections of the Assembly and the Executive are excluded from contributing to that portfolio.

For example, earlier today, some Members expressed built-up frustrations about what they viewed as arbitrary decisions taken by Ministers who have been appointed under the d'Hondt process, while other Members have had little or no ability to influence the outcome. That is the danger of d'Hondt. Therefore, let us not pretend that it is a wonderful system that delivers harmony to how we do business here.

That said; my party is fully aware of the limitations of a cross-community vote. Some Members have said that a new justice Minister will be a puppet of the DUP and Sinn Féin. That cannot be said in relation to a potential Alliance justice Minister, and it applies to any potential Ulster Unionist or SDLP justice Minister. Indeed, as things stand, it could be said that the two Ulster Unionist Ministers and the SDLP Minister in the

Executive may be in office but not in power. Therefore, this is not a black and white issue.

It is important to recognise that there are ways in which the risks that Members have identified can be mitigated. First, since David Ford made his comments in the summer of 2008, one issue that has been clarified is that the new justice Minister will be a full member of the Executive, with the same powers as any other Executive member. That is clearly established in Westminster legislation.

Secondly, there is a clear need for any Programme for Government addendum to be agreed by the Executive and the Assembly in advance of devolution. That would give any Minister a degree of protection, based around the Programme for Government, from any arbitrary use of the power of removal. Frankly, any Minister who ended up in the situation of being removed from office merely for trying to implement a programme that had been agreed in advance by the selfsame parties that were trying to oust them would leave office with their head held high and their credibility intact. To some extent, a straw man is being built here. That is a problem that has been somewhat addressed and which can be further addressed in the future.

My party has clear ambitions for wider institutional reform of the Assembly and Executive. The current system is not working; the Assembly and Executive are not delivering the optimal outcomes in their policies. For many years, we have made no secret of our ambitions in that respect. Our agenda is not targeted against any one party, and that includes, notably, Sinn Féin. Our agenda is about making governance work better and about creating a system that can deliver on behalf of the people of Northern Ireland. Although an initial step has been taken in the legislation, it is not a Trojan Horse for wider reforms elsewhere in the system. That is a debate for another time and another place, and we accept that. Nonetheless, the Bill is a welcome step towards reform of the procedures for election.

In his lengthy intervention, Basil McCrea —

**Mr B McCrea:** I was making a speech.

**Dr Farry:** In his speech then — pre-packaged from above — Basil McCrea questioned the wisdom of any party wishing to join what is a dysfunctional Executive. If Basil McCrea believes that the Executive are as dysfunctional as he says, his party should leave, and should fight the Executive, unambiguously, in opposition, rather than being in and out at the same time.

**Mr B McCrea:** That is a two-edged sword. Does the Member believe that the Executive are dysfunctional, and, taking his argument, does he think it is right that the Alliance Party should take the Ministry for justice?

**Dr Farry:** I am just about to come to that very point. I took extensive notes during Basil McCrea's speech — something had to be done — and listened to the comments that his party made. The difference between our approach and that which was articulated by the Ulster Unionists is that although we recognise that, as things stand, the Executive are dysfunctional, we regard the successful devolution of policing and justice as part and parcel of efforts to make the Executive less dysfunctional. It is quite clear that the issue of devolution of policing and justice is one of many.

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

**Dr Farry:** I will in a second.

It is perhaps the primary issue that is poisoning relations between parties. To take it to another level, if the issue is not resolved in the near future, there is the very real prospect of the institutions being further destabilised. Indeed, we have potential threats or warnings, call them what one will, that may have direr implications for the institutions.

**Mr McCrea:** I appreciate Dr Farry's giving way.

For clarity, is the Member saying that the difference between our approaches is that although we agree that the Executive are dysfunctional, he believes that if policing and justice is devolved that will create stability? If, after there has been a justice Minister for some time, the Executive continue to be dysfunctional, should that Minister resign?

**Dr Farry:** At this stage, we are not talking about any potential personalities as Minister. The Member is getting a little ahead of himself. The essence of the difference is that the Ulster Unionists have identified a problem, and continue to point out the nature of that problem, but have no plan as to how to fix that problem. We recognise that the Executive are dysfunctional, but we believe that addressing the issue of policing and justice, and addressing it soon, will help to reduce the dysfunctionality.

That will by no means remove all the problems in the Executive, but it will make relations a little bit more harmonious and businesslike. *[Interruption.]*

**Mr Speaker:** Order.

**Dr Farry:** It is also useful to compare and consider the types of issues that are causing the greatest degree of dissent among the parties. There is a clear pattern: if an issue has been nailed down in the Programme for Government, its implementation has been relatively smooth; if issues have not been nailed down in the Programme for Government and have been left to chance, education being the primary example, there has been almost total anarchy and poor relations among the parties. The lessons that I draw from that are clear and point to the centrality of agreeing the programme for policing and justice in advance of the



powers' being devolved. If that is done, the dysfunctionality risk is reduced. Is the Member happy with that?

**Mr B McCrea:** Yes, I am.

**Dr Farry:** Good.

**Mr B McCrea:** I want to check something, because it seems that we are violently agreeing that the sorting out of all the issues in advance is what is important. We do not know what the Minister of justice and the Department of justice will do, and we have not heard of any plan on how the Minister will relate to the rest of the Executive. Until those issues are sorted out, it is our conjecture that it would be madness to appoint a Minister. I cannot understand how the Member's argument is different from the one that I put forward.

**Dr Farry:** I am grateful for the Member's comment. We need to return to the issue that we are discussing, which is one aspect of a process that is putting legislation in place to create a Department and the process for the election of a Minister. Before the appointment of a Minister, all the issues that Mr McCrea raised about a Minister's potential programme and his or her relationship with the Executive would have to be agreed. The process of putting a Minister in place is the last stage that that occurs, and it could even happen after powers have been devolved. We are at risk of having a straw man.

I welcome the indication earlier that the Ulster Unionist Party wants to engage with other parties on matters that relate to the programme. The Ulster Unionist Party already has the opportunity to do that through procedures that are not available to my party, but let us have those discussions.

I want to comment further on the theme that Mr McCrea introduced. I am concerned, as are the people whom I represent, about the way in which the process is being handled, particularly the recriminations that are building up between the DUP and Sinn Féin and the way in which threats are being met with counter-threats. We have a major communications problem, which we must overcome if we are to progress the issue. We cannot have zero-sum politics in which every win on one side is viewed, or presented, as a loss on the other.

Although I am critical of the way in which the DUP and Sinn Féin have handled the process, I reject the notion that the Ulster Unionists and the SDLP are paragons of virtue and have acted in a progressive way in contrast to the regressive behaviour of the DUP and Sinn Féin. My party judges every issue in the Chamber on its individual merits, and it will back any party that proposes a motion or an amendment that we believe to be in the interests of the people of Northern Ireland.

The Alliance Party is happy to support the legislation, because it recognises the fact that it will move the

process forward. The legislation may not be exactly to everyone's liking, but we have to recognise the fact that we live in a divided society, have a range of different opinions, and the only way to progress is through agreement. That means that some people will have to surrender some of their ideals on the way forward for a pragmatic consensus of what is achievable. I cite the example of the Government formed by the Ulster Unionists and the SDLP, which did not achieve much.

It is interesting that people complain about the lack of progress on the cohesion, sharing and integration (CSI) strategy. There is a lack of progress, for sure, but that represents an exact parallel with the first Executive, which, over a 12-month period, failed to produce a shared future strategy. It fell to direct rule to introduce such a strategy. Therefore, the issue of where the finger of blame should point is not exactly black and white.

2.45 pm

I am frustrated by the DUP's messages on confidence-building issues, the number of which seems to be growing, and its lack of certainty on how to reach a conclusion. However, within unionism, the DUP has been much clearer in saying that it wants devolution to happen and that it is committed to it happening as soon as possible on its own terms.

The Ulster Unionist Party has clearly stated that it is opposed to devolution. Even today, it will oppose the Bill that puts in place an important building block for the process. That contrasts with the stance of its sister party, the Conservative Party, and David Cameron.

**Mr B McCrea:** For the sake of clarity and completeness, I will repeat what I think that I said earlier. The Ulster Unionist Party is not, in principle, opposed to the devolution of policing and justice. In fact, we want the devolution of policing and justice to happen. I do not know how much clearer we can be on that point. Our concern is about the Bill, and we have outlined our problems with it. It does not help to move the process forward. I find it hard to believe that I agree with many of the Member's arguments. That is why we will oppose the Bill.

**Dr Farry:** The difference is, as the record will bear out, that the DUP made a positive statement that it wants devolution to happen. The Ulster Unionist Party produced a double negative by saying that it is not opposed to devolution. It cannot positively articulate that it wants devolution to happen, that it believes that it is in the interests of the people of Northern Ireland and that it is in their interests for it to happen as soon as possible. It also argued that confidence —

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

**Dr Farry:** I will give way in a minute. The UUP also argued that confidence does not exist at this stage. However, the UUP is not contributing to creating that



confidence. If anything, it undermines the confidence that we are trying to build to allow devolution to happen.

**Mr B McCrea:** For the purposes of clarity, I repeat yet again that we want the devolution of policing and justice to take place. That is not a double negative; it is an affirmative statement. We want that to happen as soon as possible. That is another pretty positive statement.

Our concern is that the Bill does not help, because we do not know what the justice Minister or justice Department will do, and there is no agreement on governance. The Bill contains nothing; it is a shell. We are being asked to vote for something that is so nebulous as to be almost unbelievable. However, in principle, if people can come forward with the so-called concrete or positive future, we will consider it, but we have not seen any evidence of that. That is why we oppose the Bill; we do not oppose the concept.

**Dr Farry:** OK. *[Laughter.]* We have made some progress. That is the first statement from the Ulster Unionist Party that it is in favour of devolution and that it wants it to happen as soon as possible. I welcome that, and I hope that Basil has cleared it with his party leader.

We will go round in circles on that point. We are talking today about a Bill that creates the Department and puts in place the mechanism for electing the Minister. It is one of many building blocks in a process.

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

**Dr Farry:** I will give way in a second. We continue to put bricks in the wall, but we cannot see the wall until the bricks are in place.

**Mrs D Kelly:** Now that the Member has finally got round to speaking about the Bill, does he agree that the veto that was handed to the DUP means that no nationalist need apply for the position of justice Minister? Will he clarify that, if there is no agreement on a shared future and on cohesion, sharing and integration, the Alliance Party will not accept the position of justice Minister, as his party leader stated some time ago?

**Dr Farry:** That is a difficult one. I was about to mention the SDLP, so Mrs Kelly has given me the opportunity to move on.

**The First Minister:** Before the Member moves on, I should say that I think that we now have some clarity about the Ulster Unionist position. Is his understanding of that party's position that it supports the devolution of policing and justice powers in principle but is not prepared to support the Bill because the building blocks have not yet been put in place? Further to that, given that the Bill is one of the building blocks, is that party going to vote against it?

**Dr Farry:** In so far as it is possible to ever clearly identify any Ulster Unionist Party position, the First Minister's summary is probably a fair one. It is somewhat contradictory for the Ulster Unionist Party and the SDLP to say that they support devolution but to vote against what is, on the face of it, a simple piece of legislation that enables devolution and does not bind any party into any other part of the process. Many debates will have to take place in future; for example, the big debates on timing and on whether devolution occurs are still to take place. I am not entirely sure why there is opposition to the legislation, and it is for those parties to justify that to the wider audience.

**Mr B McCrea:** The issue that concerns us is that a precedent has been set by the way in which the debate on education has taken place. The Minister of Education has her own views, which is fair enough, but they are not shared by everyone in this Chamber. Our concern is that giving carte blanche to Ministers to act without any clearly defined role or responsibilities to the Assembly will set forth a train of events that we may have cause to regret. Does the Member not agree that it is entirely legitimate in any democratically elected Chamber that those issues be debated and that we put our points of view across?

**Dr Farry:** Basil McCrea has a mandate, and he is perfectly entitled to argue anything that he wishes to in the Chamber. Again, however, we are going round in circles. The point that I have stressed time after time is that the Bill is one stepping stone in the devolution process. Other issues still have to be addressed, including the relationship between the justice Minister and the Executive, as well as any potential programme. If, in turn, those issues are not agreed satisfactorily when we discuss them in the Assembly, devolution will not happen. The passage of the legislation today does not mean that any party commits itself irrevocably to a process that leads to a Minister's presiding over the nightmare scenario that Basil McCrea articulated. I still do not grasp what the problem is with the legislation.

I am happy for any party to put its name forward for ministerial office under a cross-community vote. My party's record on that issue is entirely clear: we believe in power sharing that potentially includes any section of society. The history of the Alliance Party is based on fairness. However, parties here, including the SDLP, have not always shown that fairness to the Alliance Party. I go back to the point that I have made on many occasions about the use of designations and the voting system, which institutionalises sectarian divisions in this society and works against the people whom I represent and who have tried to move beyond those divisions. My vote counts for less than those of others in the Chamber; that does not represent inclusivity and equality.

The SDLP must explain its position. I am slightly bewildered that Alban Maginness was not able to give a clear answer as to how his party will vote on the Bill. I appreciate the dilemma that the SDLP has put itself into, because there are only two logical steps forward. The first is that that party should recognise that the legislation is innocuous, that it is a building block and that there are other building blocks to come. Given the SDLP's articulated support for devolution, the logic is that it should support the Bill. However, it argued against the Bill at Second Stage, which is when the principles of a Bill are debated. It tabled amendments to change the Bill, which the House rejected, and it still has the same Bill that it voted against at Second Stage. For the sake of consistency, the SDLP should probably vote against the motion, but in doing so, it would be voting against an essential building block in the devolution process.

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

Whatever way the SDLP turns, it either blocks and frustrates the devolution of policing and justice or it performs a policy U-turn. I appreciate that it has to take a decision on the way forward over the next hours.

**Mrs D Kelly:** I am wondering whether the Member is going to answer my questions.

**Dr Farry:** I comprehensively addressed the points raised by the Member earlier. Question Time is coming up, so I will finish in the next couple of minutes.

There has been a lot of discussion about the Alliance Party's role in this matter. Let me make it perfectly clear that the Alliance Party has not been party to any deal, understanding or arrangement around the devolution of policing and justice. There is intense speculation around the party. We have made no decisions, and no offers or votes have been taken. We will judge what is in the best interests of the people of Northern Ireland.

**Mr B McCrea:** I understand the point that the Member is making, but what if he were asked whether he would be prepared, for the good of the country and for the sake of the process, to sacrifice himself on behalf of the Assembly to be the Minister of justice?  
*[Laughter.]*

**Dr Farry:** Interestingly, during the discussions on the proposed amendments to the Bill, a member of the Ulster Unionist Party thought that saving Ulster was a bad idea. There goes the Ulster Unionist Party.  
*[Interruption.]*

The Alliance Party is not interested in talking about personalities. We are interested in the process and in ensuring that the process is right. That means ensuring that the proper safeguards are in place, including the Programme for Government.

If the Alliance Party joins the Executive, it will not be surrendering any principles. We will not surrender any of our vision for a shared and integrated society. We will work to make this society better, in the circumstances in which we find it, and we will work constructively for the betterment of the whole community.

We may well continue to have a dysfunctional Executive after the devolution of policing and justice. However, I firmly believe that the process of devolution is critical to making things better in the initial stages. We will continue to argue for policy changes and for changes to the institutions so that we can work towards having a proper, normalised system of government. In that way, Northern Ireland can be just like any other part of western Europe and the people of Northern Ireland will have the best services and a shared, safe and prosperous society that we can all be proud of.

**Mr Deputy Speaker:** Question Time begins at 3.00 pm, so Members may take their ease until then. The debate will resume after Question Time, when the next Member to be called to speak will be Mr Jim Shannon.

*The debate stood suspended.*

3.00 pm

## Oral Answers to Questions

### ENTERPRISE, TRADE AND INVESTMENT

**Mr Deputy Speaker:** Question 1 has been withdrawn.

#### R&D/Innovation Grants

2. **Mr McNarry** asked the Minister of Enterprise, Trade and Investment to outline the total uptake of research and development and innovation grants by businesses over the past two years. (AQO 478/10)

**The Minister of Enterprise, Trade and Investment (Mrs Foster):** Invest Northern Ireland's 2008-2011 corporate plan contains a commitment to target more expenditure at research and development and innovation programmes. Its resources are, therefore, being refocused to increase the budget for R&D and innovation from £15 million to £42 million over the Programme for Government period. That has already intensified the focus in those areas over the past two years. The corporate plan also includes targets to increase the average annual growth in business expenditure on R&D by Invest Northern Ireland clients. A target of 8% growth by March 2011 has been set for companies with fewer than 250 employees, and a 5% target has been set for larger clients. The data needed to measure performance against those targets are expected to become available in 2012.

Invest Northern Ireland's support for R&D and innovation-based projects ranges from small grants to multimillion-pound interventions. In 2007-08, Invest Northern Ireland supported 245 projects of that type, which led to a total investment of £48.2 million in the Northern Ireland economy. In 2008-09, some 460 R&D innovation projects were approved, generating total investment of £70 million. In the first seven months of the current financial year, 248 projects have been approved with associated planned investment of £55.6 million. In the same period last year, 111 projects were approved with a total planned investment of £38.4 million. That represents a 45% increase in R&D investment over the same seven-month period between this year and last year.

**Mr McNarry:** I welcome the Minister's response, and I am sure that she is appreciative of the uptake of the grants. Invest NI's 2008-2011 corporate plan envisaged businesses investing some £150 million. Is

the Minister satisfied that that investment can, and will, happen?

**The Minister of Enterprise, Trade and Investment:** Yes. Given that R&D and innovation projects brought a total investment of £70 million in 2008-09 alone, I am satisfied that it will happen. The uptake of R&D and innovation grants is encouraging. More companies are becoming aware of the benefits associated with R&D and innovation programmes. Indeed, the independent review of economic policy (IREP) pointed out that we needed to place more emphasis on that area. I am happy to do that, and it will be one of the areas that I talk about when I present my response to the IREP report to the House in early January 2010.

**Mr T Clarke:** Will the Minister outline the other actions that are planned as a result of the IREP report's recommendations on innovation and research and development?

**The Minister of Enterprise, Trade and Investment:** The IREP report made a great play of R&D and innovation. As its corporate plan shows, Invest Northern Ireland is already doing work in that area. Invest Northern Ireland has moved into the area of research and development and wants companies of all sizes to become involved. Invest Northern Ireland has many programmes in place, from innovation vouchers for small companies right up to helping large multinationals.

As pointed out in the IREP report, one of the more concerning issues on the horizon is the fact that select financial assistance may end in 2013. If that happens, we must find moneys for research and development and innovation from other sources. In the meantime, and as the IREP report recommends, we must use select financial assistance to invest in research and development and innovation. Between now and 2013, we must draw up a new portfolio of policies to deal with matters post-2013.

The IREP report also refers to industry-led innovation communities. Members may be aware of the MATRIX report — members of the Committee for Enterprise, Trade and Investment are certainly aware of it — and the Government's recent response to that.

That is a very important issue, although it did not get the amount of coverage that I would have liked. Those industry-led innovation communities really take Northern Ireland to the next level. They make us more globally competitive, which the House should very much welcome. I know that I have all my Executive colleagues' support in progressing the recommendations in the MATRIX report, and I thank them for that support. It will make a real difference to the Northern Ireland economy.

**Dr McDonnell:** In light of the recommendations in the Barnett independent review of economic policy, how much further increase does the Minister anticipate

in the R&D and innovation budget as we go forward? Has it reached its peak, or does she anticipate further investment?

**The Minister of Enterprise, Trade and Investment:**

We must recognise that all departmental budgets will be under pressure from next year and into the next comprehensive spending review period. I know that the Member recognises the fact that we have moved more money into R&D and innovation over the past number of years. We have moved from having a budget of £15 million to one of £42 million, which also allows us to lever some money from Europe. In fact, the total amount that has been invested is nearer to the £100 million mark. However, we need to look very carefully and strategically at our future budgets, and I hope that the Committee will be able to assist in that regard. I am not saying that that budget is at its peak yet, but we are moving into difficult financial times.

### Single Electricity Market

3. **Mr A Maskey** asked the Minister of Enterprise, Trade and Investment what the impact will be on the future of the single electricity market if a feed-in tariff system is not the preferred option under the renewable obligations Order. (AQO 479/10)

**The Minister of Enterprise, Trade and Investment:**

The Northern Ireland renewables obligation (NIRO) is the main renewable energy support mechanism in Northern Ireland. It compares favourably with the incentives that are available in the Republic of Ireland. Since its introduction in 2005, the NIRO has proved very successful in stimulating new renewables development. There are no plans at this stage to replace it with a feed-in tariff or other support measure.

A feed-in tariff system is not an option under the current renewables obligation Order. It is a separate support mechanism that would require new primary legislation if it were to be introduced. Nonetheless, the move to a feed-in tariff system for small-scale projects in Great Britain means that the time is right for Northern Ireland to increase its share of renewable electricity in order to provide greater security of supply and to reduce carbon emissions at an acceptable cost to consumers.

Therefore, my Department, working closely with the Utility Regulator, is commissioning an economic analysis of support mechanisms for renewable electricity. That will help us to determine the most appropriate and cost-effective means of ensuring that we continue to maximise the potential of renewable electricity in Northern Ireland while taking account of the operation of the single electricity market.

**Mr A Maskey:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for her response. Notwithstanding the detailed answer that she provided,

does it not make sense for us to continue to develop the single-island energy policy and market to ensure that we can use one of the better cost-effective mechanisms to deliver energy to industry and householders at a reasonable price?

**The Minister of Enterprise, Trade and Investment:**

There are two issues: the industry level and the small-scale renewables. For industry, we have no plans to change from the NIRO to the feed-in tariff, because we need to give certainty to the industry. We are seeking a great deal of investment in renewable sources of energy into Northern Ireland. We want to give certainty so that, when they invest, people know what they will get on the back of it.

I have indicated that I want to do more work on small-scale renewables. At present, we do not have the legislative competence to decide simply to go down that route. We were not included in Great Britain's Energy Act 2008, so I am doing a piece of work with the Utility Regulator. That is currently with the Department of Finance and Personnel, and I hope to have the results of that work in March or April next year, after which we will move forward.

**Mr I McCrea:** I thank the Minister for her answer so far. Will she detail why her Department does not align Northern Ireland's renewables support measures with those of the Republic of Ireland?

**The Minister of Enterprise, Trade and Investment:**

We do not have the legislative power to do what the Republic of Ireland is doing. The GB powers were included at the last stages of the Energy Act 2008. We did not have time to table a legislative consent motion in the House, and we could not be added to the legislation at the last moment because energy is a devolved matter. We cannot move ahead on this issue until we have primary legislation in place. Indeed, before taking the primary legislation route, we must decide whether it is a good idea to move ahead with feed-in tariff proposals like the ones in the Republic of Ireland, as opposed to continuing with the NIRO for domestic and industrial renewables. That is why we are carrying out work with the regulator, after which, hopefully, there will be greater clarity.

**Mr Beggs:** A fully working single electricity market (SEM) should lower consumer costs. Is the Minister satisfied that the single electricity market benefits large and small consumers, or does it largely benefit wholesalers?

**The Minister of Enterprise, Trade and Investment:**

There is no doubt that the SEM has benefited the wholesale market, and the Member is right to point that out. I presume that the Member is alluding to the fact that many large-scale energy users are facing huge increases in their electricity bills, some close to 40% to 50%. According to figures from my Department, that



simply should not be the case. Given the huge price rises that some people have been facing, something has gone wrong.

Last week, the Committee for Enterprise, Trade and Investment heard compelling evidence from Northern Ireland Manufacturing that people doing business here have experienced an increase to their bottom line that is simply not tenable. There must be a real and meaningful look at the reasons for those huge increases in electricity prices, and I welcome the fact that the regulator has announced a review of them. On a number of occasions, I met the regulator to talk about those issues. I also welcome the fact that the Committee has decided to work on that subject. I hope that we will bring clarity, which is what businesses really need in order to know precisely the sort of costs with which they must deal. Presently, that is very difficult for them.

**Mr Gallagher:** Does the Minister agree that Northern Ireland consumers are still paying far too much for energy? One way to make the electricity market more competitive would be to allow for the exchange of renewables obligation certificates, to which she referred. In addition to its work with the regulator, what plans does her Department have to remove those barriers?

**The Minister of Enterprise, Trade and Investment:** I am sorry that Mr Gallagher did not listen to what I said earlier. Work on feed-in tariffs will start very soon; it is with the Department of Finance and Personnel for approval, after which consultants will be appointed. In March, it will come back to us, and we can establish whether what we are doing in respect of small-scale renewables is right for industry and the people who live in Northern Ireland, which will always be my guiding principle. If the NIRO is right for the people of Northern Ireland, we will continue with it. If we need to look at other mechanisms to incentivise renewables, we will do so. However, I will not prejudge the work before it comes to me. When it does, I will be happy to discuss it with any Members who have a specific interest in it. I will bring the matter to the House when I have clarity on it.

## Tourism

4. **Mr Bresland** asked the Minister of Enterprise, Trade and Investment what work her Department is doing with its counterparts in Great Britain and the Republic of Ireland to increase the numbers of tourists from their areas visiting Northern Ireland.

(AQO 480/10)

**The Minister of Enterprise, Trade and Investment:** My Department does not work directly with its counterparts in Great Britain and the Republic of Ireland, because, in essence, those Departments are

competitors in seeking to maximise tourist numbers and revenue for their respective home markets. However, when it makes commercial sense to do so, Tourism Ireland works with Visit Britain in markets such as Canada and Australia and in emerging markets such as India. For example, in May, Destination Britain and Ireland held a workshop in Hong Kong that brought industry partners from Northern Ireland and the Republic of Ireland face to face with more than 90 key buyers from the Asia-Pacific region. The workshop was organised by Tourism Ireland in conjunction with Visit Britain.

3.15 pm

The Northern Ireland Tourist Board runs a year-round programme of marketing campaigns in the Republic of Ireland to attract visitors to Northern Ireland. Evaluation of the most recent campaign, which was run last summer, indicates that people from the Republic of Ireland taking a short break or day trip as a result of the campaign generated £10.6 million for the local economy.

**Mr Bresland:** I thank the Minister for her answer. Does she welcome the thousands of shoppers coming from the Irish Republic into Northern Ireland, and will she comment on the row over promoting Belfast in key parts of Dublin?

**The Minister of Enterprise, Trade and Investment:** Obviously, I welcome the number of shoppers coming to Northern Ireland, and I do so wearing a number of hats, not least as a Member for Fermanagh and South Tyrone. The current economic downturn, together with the strength of the euro and the emerging changing patterns of consumer demand suggest that we in the tourist industry have a window of opportunity to increase the level of demand from both parts of the island.

That is why the Northern Ireland Tourist Board is spending so much time and energy trying to make people in the Republic of Ireland aware of what they may not have been aware to date, and it is doing very well in that respect. We have seen a growth in the number of residents coming here to Northern Ireland not just to shop, but for short breaks. I very much welcome that. When they come, they will find quality accommodation and good food, and I hope that they will want to come back.

In respect of the small skirmish over promoting Belfast in key sites in Dublin, I am disappointed that the particular advertising agency has chosen not to put the Tourist Board displays at four key sites in the city. I understand that that is because there was a contractual obligation not to display materials that conflict with the commercial interests of one of its clients, a Dublin shop, or whatever. However, that does not take away from the fact that we have a very effective tourism

campaign in the Republic of Ireland, and I hope that we continue to see the fruits of that.

**Mr P Maskey:** Go raibh maith agat, a LeasCheann Comhairle. What is the Department doing to enhance visitor numbers to areas of social need and to support community tourism projects?

**The Minister of Enterprise, Trade and Investment:** As the Member knows, we work very hard with community tourism because we see culture as one of the growth areas for the tourism product here in Northern Ireland. The new tourism strategy will include culture as one of our action areas, and I hope to receive it before the end of the year.

As well as that, Belfast Visitor and Convention Bureau, which the Member will know is largely funded by the Tourist Board, is doing a lot of work in relation to getting visitors into the city of Belfast as a gateway, if you like, to Northern Ireland. It does a lot of work with all the different sectors, including the cultural sector, which the Member is involved in.

I very much hope that we will see more work in that area. When people come to Northern Ireland, they have a genuine sense of inquisitiveness — understandably, given the past 35 to 40 years — and they want to know about the culture of the place. I can only see it as an advantage to tell them about it.

**Mr A Maginness:** It is good to note that Northern Ireland is becoming a more popular destination for people from south of the border and Britain. What will the Minister do to deepen the tourism experience and strengthen the input from all parts of these islands? In particular, how would she give better value for money and time? If people have a good time here, they are likely to return.

**The Minister of Enterprise, Trade and Investment:** I could not agree with the Member more. That is absolutely the right message and it is the message that not only Tourism Ireland is trying to get across but which the Northern Ireland Tourist Board is encouraging with its “explore more” message, which is telling people to get out and about to places that they may not have been to heretofore.

In October, Tourism Ireland invested an additional £1.2 million to augment its autumn campaign in Great Britain. The reason is obvious: the economic recession and the fact that people are not looking to further shores for their short breaks offer us the opportunity to attract more visitors across that short stretch of water.

In the near future, I will receive from Tourism Ireland a major review of the Great Britain market, entitled Project Britain II. That project will identify the strategic actions that are needed to return the market to growth, because although we have seen an increase in the number of visitors from the Republic of Ireland,

there has been a decline in the Great Britain market, and we need to concentrate on that.

I commend Tourism Ireland for its work with the Department on the Great Britain market. It has recognised that there is a good deal of work to be done, and it has invested time and energy in that.

The 2012 London Olympics provide a huge opportunity for us. We are working with Visit Britain in that regard, and we hope to see some benefit from the London Olympics.

**Mr McFarland:** The Minister will be aware of large-scale advertisements at GB airports encouraging English tourists to visit Dublin and the expensive euro zone. Is the Minister content with Tourism Ireland steering our countrymen away from Northern Ireland?

**The Minister of Enterprise, Trade and Investment:** I am disappointed to hear the Member say that, because, in my time as Minister, my experience of Tourism Ireland has been that it has been more than willing to work with Northern Ireland. Sometimes, in fact, it comes under criticism from my Southern counterparts for the amount of time, effort and money that it puts into marketing Northern Ireland rather than the Republic of Ireland.

As I said earlier, Tourism Ireland put an additional £1.2 million into its autumn campaign for the promotion of Northern Ireland in Great Britain, and, soon, we will receive Project Britain II, which will identify the strategic actions that are required to increase the number of visitors from Great Britain. Although there may be advertisements inviting people to visit Dublin, we will continue to work with Tourism Ireland in selling Northern Ireland as a good place to visit for a variety of reasons, not least value for money, which should go down well at this time of economic recession.

## Fuel Costs

5. **Mr Savage** asked the Minister of Enterprise, Trade and Investment what action she intends to take following calls from the Consumer Council for greater transparency in the fuel industry and for Government to encourage fuel suppliers to be more open about their costs. (AQO 481/10)

**The Minister of Enterprise, Trade and Investment:** The Consumer Council has called for suppliers of diesel and petrol to provide customers with more information on their costs. My Department has no powers in relation to transport or to direct the industry to produce information about its costs. However, I encourage the transport fuel industry to work with the Consumer Council on the issue.

**Mr Savage:** The Minister will be aware that the regulator has initiated an inquiry into how suppliers set

charges and communicate with their customers. Is the Minister aware that energy costs in Northern Ireland are 12.5% higher than those in GB and 55% higher than those in the United States?

**The Minister of Enterprise, Trade and Investment:**

I am aware of that. I am sure that the Member is aware that we do not regulate the domestic oil industry, because it is felt that since it is such a competitive industry, there is no need to regulate it. That is the view not only of my Department but of the Department for Energy and Climate Change and the Department for Business, Innovation and Skills in Westminster. Therefore, there are no plans to regulate the domestic fuel industry.

The Member will be aware that the price of crude and wholesale product fluctuates daily. However, retailers typically change prices less frequently and respond only to sustained price movement. The regulator is trying to get more clarity on those prices, and I welcome that. However, energy costs are high in Northern Ireland, particularly for businesses. If the Member was in the Chamber for my answer to a previous question, he will know that I hope that we can help those businesses. I look forward to the regulator's review and its outcome.

**Mr Spratt:** What is the Department of Enterprise, Trade and Investment doing to reduce the cost of energy for businesses in Northern Ireland?

**The Minister of Enterprise, Trade and Investment:**

I welcomed the 19% reduction in Phoenix Natural Gas prices for domestic and small business users from October 2009. Firmus Energy also reduced its gas prices by 17.7% for domestic customers and 11.5% for small business users from the same date. However, that does not take away from the fact that we are concerned about the cost of electricity for large energy users, and I hope that we can clarify that situation when the Utility Regulator brings us the findings from his review some time in the new year.

**Mr Durkan:** Beyond noting the aversion that the Minister's Department and others have to regulating the oil industry, will her Department work with the regulator and/or the Consumer Council to ensure that there is at least some credible monitor of the cost factors for that industry? It could track not only wholesale costs but, significantly, exchange rates, which also have an impact, ensuring that excise and tax issues are built in as well as any added transport or storage costs for Northern Ireland. If that monitor were in place, it would give people a better assurance that there is no rip-off.

**The Minister of Enterprise, Trade and Investment:**

It is important to have all the information, because, when people do not have that, they start to fill in the boxes themselves. That leads to scare stories about what the price should be, which, inevitably, leads to

much confusion. I have no difficulty with the Consumer Council providing a price monitor. We were particularly concerned about the fact that regulation would add on additional burdens and costs, which would, inevitably, be passed on to the consumer. Therefore, although the Consumer Council will continue to do the good work that it does in that area, we have no plans to regulate. Of course, if national and European Union competition law were to decide that that should change, we would have to consider that. However, at present, the scrutiny that the Consumer Council provides will suffice, and it will no doubt do its usual good job on that issue.

**Mr Deputy Speaker:** Question 6 has been withdrawn.

## Invest NI

7. **Mr Moutray** asked the Minister of Enterprise, Trade and Investment what progress Invest NI is making in meeting its public service agreement targets on inward investment jobs. (AQO 483/10)

**The Minister of Enterprise, Trade and Investment:**

Despite the prevailing economic conditions, Invest Northern Ireland has continued to perform steadily during this financial year, building on the excellent progress that was made during 2008-09. The Programme for Government's halfway point was on 30 September 2009, by which time Invest Northern Ireland had delivered 66 inward investment projects against a three-year target of 90. The projects have promised 4,832 new jobs against a three-year target of 6,500.

Invest Northern Ireland has also continued the shift towards securing high-quality, high-value-added inward investment opportunities. Some 2,852 of the jobs offer salaries above the Northern Ireland private sector median, which is £18,314, and 1,659 of the jobs offer salaries that are 25% above the Northern Ireland private sector median. That is against three-year targets of 5,500 and 2,750 respectively.

One excellent example of that focus is the New York Stock Exchange's technologies project, in which all 400 of the jobs promoted will attract salaries of more than 25% above the Northern Ireland private sector median. Although there has been encouraging progress to date, it is important to acknowledge the fact that achieving the three-year targets will be challenging. Invest Northern Ireland has begun to see tentative signs of recovery, with a modest increase in the number of possible investment projects in the pipeline, but the global foreign direct investment market remains depressed and fragile.

**Mr Moutray:** I thank the Minister for her answer. What is Invest Northern Ireland's corporate plan commitment for research and development?

**The Minister of Enterprise, Trade and Investment:**

We hope to succeed in a competitive global environment and to give businesses ongoing access to help and support. The corporate plan for 2008-2011 places greater emphasis on providing hands-on support and advice to make it simpler for businesses to access the help that they need to succeed. With support from the innovation fund, Invest Northern Ireland appointed 11 innovation advisers to provide companies with tailored advice and funding options that could be made available to them. The corporate plan also promised that expenditure on research and development and innovation programmes would increase by one third.

In an answer to an earlier question, I said that spending on research and development has increased from £15 million to £42 million, and the Department is pleased with that project to date. However, the Department is not complacent. It is aware that it has much more to do on research and development, not least in meeting the challenge that has been given to it and to Invest Northern Ireland by the Barnett review.

## EXECUTIVE COMMITTEE BUSINESS

### Department of Justice Bill

#### Final Stage

*Debate resumed:*

**Mr Deputy Speaker:** We shall resume the debate on the Final Stage of the Department of Justice Bill.

3.30 pm

**Mr Shannon:** I support the motion. Just over two weeks ago, we debated the Further Consideration Stage of the Department of Justice Bill. At that time, I said that the debate reminded me of ‘Groundhog Day’; today, I feel like Bill Murray, one of the stars of that film. Nonetheless, it is important that we discuss the Final Stage of the Bill.

Thair’s naething new at A feel A can bring tae this Chammer at hasnae bein sayed afore. The Bill i the format at bes proponed bes, i mae notion, the bes grunwaark fer a Department o’ justice an’ polis, an’ instead o’ debatin’ foriver aboot amendments at dae naething tae gie security an’ protection tae the ordnar boadie oan the street — at hes simply fostered the graith o’ fear an’ the notion at this Semmelie isnae readie tae tak’ forrit polis an’ justice — we maun shew hoo we ir readie an fit tae dale wi’ thon noo.

There is nothing new that I can bring to the debate that has not already been said. The Bill is the best groundwork for a Department of justice. Instead of endlessly debating amendments that do nothing to give protection and security to the man on the street and which have simply fostered the growth of fear and the concept that the Assembly is not ready for policing and justice powers, we must show that we are ready and able to deal with the issue now.

The rise of dissident republican activity has been disheartening. However, equally encouraging was the fact that the PSNI and — reportedly — army special forces are on top of their game and are constantly on guard to ensure the safety of the public and of the armed forces. The victim of the recent dissident attack is understood to be a Catholic recruit to the PSNI, and the attack on him shows the depths to which some despicable men will sink in their attempts to bring instability and mayhem to the Province.

We do not underestimate their evil intentions, but neither do we focus entirely on their deeds. Instead, we must focus on the future and continue in our attempts to make Northern Ireland a prosperous country, and we must all work together to achieve that. We must also look to the future for our children and grandchildren to ensure that the disturbed minds of a minority do not dictate what we do.



At this time of economic uncertainty, we need a stable Northern Ireland, and in the same way that the PSNI has thus far shown itself able to stand up to dissident thugs, the Assembly must also show that it is equal to the task of devolving policing and justice powers. A strong message must be sent to those who use terrorism that the Assembly is getting ready to take over the reins of policing and justice and that it will use its localised knowledge and superior police force to ensure that any attempt to rule by terror will fail.

Ceasing the petty debates that do nothing to enhance the Department of Justice Bill would allow the Assembly to send a clear message to the Province that when the people are ready for policing and justice, the Assembly is ready, waiting and able to implement those powers.

All parties are united in the desire to have a superior policing and justice Department that will work on the streets and be accountable to the Assembly. Just this morning, I was made aware of proposals to make PSNI crime prevention officers a civilian role. Had we a direct say on policing, I would ensure that the policing Minister — whoever that may be — was aware that crime prevention is an integral and essential part of community policing for which people are crying out. As things stand, I will have to write to the Minister of State Paul Goggins and trust that he will take on board my concerns about the loss of crime prevention officers.

The benefits of a devolved policing and justice Department are obvious, and there is no doubt that the DUP fully supports the devolution of those powers, with a regional Government delivering regionally in partnership with the central Government. However, I must reiterate that that will not happen until we have shown that we are ready for it and until the people trust and believe that we are ready for it.

Confidence in the community is critical if we are to move the issue forward, and that confidence will come only as a result of the actions of those in the Chamber. The silly game playing of some Members must come to an end as we move forward towards a justice Department.

People must understand the positive difference that will, undoubtedly, come from devolving the powers in question into the right hands at the right time. All Members are tasked with achieving that outcome, even those who expressed some concern today. We must show that this is not a time for fear; rather it is a time for faith and for determination to see the matter brought to its proper conclusion.

I support the devolution of policing and justice powers, and I support the Department of Justice Bill, which would enable a Department of justice to be created effectively and efficiently at the appropriate time. I support fully the provisions that will create the

chance to close and reform the Department, if that is needed at any time.

I ask Members to put aside some of their petty arguments and small concerns that have no relevance or little substance. I also ask them to ensure that we have a system in which people can have confidence. I have confidence in the system, and many other Members share that confidence. I believe that the community is confident, and with that in mind, let us learn from our past as we head into the future. I support the Bill.

**Mr McKay:** Go raibh maith agat, a LeasCheann Comhairle. I declare an interest as a member of the Policing Board. I welcome the Final Stage of the Department of Justice Bill. The previous stages were quite exhaustive, and I hope that we do not see a repeat of that today, given that the Bill is one of the shortest to be introduced in the Assembly.

The devolution of policing and justice powers would represent real progress, and it would be a good news story. It is something that the public want to see. They want to see a positive development that would serve to undermine those who are opposed to the peace process and who seek to drag us back into conflict, including, unfortunately, some Members. The devolution of policing and justice powers will be good for all our communities, and it will bring real local accountability.

The problems in the legal system are being flagged up in the media day and daily. We heard more bad news stories this morning on ‘The Stephen Nolan Show’; indeed, bad news stories are seen and heard on television and radio every day. There are a lot of issues that the public want us, not part-time British Ministers, to tackle, and accountability is one of them. The public want us to get to grips with those issues now.

The devolution of policing and justice powers should happen without undue delay. That is what the Ministers in OFMDFM said last November. Given that, they have a duty to progress the issue without pandering to any of the political cavemen either outside or inside the Assembly. I do not think that the public would be impressed if the generous financial package offered were lost and squandered because of the TUV and the electoral fears of some parties. Equally, the people will not have been impressed by the SDLP’s efforts to frustrate the process in the Bill’s previous stages.

When it comes to crime, there is no excuse for elected representatives here to continue to neglect their duty to represent the most vulnerable in our society. Those elected representatives cannot speak for their constituencies on the issue without assuming policing and justice powers in this institution.

I listened earlier to Basil McCrea — for about five minutes — outline a number of problems and issues

that he wanted to be addressed, including matters to do with the Public Prosecution Service. He then talked about the need to get community confidence. I want to talk about community confidence, not as an excuse for not devolving policing and justice powers, but as a reason for giving those powers to local politicians. I referred already to this morning's edition of 'The Stephen Nolan Show', and from listening to the reports day and daily about crime in our communities, it is clear that there is a lack of community confidence in the way in which British Ministers are dealing with policing and justice. Thus, it is abundantly clear that the immediate devolution of policing and justice powers would lead to community confidence in policing and justice in the North.

In conclusion, the Bill is a key piece of legislation, and once it is passed, we must immediately move to complete the devolution of those powers. Tá muid réidh anois.

**Mr Hamilton:** It is probably a fair assessment of the time that we have spent on the Bill to say that never before has such a short, simple, straightforward piece of legislation taken so long to debate. I am not saying that that is, necessarily, a negative thing. Indeed, given the criticism sometimes levelled at the Assembly that it does not pass enough legislation or do enough of that type of work, it is positive that we take time to scrutinise in the fashion that we have. Whether it has always been productive is an entirely different matter, but it is, nonetheless, helpful that we take the time to pore over the issues, important as they are.

It is a piece of legislation with three clauses: one on commencement; one on the name of a Department, which I do not think anyone contends; and only one on which there has been any degree of discussion or debate. The issue has been well aired in the Chamber, and that airing is something that I will come to later.

I echo the comments made by colleagues in respect of the support that I and my party have for the devolution of policing and justice powers. I have said before at various stages in the debate, and will repeat again, that we see the merit in having those powers devolved to the Assembly at the appropriate time. I and others have previously cited the historical reasons for that: that unionism wanted to have those powers vested in the previous Parliament, and that that Parliament collapsed on the basis of those powers being taken away. Having policing and justice powers residing in this Building and administered by locally elected and accountable politicians is something that we aspire to. It is a unionist ideal; it always has been, and remains so.

That is an important historical reason for doing it, but there are also good reasons in the here and now and in the future as to why it would be beneficial for

everyone in Northern Ireland to have those powers devolved. Others have mentioned issues such as sentencing policy, and it is worth pointing out again that, even if the powers are devolved, no Minister is going to be able to interfere in specific cases. The House would have the power to set sentencing policy, if it decided that it wanted to do so, and to make the guidelines much more rigid than they are at present. For example, there could be mandatory minimum sentences for certain types of crime. There is merit in us having the power to do that.

I have mentioned before, in my role as Chairperson of the Committee for Social Development, that next year, we may be facing a second housing Bill, which will deal with, among other things, antisocial behaviour. It seems logical that we could be most effective in legislating on that if we also had the ability to establish a cross-cutting element involving the police and the justice sector with devolved powers, rather than the Assembly legislating on a policy for antisocial behaviour and then some element of the enforcement being dealt with by others.

The Assembly and Executive Review Committee has scrutinised every line of expenditure in the policing and justice sector, as other members of that Committee know, and has come across some major problems, including the habitual over-run of expenditure on legal aid every year. Even though that problem has existed for years, there does not seem to be much political imperative by direct rule Ministers to get to grips with it. Although the financial package seems to have dealt with the problem in the short term, the only way to deal with it in the long term is through reform. The impetus for that reform will only come from a devolved justice Minister, and from having those powers in this institution.

Therefore, there are many good reasons to devolve policing and justice powers. We would not support such devolution if there were not good reason for doing it. We do not support it because others say that it must happen, or because it seems like a good idea to get a bit more power. There are very good reasons for having those powers in this institution.

However, as all Members know, the DUP's position has always been that the conditions must be absolutely right and that calendars will not dictate when the powers are devolved. One key condition has been to do with elements in the Bill, primarily and particularly the method of electing a justice Minister.

3.45 pm

Although the SDLP and the Ulster Unionist Party may legitimately hold a position and are entitled to do so, at all the stages of the Bill's passage, I have found the fabricated and manufactured opposition of those parties difficult to understand.

Throughout the passage of the Bill, the SDLP has raised various issues, some of which are more meritorious than others, and it has the right to do that. It says that it supports the devolution of policing and justice, and it has yet to say how it will vote on the Bill's Final Stage. As others have said, the SDLP voted against the principle of the devolution of policing and justice by opposing the Bill at Second Stage. The SDLP lectures those of us on this side of the House who say that conditions must be right, but the SDLP wants devolution yesterday or as soon as possible, so it is difficult to understand its position of voting against the Bill at Second Stage and, perhaps, at Final Stage.

If, as Alban Maginness said, there is such a pressing need for devolution, why did the SDLP not support the passage of an essential building block? That party will have to wrestle with that issue when it comes to the vote on the Bill, and I will leave that in its hands, but it strikes the rest of us as being a rather strange and curious position to lecture others on getting on with the job of devolving policing and justice as soon as possible while opposing the Bill at Second Stage and, perhaps, at Final Stage.

Why does the SDLP adopt that position? It appears that some SDLP contributors to previous stages of the debate adopted that position simply because their party will be denied the position of Minister of justice, as if it were some right that the SDLP has, completely misunderstanding the point that d'Hondt would not simply be extended but rerun entirely.

The other reason that SDLP Members had for adopting that position was some slavish devotion or adherence to d'Hondt. Alban Maginness described d'Hondt as being the fairest way. In previous debates, Dr Farry pointed out that d'Hondt is not always the fairest way. It may not be the fairest way, and it is certainly not the only way in which we can achieve cross-community support and have fairness in that sense. I ask the SDLP to reflect on how much better, fairer and all-encompassing a way could be found of appointing a Minister to such a sensitive position as Minister of justice than by having a requirement that the proposed Minister pass a test of cross-community support in the Chamber.

Under the d'Hondt mechanism, based on the results of the most recent Assembly election, any Minister would have, at best, the support of 30% of the population in the case of a DUP Minister, or the support of 15% or 16% of the population in the case of an SDLP Minister. The individual who will be elected to be justice Minister by the House will have the support of the majority of the House, and no better way could be found to ensure confidence in the person who is to hold the sensitive position of policing and justice Minister than to have a cross-community vote.

Members from the SDLP said that they did not understand the need for a veto or for cross-community support. That shows that they simply do not understand the sensitivities, particularly in the unionist community, about who might hold the important position of justice Minister. To be quite frank, if, as was said earlier, the principle of d'Hondt is being damaged by the passage of the Bill, I do not care.

Rather than devote ourselves to one mechanism that is, in itself, not a principle, it is much better that the principle of cross-community support for this very sensitive position be adhered to.

All will be revealed later when there is a vote. If the SDLP opposes the Bill at Final Stage, they will have opposed at every stage the devolution of policing and justice, or, rather, the building blocks leading to that, which puts them into a strange and curious coalition with Jim Allister and dissident republicans, who are opposed to policing and justice powers being devolved. To be fair, though, Jim Allister has, perhaps, been more supportive, having endorsed my party's 2007 election manifesto, which clearly stated the DUP's support for the devolution of policing and justice powers.

A lot of the steps that the SDLP took at different stages in the Bill's passage have not helped to develop community confidence. The SDLP should accept that community confidence is an essential component of devolution. However, some of their behaviour, to which they are entitled, has not been helpful in building community confidence. Their reasons, as I have said, are more to do with an intra-nationalist battle and trying to out-green Sinn Féin than about seeing policing and justice powers devolved to the Northern Ireland Assembly.

Mrs Kelly criticised the Alliance Party and asked whether it would take the justice Ministry if a shared future and CSI strategy were not sorted out. It is clear from the contributions of SDLP Members to the debate, and to other debates on this issue, that they would take the position of justice Minister without any resolution to those issues. That sort of doubletalk is typical of some of the positions adopted by the SDLP throughout the debate.

The Ulster Unionist Party's position is equally curious. Even today it vacillated, forthrightly saying that it wanted to see policing and justice devolved with no undue delay, yet all the while adopting a position that said "absolutely no". I do not want to get into a history lesson about the position that the Ulster Unionist Party adopted when it was the lead unionist party, or how it committed itself to having policing and justice powers devolved by the mid-point of the last Assembly in about 2005, and into a scenario in which there was every likelihood that those powers would go to a Sinn Féin Minister.



In many respects, the UUP has had a total reversal of position, or a total reversal of positions, depending on who speaks for it. I ask them again to reflect on clause 2 of the Bill in particular, and the appointment of a justice Minister and why that new, additional mechanism was included. If the Ulster Unionist Party does not want a Sinn Féin Member holding the position of justice Minister, it would do well to reflect that that new cross-community vote method ensures that unionism has a say in who holds that important and sensitive position. Its current position of letting d'Hondt kick in perhaps guarantees that that does not happen at this stage. However, if that was the position in the future — and it seems to hold the view that it will always be d'Hondt — there is no guarantee that what it does not want to happen will not happen.

**Mr B McCrea:** The Ulster Unionist Party is not particularly enamoured with the d'Hondt process. However, it is the agreed process, and our position is that whatever is agreed by the Assembly is the method that should be used. Should we gain agreement to adopt a different method on all appointments to the Executive or wherever, that would be a completely different matter. We cannot understand why there is d'Hondt for one process but not for another; that is our concern. We are not supporting d'Hondt for d'Hondt's sake, but because that is what has been agreed by everyone at the moment.

**Mr Hamilton:** I thank the Member for his intervention because, if nothing else, it allowed me to take a drink and ease the problem that I have with my throat. Now that I have refuelled, I am ready to respond to the Minister — I mean Member.

**Mr B McCrea:** That is very kind of Mr Hamilton.  
[Laughter.] [Interruption.]

**Mr Hamilton:** Mr Weir has shortened my contribution considerably. [Laughter.] Perhaps, the Member's name could be put forward for that post. He would be subject to the same cross-community vote as anyone else.

I understand his point that his party is not enamoured with d'Hondt, but that it simply accepts it as the system that exists at present. However, he should accept that it is not the only show in town. There are ways other than d'Hondt to distribute ministries.

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

**Mr Hamilton:** I wish to answer the point that was raised by Mr Begg's colleague.

He referred to whatever is agreed, by which I believe that he meant that if the legislation is passed, his party would be happy enough to take the justice position, if allowed to, under changes that would go through today, all being well.

The point that I make to the Member and his party is that if they are, as we are, concerned that the powers

of a justice Minister would fall into Sinn Féin's hands, I ask him to reflect on how d'Hondt would guarantee that that would not happen.

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

**Mr Hamilton:** I will if it relates to that point.

**Mr Ross:** I thank the Member for giving way. If nothing else, it gives him an opportunity to have another sip of water.

Does he agree that the Ulster Unionist Party, far from being clear, has been at its most confused on the question of who may be a future justice Minister? The leader of the Ulster Unionist Party, Sir Reg Empey, said that he would not want the justice Minister to be someone who is agnostic on the union. Therefore, he was saying that he would not support a nationalist. During earlier stages of the Bill, Basil McCrea stated that he would support the SDLP taking the position. Alan McFarland also said that he wanted d'Hondt to be run for the appointment of a justice Minister, which means that Sinn Féin could have that position. Therefore, as regards who a future justice Minister could be, the Ulster Unionist Party is all over the place.

**Mr Hamilton:** I agree with my colleague's analysis. The DUP has been clear as to who it does not want to get the position, just as, I am sure, and as I have pointed out during previous stages of the Bill, there are Members opposite who would be extremely unhappy if a member of my party had the position. That is why both parties have ruled themselves out in the initial stages.

Mr Ross is correct to say that the Ulster Unionist Party's position has vacillated on the matter. It has even stated that to have a cross-community vote on the position would be gerrymandering. Yet, as Mr Ross pointed out, Reg Empey is on record as having said that someone who is agnostic on the union would be ruled out. I believe that it was during debate at one stage about Mr Ford's theology in respect of the union. Therefore, in many respects, that party is guilty of the gerrymandering about which it has thrown accusations.

**Mr B McCrea:** I fear that quotations are being used selectively. People are entitled to their opinions. We will all form opinions on who is the most suitable person, for whatever reasons. Those are opinions.

As I said at the outset, although Mr Ross appeared not to hear it, when it comes to the process, my party has stated that whatever we think about d'Hondt — I am on record as saying that we are not particularly enamoured with it — it is the established system. It has a logical outworking. My party's preferred solution would be for it to work.

While we are on the subject of vacillation, I wonder whether the Member agrees with Mr Gregory Campbell, who, yesterday, when talking about a date for the devolution of policing and justice, said:



"It will take years, for not only my colleagues and myself, but for many in the unionist community to see Sinn Féin continuing to work the Northern Ireland Assembly and not using it as some sort of battering ram, because that's where we are now."

Does he agree with his colleague Gregory Campbell that devolution will take years, or is he vacillating?

**Mr T Clarke:** Will the Member give way?

**Mr Hamilton:** I was going to respond to that point, but yes.

**Mr T Clarke:** Perhaps, I can help you with that one, Simon. *[Laughter.]* Sorry, I meant to say that through the Chair.

4.00 pm

**Mr Deputy Speaker:** All remarks must be made through the Deputy Speaker.

**Mr T Clarke:** Basil McCrea is being very selective in his quotation of Gregory Campbell's remarks. Had he read the whole quotation, he would have found that Gregory Campbell said that it might take six days, six weeks or six years. He did not stick merely to six years.

The Member is holding up a quotation or some sort of literature. If it is by the same person who wrote his speech earlier, I would be concerned about the author. *[Interruption.]*

**Mr Deputy Speaker:** Order.

**Mr Hamilton:** I feel that I am playing a bit part in this exchange.

At the risk of repeating Mr Clarke and myself, I will echo what I said at the start of my contribution: what has always been most important to the Democratic Unionist Party is not calendars but conditions. The conditions have to be adequately addressed. When they are, the devolution of policing and justice can occur. That is the DUP's position, and it will remain so.

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

**Mr Hamilton:** I said that I would give way, and I will do so in a second.

Mr McCrea said that his party has no adherence to and no real support for the d'Hondt system. I would have thought that he would then welcome any move away from it. Like me and others, he accepts that the d'Hondt system is far from perfect. This is a move away from d'Hondt and, crucially for him and for me and for unionists, it ensures that unionists have a say over who holds the very critical and sensitive position of policing and justice Minister. I will now give way.

**Mr Beggs:** I thank the Member for giving way.

Does the Member accept that there is not sufficient confidence not only within the unionist community on this issue but between the DUP and Sinn Féin, in that they cannot agree an arrangement for the appointment

of the Minister for justice beyond 2012? At that point, having agreed the devolution of policing and justice, one will be left with, potentially, powers devolved but no Minister in place.

Does the Member also agree that it is concerning when a senior member of Sinn Féin criticises the Serious Organised Crime Agency for visiting one of its members because he has come to the agency's attention? That shows that Sinn Féin is not yet ready to be anywhere near such office.

**Mr Hamilton:** Does the Member think that this is some sort of cunning point with which I am going to disagree? I absolutely agree that, given that sort of comment and the sensitivities that we speak of as surrounding the office, Sinn Féin should not have its hands anywhere near it. That is precisely why the DUP has ensured that this clause is in the legislation. The effect of the clause is that unionists will have a say over who holds the position of justice Minister. *[Interruption.]* Hold on. Let me finish. We will have an absolute say, a guarantee, as to who holds that position. If the Member and his party have the same genuine concern as me and my party, he will surely see that the position outlined in the Bill and the mechanism for appointment outlined in it is infinitely preferable to the position that his party is now adopting, which is to throw the office out to the vagaries of d'Hondt and, potentially, to anybody, following an Assembly election. I give way.

**Mr Beggs:** The Member is ignoring the problem that will occur in 2012. How will a justice Minister be appointed after that date? Will the Member also acknowledge that, if policing and justice is not devolved, d'Hondt will not kick in?

**Mr Hamilton:** I will speak on the Member's first point and try to work out what the second one means.

The Member is referring to the sunset clause, on which we had a lengthy debate at Consideration Stage. The importance of that, which I think is lost on the Member, is that unionists will have an absolute say, guarantee and veto on the mechanism put in place regarding the appointment of a justice Minister thereafter as well. That is the crucial point that the Member does not understand. The support of the Assembly will be required for the continuance of the interim arrangements or for the design of new or different arrangements. Crucially, unionists will have a say over that. It is not as if it collapses and everything goes down at that stage, rather than reverting to any other position. We had a lengthy discussion on that too at Consideration Stage. It is not as if that will collapse.

At Consideration Stage, we also had a lengthy discussion about whether everything would fall down in 2012 or whether we would revert to another position. However, it is not as if we would go back to

using d'Hondt and Sinn Féin would get its hands on the position, as some scaremongers have said. That is not what would happen. Crucially and importantly, unionists have a say on what will happen after May 2012.

The Ulster Unionist Party said that one of the reasons why it is unable to support the passage of the Bill is the lack of consultation — principally, consultation with it. I am baffled by that. In some ways, I think that the party has not cottoned on to the fact that it is no longer the biggest party and no longer in the lead in unionism. Despite that fact, consultation with the Ulster Unionist Party on that issue has been deep and widespread. The Prime Minister and the Secretary of State have spoken to the Ulster Unionist Party leader, Sir Reg Empey, on several occasions. In fact, I understand that the Secretary of State met and discussed the issue with the Ulster Unionist Party Assembly group. The First Minister has also spoken to Reg Empey about the issue. The First Minister and the deputy First Minister met the Ulster Unionist Party, as well as the other parties.

**Dr Farry:** On the point about consultation with the Ulster Unionist Party and the allegations of preferential treatment towards the Alliance Party, does the Member accept that the leader of the Ulster Unionist Party has had more meetings with the Prime Minister about the justice Department than the leader of the Alliance Party, despite all the speculation around our party? Does he find it a little bit strange that the Ulster Unionists are complaining about the lack of consultation, given the privileged access that they have had to the Prime Minister compared with ours?

**Mr Hamilton:** The Member has helpfully added to my point.

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

**Mr Hamilton:** I will let Mr McCrea make an intervention in a moment, when perhaps he will explain the disparity between what I outlined and the point that he made earlier.

As I said, the First Minister and the deputy First Minister met all the parties, including Dr Farry's party and Mr Durkan's party, and had lengthy discussions about the issue with them. If my understanding is correct, the First Minister and deputy First Minister offered to establish a cross-ministerial subgroup comprising all four parties in the Executive to discuss that and other issues. However, I do not think that Sir Reg Empey has replied positively to that invitation.

The Assembly and Executive Review Committee, as I know to my cost, has discussed the issue inside out and upside down and at excruciating length, and representatives of the Ulster Unionist Party have been present in the room at all times. Indeed, the detail of the Bill was included in a report of that Committee. I am not in any way trying to imply that Ulster Unionist

Party members supported that; however, they were there, they knew about the detail, and they were consulted on that.

The accusation that there has been no consultation and that the Ulster Unionist Party feels out in the cold or left out because of that is completely spurious and total nonsense. The level and extent of consultation and discussions, from the top of the United Kingdom Government down, has been extremely significant and makes a complete lie of the Ulster Unionist Party's argument that it has been excluded or kept in the wilderness.

**Mr B McCrea:** At this time of the afternoon, we can throw brickbats back and forward at one another, and we can accuse Members of saying this, that and the other. However, we must try to be helpful and move things on.

Our point was about making the Assembly and Executive work on a range of issues, not just on that issue. I am grateful to the Member for speaking on behalf of the Prime Minister, the Secretary of State and all the other people whom he is able to speak on behalf of. However, our point is that there is widespread disillusionment in the country with the way in which the Assembly is working.

Members to my right talked about the Executive being dysfunctional. We are trying to tell the House that we are interested in finding a way to make the Executive more productive in the way that we work together on things and that we would like to tackle all issues. We do not think that some form of pro forma arrangement or going through the motions is satisfactory.

The Member is absolutely at liberty to disagree or to think that it is not our place to ask for that. However, what I am saying, quite clearly, is that, if the Member wants our involvement and if he thinks it useful to take our opinion, that is where our concerns are. It is entirely up to the Member whether he and his party address those concerns. However, that is the problem that we face.

**Mr Hamilton:** I welcome the Member to the unionist ground hitherto adopted solely by ourselves in seeking to make the Executive and their decision-making much more effective. I would be keen to explore that issue with the Member at a future date.

**The First Minister:** As the Member for Lagan Valley is now in a constructive mode, perhaps I can make it clear to him that it was precisely for that purpose that the deputy First Minister and I proposed — personally to the leader of the Ulster Unionist Party and at an Executive meeting — that there be a further layer of ministerial contact to deal with issues, rather than have them dealt with in the more confrontational style that there is when issues end up on an agenda.

This is an opportunity for the Ulster Unionist Party and the SDLP to deal with issues that have not been coming forward to the Executive but are of public concern in a way that allows them to be dealt with before they become firm by way of a proposal. I think that that is constructive and positive and something that the Ulster Unionists would want to take up. That is why I cannot understand why it is taking so long for them to give us a positive response.

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

**Mr Hamilton:** Hold on a second.

I cannot understand why the helpful, constructive suggestion made by the First Minister and the deputy First Minister is not being welcomed with open arms by the Ulster Unionist Party. Despite having had a catalogue of consultation, with everyone from the Prime Minister down, the Ulster Unionist Party is feeling sore and left out. Therefore, the suggestion that was made to the Ulster Unionists strikes me as entirely reasonable and sensible. I find it difficult to believe that it has taken so long for them to accept it.

**Mr B McCrea:** There is no monopoly on helpful and constructive suggestions. However, sometimes there is a misunderstanding in the form or process of that suggestion. I hear what the First Minister has had to say, and I have heard him say it before, but there is obviously some logjam on that issue and something that is not being understood. We stand by our position: we are a constructive party, and we would like to have meaningful engagement with all parties in addressing such important issues. However, I am sad to say that that has not been our experience. If we could address those issues, that would be helpful.

**Mr Hamilton:** I am almost starting to feel sorry for Mr McCrea. He has obviously been dispatched as his party's point man on the issue, but I am not entirely sure that he has been fully briefed.

**The First Minister:** A point man without a point.

**Mr Hamilton:** How appropriate.

I am quickly coming to the conclusion that the problem is not consultation with the Ulster Unionist Party but consultation within the Ulster Unionist Party. In the spirit of being helpful and constructive and on the points that have been made about the openness and willingness of others to consult at an appropriate level through a subgroup of the Executive, which would allow those issues to be teased out and developed before they become problems, the Member, on behalf of the Ulster Unionists, should discuss the issue with the leadership of his party. He should suggest that they take up that idea very rapidly, as it would alleviate some of the concern that the Member purports to have in respect of a lack of consultation, a lack of consultation which the facts wholeheartedly dispute.

In conclusion, I reiterate my support for the Bill. As I said, it is fairly simple and straightforward legislation, and it is a necessary building block or staging post on the way to the devolution of policing and justice powers. Some issues and conditions need to be resolved. I acknowledge the fact that considerable progress has been made, particularly on the finances, which are a key element of having confidence in the institutions and in whomever holds the position of Minister of justice.

4.15 pm

My party colleagues and I make no apology for raising issues such as parading, not only because it is dear to our hearts and to our community, which, I hope, is a given, but because of its nature and importance to policing. As others acknowledged throughout the Bill's passage in the House, problems due to parading and the lack of a better mechanism for resolving parading disputes have the ability to unravel not only justice powers but the whole Assembly.

Mr McKay said that there was sufficient community confidence for an immediate devolution of policing and justice powers and that that would, somehow, be an instant panacea for all our policing and justice problems. We do ourselves and, most importantly, the public a disservice if we even hint that the devolution of policing and justice powers will result in a sudden end to crime and give us the ability to provide much better operational policing on the ground. That does not negate the value of having the powers devolved, because, as I said earlier, they will give us the ability to frame better the overarching policy direction of policing and justice in Northern Ireland. However, that must be done when the conditions are right. That is what will guide my party.

The legislation is an important staging post in moving towards the devolution of policing and justice powers. However, as other Members pointed out, the legislation does not hasten the date of devolution: it enables devolution when the conditions are right. The conditions, rather than a date on a calendar, are important in the devolution of policing and justice.

**Mr Durkan:** A number of Members have already made many references to the position of the SDLP and dwelt on that quite a bit. It is not insignificant that the DUP is spending much time criticising and misrepresenting the SDLP. Sinn Féin has also adopted that position, and it is not the first time that that has happened in the Bill's passage. At each stage of the Bill, there has been a pretence of sweet reasoned agreement between Sinn Féin and the DUP in the Chamber, only for them to then engage in various media ding-dongs and sabre-rattling with each other. All sorts of racy rhetoric have been used, such as the implication of "deep trouble" for the future of the institutions and the reference to a "train wreck". All



that language is being used outside between the DUP and Sinn Féin, yet in here it is like 'Little House on the Prairie': everything is wonderful, and Shangri-La is just around the corner. That is total hypocrisy.

It was not only Sinn Féin and DUP Members who dwelt on the SDLP's position. Some Alliance Party Members spent much time misrepresenting our position and criticising it. Dr Farry was long on his criticism of and tortuous in his various questions to the Ulster Unionist Party and the SDLP, yet he made just passing reference to the fact that there are some other issues that people are unhelpfully raising as preconditions. He did not name those issues, and he did not name the DUP. He did not want to scare the DUP just before the vote on the big job.

Similarly, Dr Farry talked about threatening language. Again, he made no specific reference to what he was talking about and made no specific reference to Sinn Féin. He referred to neither of the parties by name when he referred in passing to the other issues as if they were outside and extraneous. Instead, he concentrated all his ire —

**Dr Farry:** Will the Member give way?

**Mr Durkan:** No, I will not. I assure the Member that I will not speak for too long.

The Member concentrated his entire ire and wrath on the SDLP and the Ulster Unionist Party.

Reference was made to our position at Second Stage. We made it clear that we voted against the Second Stage not because of an objection in principle to clauses 1 and 3 but because of an objection in principle to clause 2, which we sought to remove. We wanted to be consistent in seeking to remove that clause, so we said that we would vote against the Bill at Second Stage because it departed from the means of democratic inclusion according to mandate that is laid down in law and in the Good Friday Agreement.

Members may or may not like the d'Hondt method. They may prefer other variants, some of which we have discussed previously. However, d'Hondt is the method that is set down in law. We do not regard it as good practice, on an ad hoc basis, to depart from the solemn measure of democratic inclusion according to party mandate that is laid down in law and in an agreement that has been ratified by referendum. When we negotiated those principles in the run-up to the Good Friday Agreement, I remember that no less a person than the Member for Lagan Valley Jeffrey Donaldson negotiated for the Ulster Unionist Party on that subject. At the time, Jeffrey Donaldson agreed that the purpose of Ministers being appointed by d'Hondt was to prevent a situation in which any Minister's appointment could be subject to vetting or veto by another party. It was agreed that it was desirable to avoid and prevent such a situation.

That is the point of principle. The issue is not the precise mechanism of d'Hondt itself; rather, it is inclusion according to democratic mandate. Of course, there is now to be a departure, early in the life of this Stormont regime, from the provision for proportional representation at Executive level. Similarly, in a previous Stormont regime, there was a departure from proportional representation for local government elections, which was followed by a departure from proportional representation for elections to the then Stormont Parliament. Therefore, that step should not be taken lightly. We have held absolutely to that point of principle, and we have no problem defending the position that we held at Second Stage.

At Consideration Stage and Further Consideration Stage, we tabled amendments to all three clauses to deal not only with the departure from d'Hondt but to address the potential crisis-in-waiting with the sunset clauses. The amendments would have created a sensible fallback position that, if nothing else is agreed by May 2012, the system reverts to d'Hondt, as provided for in law. During that debate, Sinn Féin said that it wanted a reversion to d'Hondt in 2012. However, it voted against an amendment that would have provided for that precise arrangement.

We have no problem defending the amendments that we tabled, because they were aimed not at impeding the prospect of the devolution of justice and policing powers but at improving the Bill. If the Bill is a necessary element in the devolution of justice and policing powers, it is better to do it on the best possible basis. We see flaws in the Bill. During the Bill's passage, we tried to remedy some of those flaws and tried, through tabling amendments, to propose improvements. Moreover, we would have liked to deal with other aspects. However, the limited nature of the Bill meant that we could not deal with some of those issues, which remain to be addressed in the steps ahead.

None of our amendments aimed to impede or frustrate the Bill. Some Members from Sinn Féin used such language today and said that the SDLP has tried to frustrate the Bill at every turn. We have done nothing to frustrate the Bill. We did not contribute to the delay in introducing the Bill and to the delay in the introduction of the whole issue of the devolution of policing and justice powers. The concerns that we have set out are valid and have been backed up. Our concerns about the whole process and the lack of a timetable have been vindicated, much more so than the false confidence that many of our critics have expressed. After all, we were told that devolution by May 2008 was absolutely signed, sealed and delivered under the St Andrews Agreement. That was an entirely false promise and a complete misrepresentation.

Our concerns and criticisms were vindicated, and Sinn Féin's false promise rings hollow and exposed.



Over a year ago, Sinn Féin told us that everything was all right because the DUP had agreed to no undue delay. However, regardless of what it says here, Sinn Féin's rhetoric outside the Chamber shows that there has been undue delay and that there is potential for more.

We are at the Final Stage of the Bill. I wish that our amendments had been accepted and that the Bill had been improved, but it has not. We never wished to impede the prospect of devolution, nor do we wish to impede the Bill's Final Stage. However, some of the issues that have not been resolved will have to be addressed. Having listened to some of the contributions from the Alliance Party, I am concerned about the emphasis that has been put on having to agree the addendum to the Programme for Government before devolution. That could become a difficulty and a precondition, and I worry about signing up to such an open-ended commitment. After all, the Programme for Government is worked out after all the other Ministers have been appointed. Voting for a Minister and for an agreed programme before an appointment comes very close to the thrust and logic of voluntary coalition, and we have serious concerns about taking that step and creating such a precedent in the present circumstances.

There could be other difficulties. Under the heading of community confidence, extraneous issues are being brought in and all sorts of elastic demands are being made, and there is a danger that that could happen when trying to agree an addendum to the Programme for Government before an appointment has been made. Many issues could be raised in that context: some valid, some, perhaps, invalid; some easy, some difficult.

At that stage, will the Programme for Government include commitments to legislate for the use of the Irish language in the courts in circumstances in which it is currently prevented and for which direct rule Ministers refused to legislate? Will it involve a commitment to move on the provisions for no-jury trials that under current law exist on the say-so of the PPS and can apply to trials for offences under criminal law that will be in the devolved remit, and not just a commitment to move on trials that would come under criminal law on national security issues that would not fall under the devolved remit? Some parties have legitimate concerns and have always opposed legislation on such provisions. It would be better if those issues were resolved in advance of devolution, but, unfortunately, they have not been addressed at that level. There is a range of issues that could be raised. I am wary that we will sleepwalk into casual agreement on an addendum to the Programme for Government, because that could become a difficult precondition that could raise other issues.

The SDLP believes that policing and justice powers should be devolved, and we believed that long before the Alliance Party advocated urgency on devolution.

We specifically mentioned the dissident threat and the fact that they were exploiting the uncertainty around the devolution of policing and justice powers and hiding behind language such as "British police forces" and "Crown forces" to justify their attacks on police personnel and their families and their intimidation of the wider community.

We have continually stressed that the legislative Assembly will not be worthy of the name until it legislates for criminal law. We also stressed the need for completion of the suite of devolution furniture so that policing and justice functions can come under the devolution roof and mesh with the other programmes, services and budgets.

We have been stressing and pushing the argument and rationale for the devolution of policing and justice throughout. That is what we want to see delivered. We make no apologies for that, and we are taking no lectures from anyone else about it.

4.30 pm

People know our misgivings about what has been agreed in the Bill for the election of a justice Minister. When the First Minister and deputy First Minister table a motion in the House for the devolution of policing and justice to take place, we will be voting for that motion. The sooner they table it, the better. If a vote is taken in Westminster to provide for the devolution of those powers, we will be voting for them. Let no one gainsay or misrepresent our position with respect to achieving the devolution of justice and policing.

We worked for the devolution of justice and policing under Patten, when the Policing Board was being set up, and towards ensuring that all of the Patten recommendations could be brought forward. During the stages of this Bill, Sinn Féin has constantly asked what the SDLP did to bring about the devolution of justice and policing when it held the office of deputy First Minister. First, the implementation of the Patten report began only in 2000, and the creation of the Policing Board was in 2001. We helped to set that up as the first stage of the devolution of policing and justice under the Patten plan.

Secondly, we had to ensure delivery of the Patten plan through those mechanisms prior to devolution, as set out in the Patten report. Patten clearly saw a number of issues being implemented and dealt with before the stage of devolution. Many people agreed with and understood that, knowing that devolution would come at a later stage because we had to deliver the Patten reforms. Devolution earlier than that would have led to gridlock, and to people being able to use the decision-making mechanisms here to prevent such issues as the recruitment of a 50:50 workforce.

It is entirely disingenuous of Sinn Féin to come up with a false accusation against us that we did not move

on the issue of devolution. That completely misrepresents our position on the implementation of the Patten reforms. It was only because some of us took steps to properly drive and deliver the implementation of Patten that we found ourselves in the position of having Sinn Féin coming to the Policing Board. All Sinn Féin delivered to that agenda was its arrival on the Policing Board. It did not deliver any of the Patten reforms. It simply delivered itself and its participation. We will not take any lectures from Sinn Féin on that issue.

The Final Stage of the Bill removes the excuse or pretence that the legislation itself is the big deal, and that it will give us the devolution of justice and policing. Many Members who have spoken in the debates recognise that other issues need to be addressed. Let us get on top of those issues properly and competently. If people want to do that on a cross-party basis, through the Office of the First Minister and deputy First Minister convening meetings of all parties, we are entirely up for that. If people want to do it in some other way on a cross-party basis, we will be entirely up for that as well.

Let us now proceed. The Justice Bill, with all the flaws and criticisms that many of us have raised, will achieve its Final Stage. We now have to make the most of making the devolution of justice and policing happen; not just delivering it by way of a transfer of powers, but by making it work. We must make it work in the Assembly, in the Committee structures of the Assembly and in the Executive.

Whoever takes on that responsibility will face a huge task and a challenge. Although various issues have rightly been raised about who the Minister might or should be and the form of their appointment, I will make it very clear that we will respect and give such support as we can to whomever takes on the responsibilities of that role. All parties should make that pledge.

Daithí McKay referred to some issues that were covered on 'The Stephen Nolan Show' today. If I could wish for something that we could legislate for, no matter who takes on the justice Ministry, it would be that we could indemnify them and protect them from having to go on 'The Stephen Nolan Show' during their first year in office. *[Laughter.]*

**Mr Paisley Jnr:** That was not within the limits of the Bill.

**Mr Deputy Speaker:** Order.

**Mr O'Dowd:** Go raibh maith agat, a LeasCheann Comhairle. We have reached the Final Stage of what has been a lengthy and sometimes turbulent debate. The Justice Bill is an enabling power.

Contrary to what Mr Durkan said, no one on these Benches either promoted the Bill as being the be-all

and end-all in the devolution of policing and justice powers or said that it was the biggest deal. We have always said that the legislation is a technical measure that will be required when we reach agreement on a date for the devolution of policing and justice powers. My speech will not concentrate on the SDLP in the way that Mark Durkan's concentrated on Sinn Féin, but I will correct a few inaccuracies for the record.

If the SDLP's mandate had carried at the First Stage of the Bill, the Bill would have fallen. The SDLP voted against the Bill at its First Stage and asked the House to do likewise. Regardless of what it puts on the record now, the SDLP voted against the transfer of policing and justice powers. Since then, the SDLP has tabled several amendments, although, in my opinion, those were alibis and not amendments.

Those amendments were the SDLP's attempt to become relevant to the debate, and it hoped that the public would forget that it had already voted against the Bill. Several of the amendments were unworkable, including the proposal to remove the sunset clause. Alex Attwood spent a considerable time in the Chamber telling us that we would not reach agreement within 30 months. He said that that was impossible and that we did not have the capability, power or influence to do it. However, his proposal to do in 21 days what we apparently could not do in 30 months seemed somewhat contradictory.

I welcome the fact that the SDLP has had a conversion, that it will now support the legislation and that it realises that all parties must compromise on this journey. Sinn Féin has stated that it will not take the policing and justice Ministry in this Assembly mandate, and the DUP has done likewise. Why did we in Sinn Féin say that? We said that because we understand the need to instil community confidence in the justice Ministry. We accept that the unionist community would have concerns about a Sinn Féin justice Minister. I assume that the DUP accepts that a DUP justice Minister would cause concern in the nationalist and republican community and that that is why it decided to step away from taking the post.

Why does the SDLP believe that its narrow party interests are more important than this process? I have not heard a valid argument as to why the entire process should be shelved because the SDLP's feelings have been hurt or infringed. As all Members are aware, peace building is a very difficult process. On that journey, people have to take turns in the road and travel in directions that, at one stage in their lives, they would never have thought they would have travelled. The two major parties in the Chamber have taken those turns. The SDLP needs to do the same, and, hopefully, it has now decided to do so.

The SDLP has come up with the strapline “no nationalist need apply”. However, the fact is that it has not even applied for the post. The SDLP has spent so much time telling anyone who is prepared to listen that Sinn Féin is barring it from the justice Ministry that it has forgotten to apply for the job. The SDLP has not presented a CV or attempted to convince any party that its candidate, whoever that may be, is the best person for the policing and justice Ministry.

Perhaps now that the SDLP has decided to support the Bill at its Final Stage — I think that I am reflecting Mr Durkan’s speech correctly — it will spend its energies trying to convince the other parties that its candidate is the right person for the job. Sinn Féin is on record as saying that it will support an SDLP candidate, but we cannot convince the DUP on the SDLP’s behalf. The SDLP must fill in a CV, present it to the DUP and have discussions on the matter. We wish the SDLP a fair wind in those discussions.

With regard to how we move on from this point, I listened carefully to the contributions of Members on the Benches opposite about the need for confidence in the unionist community.

I broadly accept that statement. As I have said already, Sinn Féin withdrew its policing and justice Ministry nomination for that very reason. We accept that, in broad terms, the confidence of the unionist community needs to be built, as does confidence in the nationalist and republican community. It often concerns me when I hear contributors from the Benches opposite talking about community confidence. What they really mean is unionist community confidence, so they should define that.

I accept also that if there are measures that we, as a political party, can take to enhance that confidence, we are duty bound to take them. However, when members of the parties opposite make statements about an issue as important as unionist community confidence, they must be conscious of the fact that while Sinn Féin is prepared to work on those issues with them, presenting us with conditions that have to be met, or roadblocks, does not help that process. If people consciously come up with issues on which they know that Sinn Féin cannot deliver, it is a fair assessment for us to say that those people are not serious about resolving the issues or allowing Sinn Féin and other political parties to assist in the process of building confidence in the unionist community.

I will use the parading issue as an example. I want that matter to be resolved, as does my party. I represent a constituency that has been blighted by the issue for many years. However, forcing an Orange march down the Garvaghy Road will not give confidence to the nationalist and Catholic community who live there. It will not give confidence to the peace process. I accept

that I speak as an observer, but I certainly do not believe that the vast majority of the unionist community wants to see a march being forced through an area where it is not wanted. That is not resolving the parades issue; it is only throwing petrol on the fire.

Removing the Parades Commission will not resolve the parades issue either. For the foreseeable future, we will require an adjudicating body to make decisions about parades. I am no fan of the Parades Commission. The current commission is probably the most inept that we have ever had, and that is a difficult challenge for anyone to achieve. However, I am certainly of the view that anyone who demands the removal of the Parades Commission is not serious about resolving the parades issue. Therefore, I move to the next step of the equation: if they present that challenge to us, are they serious about creating the community confidence to devolve policing and justice? If they are not serious about that, are they serious about devolving policing and justice? There are certain people on the Benches opposite who are not serious about moving forward with this process.

A number of Members have reflected on the role of a policing and justice Ministry. The policing and justice Minister would allow this Assembly to become a true legislator. Mark Durkan touched on that point. We would become legislators in the true sense of the word. Criminal justice Bills would come through this Chamber. Instead of presenting ourselves to the media and concerned members of the public and talking about what should be done about criminality in our communities, and about the inability of the criminal justice system to recognise the concerns of our community, we would, as an Assembly, pass legislation through this House. We would have a justice Committee that would establish inquiries and reports, gather evidence and statements, and produce reports that could be debated further in this House.

For the first time in a generation or, from the perspective of nationalists and republicans, for the first time since the establishment of the state, we will have a justice system that is capable of meeting the needs of all the communities that politicians here serve. Yet some parties continue to block that process. That is a political mistake because they are letting down the communities that we all serve.

4.45 pm

It is time to move on with the devolution of policing and justice, so that we can be known as true legislators. Rather than Members’ seeking confidence in the community, it is time for them to search their souls to find the confidence in themselves that will enable them to move forward as political leaders in this society. Go raibh maith agat, a LeasCheann Comhairle.



**Mrs D Kelly:** I was somewhat relieved to hear that Mr O'Dowd was not going to spend much time addressing the faults and failings of the SDLP, although the Hansard report may show something different. It is interesting that the party that screamed from the heights that people should respect its electoral mandate has no respect for the SDLP's mandate. By casually handing a veto to the DUP at St Andrews, Sinn Féin showed no respect for the principles of the Good Friday Agreement.

**Mr O'Dowd:** I am sorry to disturb you at the start of your speech, but let me assure you that —

**Mr Deputy Speaker:** You should address the Member through the Chair.

**Mr O'Dowd:** Let me assure the Member that at no stage in the process did Sinn Féin casually hand anything away. At every stage, we made moves and came up with initiatives that, whether the Member agrees with them or not, we believed were for the betterment of the peace process. That includes our position that cross-community voting should apply to the appointment of a justice Minister.

**Mrs D Kelly:** When one examines the First Minister and deputy First Minister's record of delaying the review of public administration, the Boundary Commission's review and the introduction of the education skills authority, one wonders what concessions Sinn Féin wrought from the DUP.

It was also telling — perhaps Mr O'Dowd did not mean to tell us — that a prospective justice Minister should present his or her CV to the First Minister and not to the First Minister and the deputy First Minister who act jointly. That is the implication of what Mr O'Dowd said. He said that the CV must be sent to the First Minister. It would have been interesting to see how well Caitríona Ruane would have done in a selection procedure and interview had she given her CV to the DUP.

The SDLP has always been precious about ensuring that no political party, whether at local government level, in the Assembly or at Westminster, has a veto at any stage. No political party should have a right of access to another political party's selection conventions, but that is what Sinn Féin's John O'Dowd has said.

**Mr O'Dowd:** Go raibh maith agat, a LeasCheann Comhairle. The Member and the SDLP in general are great at this, and they will run off and perform media stunts later. I made it perfectly clear that the SDLP has convinced Sinn Féin to vote for it. However, the SDLP needs to convince the DUP to vote for it. We cannot convince the DUP to do so on the SDLP's behalf. I shall clarify the position again: Sinn Féin will vote for a SDLP justice Minister. However, the SDLP must convince the party opposite to do likewise. Therefore,

instead of running around telling everyone that nationalists need not apply, the SDLP should be talking to the DUP. The fact is that the SDLP has not applied for the position.

**Mrs D Kelly:** One wonders why the appointment of that particular Minister — one of eleven Ministers — requires a different selection process. Although not totally confident, I am somewhat warmed by the fact that Mr O'Dowd stated in public and on the record that Sinn Féin will support an SDLP candidate for the post of justice Minister.

What is going to happen? If the Alliance Party is prepared to put forward a candidate only when the issue of a cohesion, sharing and integration policy has been resolved to the satisfaction of its party leader, Mr Ford, will there ever be a justice Minister? Dr Farry failed to answer that question when I put it to him.

We are all in a muddle here. As Mr Durkan said, the great fantasy being played out in the Chamber is that everything is hunky-dory between Sinn Féin and the DUP. However, outside the Chamber, the chairperson of Sinn Féin talks about a political train wreck. The press, the media and members of the public are speculating on whether the Assembly will last beyond Christmas. That is a measure of the confidence that the Assembly, particularly Sinn Féin and the DUP, has instilled in the wider public through squabbling outside the House about the devolution of policing and justice.

For five whole months last year, as we all clearly remember, Sinn Féin held out for a date for the devolution of policing and justice. What happened? It still has no date. Instead, the DUP presents a Christmas wish list that outlines when that date may become visible to everyone.

Mr O'Dowd and Mr McKay, as well as Members from the Bench opposite, referred to the precondition of resolving the parades issue. The SDLP has long said that the issue of parades must be resolved, and it will be resolved through dialogue between the Orders who wish to march through particular areas and the residents of those areas. Mr McKay and Mr O'Dowd will forgive me for not being confident that Sinn Féin will not be hoodwinked by the DUP and sell out the people of the Garvaghy Road and Dunloy for its own political expediency to gain a date for the devolution of policing and justice.

Mr Hamilton also talked about parading and how it is such a big issue for the unionist people. As I understand it, and according to statistics that were recently presented by former high-ranking members of the Orange Order, membership of the Loyal Orders has fallen considerably over recent years. In fact, Loyal Orders represent less than 10% of the total population of the North. Are we seriously saying that 10% of the



people of the North could potentially hold back the devolution of policing and justice?

This morning, we all heard the pleas of the family in response to the suspended sentence given to the person responsible for the death of their daughter by dangerous driving. That is one of the reasons why people want the devolution of justice, and that is the kind of issue that concerns ordinary men, women and families across the North.

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

**Mrs D Kelly:** Who wants to intervene? Sorry, I did not hear you, Mr Hamilton.

**Mr Hamilton:** Sorry, it must be my voice again.

The Member said that the Orange Order is representative of only about 10% of the population according to her figures, which are probably inaccurate. However, that percentage is similar to her party's support at the polls.

Does the Member not accept that when unionists raise the parades issue, they are not solely concerned about the parades? They are also concerned about the potential of parading to have a detrimental effect not only on justice issues, but on all the institutions here. Given the constituency that the Member represents, she should know that.

Does the Member accept the need for an agreed mechanism to resolve disputed parades to ensure that the problems of the past do not reoccur? If and when policing and justice powers are devolved to the Assembly, does she agree that it must be as part of a framework in which parading does not have the power to undermine the institutions as it did in the past and could do again?

**Mrs D Kelly:** Mr Hamilton remarked on the level of support for the SDLP. However, in contrast to his party and Sinn Féin, the SDLP was one of the parties that increased its support at the European election.

The resolution of the parades issue lies in the hands of the Grand Lodge. Its policy should be to allow each local branch to hold discussions with the local residents to reach a resolution. That is how parading will be resolved.

**Mr Simpson:** The Member has said that in order to resolve parades, there has to be community dialogue. How can there be such dialogue in her constituency, when one side of the community will not sit round a table and discuss the issues? That has been the case for the past five years, at least, and we cannot move forward. There are no preconditions, but they will not sit round the table to talk about the issue.

**Mrs D Kelly:** The Member will know that, from the outset of the Drumcree conflict, my party has called for direct dialogue between the Loyal Orders and the

local residents. SDLP will use whatever influence it has to try to ensure that there are talks across the community to resolve such matters.

Mr O'Dowd alerted us to yet another turnaround from Sinn Féin; it now supports the Parades Commission. Perhaps someone might want to tell that to Mr Sean Murray, the Sinn Féin nine-county Ulster chairman, who is also a member of the Ashdown review group, which said to do away with the Parades Commission and hand decision-making authority back to local councils. Will Sinn Féin be clear to me and to the members of the community? What is its view on the Parades Commission? How should parades be resolved? Is Sinn Féin prepared to sacrifice contentious parades across the North on the altar of expediency, for a date from the DUP? I am sure that Peter Robinson has many admirers, and I am sure that many people have sought a date from him, but there are none so earnest as the Members in Sinn Féin.

**Mr O'Dowd:** Will the Member give way?

**Mrs D Kelly:** Mr O'Dowd, I hope that I am not interrupting some sort of liaison.

**Mr O'Dowd:** I assure Mrs Kelly that there will be no Sinn Féin Ministers arriving on the Garvaghy Road in ministerial cars to tell the residents to allow an Orange Order march down the road, as happened with an SDLP Minister during the previous mandate.

What Ashdown report is the Member referring to? There is no agreed Ashdown report, as was stated to the Assembly and Executive Review Committee as recently as last week.

**Mrs D Kelly:** I seem to have rattled the cage of Mr O'Dowd this afternoon.

**The First Minister:** Will the Member give way?

**Mrs D Kelly:** I will give way once I have answered Mr O'Dowd. He is clear in his view that the Ashdown report has not been agreed. My point is that a member of his party, who is the nine-county Ulster chairman, is a member of the group.

**The First Minister:** The Member was talking about the published interim report on the Parades Commission, to which all the commissioners of the parades review body signed up. However, if I may correct the Member, there is no proposal in the interim report, or in any worked-up report published since then, that suggests that decision-making powers will be left with local government. That is an administrative step for non-contentious parades.

**Mrs D Kelly:** The SDLP is on record as having concerns about that very point. In the current climate, the SDLP does not want to see the fingerprints of local government on any decision-making in relation to the resolution of parades.

**Mr Deputy Speaker:** Order. I have allowed a great deal of latitude in the discussion about parades, but the Member has moved to another subject altogether. Will the Member revert to the subject in hand, which is the Department of Justice Bill?

**Mrs D Kelly:** I will, Mr Deputy Speaker. I was merely replying to comments that were made by other Members on the matter of community confidence for the devolution of policing and justice. That is how we strayed into the territory of parades.

I note that the deputy First Minister is responding this afternoon, unless the First Minister can manage ventriloquism as one of his added skills. I presume that the deputy First Minister will be commenting on behalf of both of them and not on his own behalf. Perhaps, however, he can make clear to the nationalist community and to us whether he agrees that, under this legislation, Sinn Féin has handed a veto to the DUP over who should be the justice Minister, not only this year but every year. Perhaps he will deal specifically with the sunset clause.

Sinn Féin well knows that in the Assembly and Executive Review Committee and during the Bill's Consideration Stage, the SDLP sought to put down amendments to ensure that rights were upheld, the principles of d'Hondt and the Good Friday Agreement were upheld, and confidence could be given to all in relation to the devolution of policing and justice. After all, most policing powers have already been devolved, and the Chief Constable and the Policing Board already look after most policing matters. It took Sinn Féin seven years to consider that, after almost 87% of the Patten recommendations had been implemented. They were johnny-come-latelys and behind the community on that matter.

5.00 pm

Will the deputy First Minister also agree that, by refusing to appoint the justice Minister using the d'Hondt system, his office is gerrymandering and denying the SDLP the second Ministry that it would be entitled to under that system?

**Mr Ford:** Having just listened to Mrs Kelly, I am glad that I heard Mr Durkan say earlier that the SDLP supports the Bill.

This is the fourth substantive discussion that we have had on the Bill, and we are all noticing that certain arguments occur time after time. There has been much attention in the media on justice issues, but, although people may not be demanding that justice be devolved, they are demanding that we deal with the issues of justice that concern them. Devolution is needed so that we can make the criminal justice system work better and ensure that there is a link-up between the criminal justice system and the aspects of devolved government that relate to it.

Criminal justice is the key to carrying through on issues that Departments already deal with, yet there is a distraction between the work of the Northern Ireland Office and the Executive. Devolution is necessary to show that the Assembly and the Executive can tackle the difficult issues that face us and reach agreement. Most of all, the devolution of justice powers would send out a powerful message to those on either side of the community who seek to bring down institutions that those of us inside the Assembly should be seeking to build up to ensure that they deliver for the people of Northern Ireland. That is why my party has placed so much emphasis on agreement on policies.

As Stephen Farry said, devolution will not happen on one day when something is announced, a Minister elected, a Department set up and that is it; devolution must deliver for the people of Northern Ireland. The previous Environment Minister went against the wishes of the majority of the Assembly on the matter of an independent environment agency, and there are difficulties between the Education Minister and her Committee on education matters — we saw that in the Assembly this morning — but justice is too important to have that happen. That is why there must be the widest possible agreement on the policies that will be implemented so that if devolution happens soon, as I trust it will, it will deliver for all the people of Northern Ireland, it will contribute to stability in society, and it will not merely create difficulties and show the kind of problems that have occurred elsewhere.

As Mark Durkan highlighted earlier, there may be an issue around agreeing the programme, between the constitutional position as to when a Programme for Government, or an addendum to it, is agreed and the political negotiations. However, if we cannot agree on the widest possible cross-party basis and on the policies that will be implemented by a Department of justice, there is no point in seeking devolution, as we would be even worse off. That is why, in August, I wrote to the other four parties on behalf of my group seeking discussions about the policies that might apply. Since then, we have had engagement with the DUP and Sinn Féin; we have had no engagement whatsoever with the Ulster Unionist Party or the SDLP.

The SDLP, as an Executive party, may not wish to discuss a matter that might become a responsibility of the Executive with a party that is currently outside the Executive. That may be a logical view, and we heard from Mrs Kelly the SDLP's belief that the almighty d'Hondt prescribes that it should have such responsibility. However, it ill becomes Ulster Unionist Members, every time we have a debate on the subject, to complain about non-engagement, although they send their party leader to meet the Prime Minister regularly.

Members from that party say that they are keen to discuss matters with everyone, and yet they do not

actually engage when they are asked to do so. That makes me wonder whether there is any sense at all in what is being said about that; whether there is a disconnect between the Ulster Unionist Party's leader, who does not reply to letters, and its Back-Benchers or "Middle-Benchers", who sit in the Chamber and say that they want to engage; or whether it is an example of what I gather is now the parliamentary term of "hypocrisy" on their part.

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

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

**Mr Ford:** I think that Mr McCrea was just beaten to it by Mr McCrea, but I will give way to both Members.

**Mr B McCrea:** Since you are having a go at me and my party —

**Mr Ford:** I am giving way to Mr Ian McCrea.

**Mr I McCrea:** If I understood him correctly, the Member said that no engagement has taken place between his party and the SDLP and the Ulster Unionist Party. Has he requested any meetings with those two parties to try to engage with them?

**Mr Ford:** Mr Ian McCrea must not have heard what I said earlier. I said that I wrote to the other four parties in August and have had engagements with two but not with the other two.

I will now give way to Mr Basil McCrea. There are too many McCreas around here.

**Mr B McCrea:** Since I have the opportunity and we are talking about August, I ask Mr David Ford to clarify whether, on 4 August 2008, he stated:

"The Alliance Party will not be taking the Policing and Justice Ministry. This Executive is failing in its duties".

Does he resile from that position?

Secondly, on the matter of engagement, I made it clear in my contribution to this debate that the language that is used in the Assembly and in other forums has a material impact on whether we can establish good relations. Frankly, Mr Ford, you are not encouraging me very much.

**Mr Deputy Speaker:** Order. Mr McCrea, all remarks should be made through the Chair.

**Mr Ford:** I must say that merely pointing out the facts and getting that kind of response does not suggest that the intemperate language is coming from this corner of the Chamber.

**Mrs D Kelly:** Given Mr Basil McCrea's intervention, I would be grateful if Mr Ford would clarify the Alliance Party's position. Mr McCrea has just quoted Mr Ford's view that the Executive are dysfunctional. What has Mr Ford said to deny that the Alliance Party will not take the justice Ministry?

**Dr Farry:** Give him a chance.

**Mrs D Kelly:** You got a chance and did not answer that question.

**Mr Ford:** The answer to the point that was made just now by Mr Basil McCrea was given about four hours ago by my colleague Stephen Farry. In his contribution to the debate, Dr Farry pointed out the total difference between the proposal made in the summer of 2008 of having a part-time Minister with no real powers and the subsequent legislative change that was made at Westminster that ensures that the Minister of justice will be a full Minister in the Executive. Mr McCrea can read Dr Farry's and my comments on that in the Hansard report tomorrow and perhaps that might enlighten him.

I do believe that the issue of confidence —

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

**Mr Ford:** No. Give me a chance.

The issue of confidence is not an issue of what may be seen as the situation on the ground; it is an issue that relates to whether those in the Assembly and the Executive can work together, show constructive engagement, deal with the problems that affect our constituents and show a degree of leadership. Cheap sniping may be satisfactory in the kind of debating society debates that we have on Private Members' motions, but there are far more serious things to be addressed in our society. There is a vital need to show that the Assembly can work, that people can engage constructively and that those who are seeking to bring down the institutions, with all that that would mean for every part of this society, are defeated.

**Mr Hamilton:** Does the Member agree with me that government in Northern Ireland in any way, shape or form will never be an easy proposition given our recent history? Furthermore, at Second Stage, the First Minister stated that the current Executive have reached 451 decisions compared to the 320 that were reached by the Executive headed by the Ulster Unionist Party and the SDLP and have done so in a shorter period. Does the Member recognise that by that barometer the Executive are not dysfunctional? Does he also agree, despite declaring regularly, like a stuck record, that the Executive are dysfunctional, that Mrs Kelly's party seems to have no hesitation whatsoever in seeking a second place on the Executive?

**Mr Ford:** I thank the Member for his statistics. In the first Assembly, when he was far too young to be there, I had one of my staff assess the success of the then Executive, who were comparing the number of Bills that they had passed with those of the Scottish Parliament. The number of Bills was relatively close, although the number of clauses was about one third of those in Scotland. Scotland had managed to abolish



feudal land tenure while we were changing the name of the Department of Higher and Further Education, Training and Employment to the Department for Employment and Learning. I would not go with numbers alone unless we know the quality of those decisions.

There is a fundamental issue about whether people who complain about the difficulties of the Executive — the Alliance Party has certainly complained about that — are doing so in the spirit of seeking to make matters better or to make matters worse. Confidence will come only when we show that we can agree and implement policies at Executive level on the important issue of justice and that we can then see the legislature passing Bills that will change the law to improve the circumstances of the people of Northern Ireland, who expect us to do that for them. The Bill is merely one stage in that process. It is not agreement on a programme or an addendum to the Programme for Government; it is not the resolution that seeks the transfer of powers; it is not the election of a Minister; and it is not the financial deal that has already had a degree of success. It is just another stage. As was said earlier, it is simply a brick in the wall that needs to be built.

The devolution of justice will not constitute an instant solution to all our problems. Despite the financial package, it deals largely with the past, and money will remain tight for the institutions of the justice system as for every other Department in Northern Ireland and elsewhere in the UK. Devolution will not be a solution, and resources will not flow rapidly from it. We will not have the sort of money that will put a police officer on every street corner, as some people seem to believe. Changes will take time, and the difficulties that are being experienced in dealing with issues such as antisocial behaviour will not be changed instantly. Crime will still exist, and all criminals in Northern Ireland will not hang up their masks and their jemmies on the day that devolution happens. However, devolution will give us the opportunity to make the necessary reforms: reforms to the institutions; improvements to the speed of justice; and the ability to get institutions of justice relating to, for example, the institutions of the mental-health system or the Youth Service, where there is much crossover. However, we are not yet making the changes that are needed for those reforms.

Devolution will be a major opportunity for this society, and we must take it. If we do not, we will be pedalling backwards and telling those who seek to bring us down that we cannot achieve anything in this place. That is the fundamental difference between those who criticise the Executive from an entirely negative point of view and those of us who seek to make things better.

The Alliance Party feels that an addendum to the Programme for Government must be put in place. That

would provide the stability to ensure delivery and would subsequently ensure success for all the people of Northern Ireland.

As we move towards the vote, the House is facing the question of whether the Bill is better than doing nothing, because that is our option today. The Ulster Unionist Party is so opposed to the Bill that, although it supports the principle of devolution, it has said that it will oppose it. The SDLP opposed the Bill at its earlier stages, and it still has its reservations. It tabled amendments that it had a right to debate and which I accept entirely as someone who has similarly proposed unsuccessful amendments to other Bills. However, the House made its decision.

We now need to see whether that means that there is a collective moving forward, because there are also lessons for the DUP and Sinn Féin. I welcome the fact that some progress has been made in today's debate about the devolution of justice as, indeed, appears to happen when the First Minister and the deputy First Minister are together. However, it really is time that Back-Benchers and people in different sections of those two parties stopped dragging in all kinds of extraneous issues. The agreement that we have witnessed between the DUP and Sinn Féin on the four occasions on which we have debated the matter in the Chamber is in marked contrast to what happens when television cameras are pointed at Members and microphones are stuck in their face. That is when all the additional issues come in, whether those be parading, the RPA or education reforms. If we wish these institutions to be successful, we simply cannot afford to see that kind of tit-for-tat catcalling.

5.15 pm

It is time the leaderships of the DUP and Sinn Féin put their parties in line. It is time they sat down and engaged seriously with each other and with the other parties in this place on what the policies would be and show that the kind of negative attack that has come from other parts of this end of the Chamber was not justified. We are now at the point that we should be moving forward to devolution. The Bill gives us the opportunity to do that, and now is the time for leadership to be shown by the Department that has put the Bill forward — the Office of the First Minister and deputy First Minister.

**Mr Attwood:** I declare my membership of the Policing Board. I concur with the comments made by a lot of Members during this long debate, including John O'Dowd, Martina Anderson, Stephen Farry, Dolores Kelly and, latterly, David Ford. I concur that there is a common thread running through the debate. It is that, when and if the devolution of justice comes, its impact must be meaningful, substantial and immediate from

the perspective of the communities that we all represent.

As members of the Assembly and Executive Review Committee know, the SDLP was asked to present a paper to the Committee on the future of the Public Prosecution Service. Although the Committee at that time did not wish to take that paper forward, it has been taken forward by other people. The Director of Public Prosecutions thinks that it has at least sufficient merit for him to have a conversation with the Attorney General.

The current Justice Minister in Northern Ireland, Paul Goggins, is now in conversations with Criminal Justice Inspection (CJI) about how to take forward strategic recommendations from the CJI that impact upon members of the criminal justice family in Northern Ireland. Therefore, we have a situation in which a lot of members of parties in the Chamber have issues about the management of cases through the Public Prosecution Service and into court, and at this very moment it is a British Attorney General who is having a conversation with the Director of Public Prosecutions in the North, and it is a British Justice Minister who is having conversations with the CJI in the North about recommendations that impact upon members of the criminal justice family. In my view, that concentrates our minds because, in addition to issues involving prisons, the single biggest area of reform that is needed in the North is the PPS, yet we have no substantial, meaningful way of taking that forward in the absence of devolution.

That is compounded by the fact that the paper that the SDLP produced was, in substantial ways, informed by the bitter experience of families such as the Devlin, Holland and McDaniel families — constituents of ours in West Belfast. On this day of all days, when, as Alex Maskey, Sue Ramsey and my other colleagues from West Belfast know well, Harry Holland's mother was buried, after the campaign that she and her children have waged in respect of how that case was handled by the courts and the PPS, is there not a deep irony and relevance to the fact that we do not have within our grasp, never mind in reality, the ability to take forward the issues that the Holland family and other families identify? That captures the critical issue of devolution of justice and what the absence of devolution of justice means to the quality of the lives that our people lead in all our constituencies.

The fact that Jack Straw has proposed new penalties for knife crime in Britain and the fact that it costs £80,000 a year to keep a prisoner in the North in jail compared with £50,000 a year in Britain should, in the next number of days, galvanise people into advancing the issues around the devolution of justice powers.

I listened closely to the speech that the Ulster Unionist Party Member Basil McCrea made. Although I have much sympathy with some of the issues that he raised, his speech caused me some concern. I think that it also caused the First Minister some concern, because, on his feet and from his seat, he has been robust in trying to address the position that Mr McCrea outlined.

In a prepared speech, Mr McCrea said that he was speaking on behalf of the Ulster Unionist Party and was expressing the collective view of its Members on matters concerning the devolution of justice powers. Therefore, it must be treated as a considered position, and I think that that is why the First Minister was somewhat anxious about what he was hearing. The Ulster Unionist Party's view is that the Assembly and the Executive are not fit and ready to assume the powers. For reasons that I shall outline later, the SDLP disagrees.

The Ulster Unionist Party has made some good points and behaved properly and honourably in debating the amendments at Consideration Stage and Further Consideration Stage. If that is the Ulster Unionist Party's view, the First Minister has some reason to be a little anxious, because, on 9 April 2009, he said that one measure of unionist confidence that is required in order for the devolution of policing and justice powers to get over the line is that Reg Empey must go over the line with him.

I have to presume that what we heard from the Ulster Unionist Party today is its considered position that the Assembly and the Executive are not fit and ready to take on the responsibility of a Department of justice. In a situation of much anxiety, turbulence, fallout, claim and counterclaim, the Ulster Unionist Party is making a substantial point in the debate.

For reasons that I shall explain, the SDLP thinks that it is time, whatever our reservations about the Bill, to take the matter forward. Therefore, I ask the Ulster Unionist Party to think further about the matter. Conversations among the five main party leaders must take place, and those must not be put off for a day longer. In doing that, the Ulster Unionist Party may reflect on its position.

Lone Rangers in the DUP may or may not have had implicit authority from their leadership, but let us accept that Peter Robinson is benign and has positive intentions and ambitions on the devolution of policing and justice powers. Jeffrey Donaldson's comments on the full-time Reserve and Mr Campbell's comments yesterday on timing put Mr Robinson in a corner, and the UUP position that was outlined today may push him further into that corner. We must consider all of that.

**Mr B McCrea:** I listened to what Mr Attwood has said, and we will reflect on the many excellent points that he and his party have made. I confirm that my comments were part of a considered and prepared

speech in which we asked the question — *[Interruption.]* Mr Deputy Speaker, some Members are trying to have a serious debate, and then there are other Members.

In response to the point that was quite properly put forward, yes, my speech gave the party's considered position. However, we did not make a judgement on the question that we asked. I think that the Hansard report will show clearly that we asked whether we — I mean all of us — are ready to take that onerous position and whether we can tackle the issues.

We outlined some of the issues. Indeed, I think that the challenge was directed at the Alliance Party. We mentioned the problems with the Department of Education, such as the transfer debacle, the ESA and other matters, and we said that it was hard to escape the conclusion that, when faced with the many failings that exist in those areas, we have a problem. I think that Mr Attwood will agree that, in my conclusions, I quoted statistics about what the population at large thinks about us. My remarks were made in that context. However, we stand firm. Our key point was that we are not timeline-led, but condition-led. If the Assembly can address the matters in question collectively, we will look at the issue. That is the substantive point.

**Mr Attwood:** I noted that, in the last words of his speech, the Member said that he did not want to be unhelpful. I took that comment positively.

The Member is quite right to ask about the nature and character of devolution. Although it is up, it is not up and running. In many instances, it is letting our people down. We have to address that matter over and above the devolution of policing and justice powers. If devolution is up but not up and running and if all the evidence confirms that, the worst outcome would be to have the devolution of policing and justice powers up but not up and running. Mr Ford made that point. However, I assure that Member that I will deal with the Alliance Party later in my speech. I gave one compliment, Mr Ford, so I am taking it back.

In his many interventions and in response to Mr McCrea, the First Minister reiterated — a little gratuitously, perhaps — what he had agreed with the deputy First Minister in November 2008. It is one thing to have the matter agreed, but it is another to rely on it as evidence in the presence of the deputy First Minister. However, it was the First Minister's choice to do that. He said that the DUP would assess community confidence when a package was in place. The First Minister used those terms about the assessment of community confidence.

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

We know from comments that have been made elsewhere that a Christmas deadline has been set for

the passage of the Bill and for the devolution of policing and justice powers generally. The countdown is on, because Christmas is 24 days away. The First Minister is saying very publicly and in front of his colleague in the Office of the First Minister and deputy First Minister that the DUP hopes to assess community confidence when a package is in place.

I do not understand how assessing community confidence at that time can be reconciled with agreeing a date before Christmas. I hope that I am wrong. Therefore, I ask the deputy First Minister to say in his response whether he, on behalf of the Office of the First Minister and deputy First Minister, can reconcile in his mind the First Minister's assertion about assessing community confidence once a package is in place, given that 24 days are left until the deadline that Sinn Féin set. I do not think that the First Minister's comment was particularly helpful, but it has consequences for all of us as we try to move this issue over the line.

The second point is probably more fundamental.

Whether we agree with comments that Sinn Féin members have made during recent days — I will comment on that later — the Democratic Unionist Party and the First Minister must understand that doubt is beginning to swirl about in nationalism and that when there is doubt, certainty must be created.

5.30 pm

The DUP has set false tests for community confidence. If that party wants to assess confidence to determine a time for the devolution of policing and justice powers, the wise and measured approach — the best test — would have been for policing functions. That test has been passed, far beyond any doubt in many instances.

Why should there not be devolution of policing powers when nationalist parties, including Sinn Féin, already share responsibility on the Policing Board? When nationalism and unionism share the burden in the face of terror and threat, does that not create a sufficient threshold of confidence for the transfer of policing and justice powers? When all the North's community, apart from a small number of people, sign up to the rule of law, does that not — if the DUP wants to create a test for community confidence — fulfil the threshold?

Therefore, I must say to the DUP that — over and above the fact that it might have produced wrong tests or even false tests for community confidence — if one stands back and looks at the choices and decisions that have been taken by Sinn Féin, the SDLP, the communities that those parties represent and the collective community in the North, and the work that they have done individually and collectively on policing, any test for the transfer of policing and justice powers has been fulfilled.



Mr McCrea was right that testing confidence for devolution more generally might create more doubt. However, there is no doubt about where the North is at this stage in its history when it comes to policing. When measured against any possible policing test, nationalists crossed that line long ago. We have risen to the task, just as unionists did during the difficult first days of the Policing Board when, given the consequences of the Patten report, it was hard for them to operate in that architecture.

Therefore, I suggest that unionists reframe much of the conversation that they are having among themselves and with their community and look at what all of us have done, including Sinn Féin — in my view, belatedly, although that debate is for another time and place.

Mr McCrea was perhaps correct to say that if the threshold were devolution working, there may be a few more doubts. Members know that at least six DFP papers, two DETI papers, four DCAL papers, three DOE papers, two DHSSPS papers, three DRD papers, one DE paper, one OFMDFM paper, and four DSD papers are stuck in a logjam in the Office of the First Minister and deputy First Minister. Perhaps some people believe that against that threshold, devolution should not continue or be developed. My party disagrees.

Measured against the policing test, everyone has proven themselves. Although I do not agree how community confidence has been handled, if confidence is wanted, there are great grounds from which to draw positive conclusions.

The worry is that Peter Robinson has lost his best moment with respect to the Bill and the consequences about the timing —

**Mr Deputy Speaker:** Order. Is the Member still speaking on the Bill?

**Mr Attwood:** Yes, Mr Deputy Speaker.

*[Interruption.]*

**Mr Deputy Speaker:** Has the Member something to say?

**Mr A Maskey:** Thank you for the invitation.

*[Laughter.]*

I voiced my concern, as I tried to do earlier, that although I have heard a long contribution, I have heard no reference to the Bill.

**Mr Deputy Speaker:** Allow me to chair the meeting, please.

**Mr Attwood:** Thank you for that ruling, Mr Deputy Speaker.

The First Minister has presented the Bill as a brick in the wall or as the next step in delivering the devolution of policing and justice. Ultimately, however, the Bill, whether one likes it or not, can be measured only

against whether there is devolution of policing and justice functions. Otherwise, it is a Bill that will become an Act that will sit on a shelf and mean nothing.

A short while ago, the First Minister might have considered himself to be in a position of strength. However, that position of strength is being unpicked by elements in and outside his organisation. If there was a moment when the First Minister might have moved, it was when he called the negotiations on the financial package with Gordon Brown right and Sinn Féin called them wrong. The DUP, in trying to make the Bill more meaningful — into the devolution of policing and justice powers — has to assess whether a position of strength has been squandered and whether it is now subject to the vagaries of people inside and outside that party.

On behalf of the SDLP, I say to the DUP that there are ways of managing even those issues that, it claims, are issues of community confidence. Human resources are best managed by the Policing Board and the PSNI leadership, and they are doing that. I do not know what all that might mean and I reserve my position in respect of what some of it might mean. However, it can be managed through that mechanism.

As John O'Dowd said earlier, Lord Ashdown submitted a letter to the Assembly and Executive Review Committee that appears to reframe his report. The British Government said that they will fund and support the findings of the report, but Lord Ashdown now says that there is no final agreed report. In the absence of an agreed report, parading can best — and only — be addressed after devolution. In that regard, there were encouraging words from John O'Dowd to which I will come back.

The tests that the DUP has set are not real tests, compared with the level of policing confidence that now exists in the wider community. There are ways, and they are not difficult ways, of resolving matters of concern quickly.

I want to comment on some of the points raised by the Alliance Party. I understand Stephen Farry when he says that he has a view on d'Hondt and that there are other models for partnership government. Dr Farry is not here, but we agree with him on that. Mark Durkan said at a previous stage of the Bill that the SDLP, in the Good Friday negotiations, outlined a number of models to bring about partnership and inclusion in government. Ours is the party that made most arguments for the various models that can bring that about. Ultimately, the d'Hondt model, which has flaws on which Members have commented, was adopted.

However, it is unhelpful for Dr Farry to call the Department of Justice Bill innocuous: there is nothing innocuous about clause 2, which unpicks d'Hondt. To

claim that something so fundamental is innocuous is contradictory.

Nonetheless, questions have been asked, and I will ask the Alliance Party some more. That party endorses clauses 2 and 3 and, whether or not the speculation is correct, some consider an Alliance Member the preferred candidate for Minister of justice.

In a statement issued on 5 November, Anna Lo said:

“It would be nearly impossible for progress to be made on issues such as policing and justice if we don’t have a shared future strategy agreed urgently.”

Dolores Kelly asked Dr Farry whether the Alliance Party would go into government even if a shared future strategy was not issued. He said that if the Alliance Party goes into government, it will not sacrifice its vision of a shared society and that it will argue for policing and institutional changes.

That is very different from what Ms Lo said. Dr Farry avoided the question and talked in generalities and warm phrases about not sacrificing the vision of a shared society and about arguing for policy and institutional changes. Given what Ms Lo said in November, I think that the Alliance Party has an obligation to say whether the publication of a cohesion, sharing and integration strategy is a requirement that must be met before it will enter into government. The party fudged that issue today. I will take an intervention from the Alliance Party if its Members wish to enlighten us further on that. It appears that they do not wish to, so I will move on.

**Mr B McCrea:** Was the Member asking the Alliance Party to make an intervention to clarify whether a shared future strategy is a precondition for taking the justice Ministry? Is that what the Member was asking the Alliance Party?

**Mr Attwood:** The Member can take it that way. I suspect that the reason why there has not been an intervention from the party is because Mr Ford answered the question in an interview with Henry McDonald in ‘The Observer’ on Sunday past. He said:

“his only precondition for becoming minister was that all four main parties in the coalition agree to a set departmental programme.”

There is nothing in that about a shared future strategy or about Ms Lo saying that it was virtually impossible to move forward on the devolution of justice and policing without a shared strategy document being issued. There was silence.

Mr Ford’s only precondition — this is relevant to our amendments, which I will return to — for becoming Minister was that all four main parties in the coalition agree to set a departmental programme. He is right about the need to set a departmental programme. That is what I was arguing for in my opening comments, which reflected the views of many Members in the

Chamber. However, Mr Ford said that that was his only precondition.

**Mr Deputy Speaker:** I know that this is fascinating stuff, but I ask the Member to return to speaking about the Bill, please.

**Mr Attwood:** I will now turn to the Bill, Mr Deputy Speaker.

The Alliance Party did not endorse the amendments that the SDLP tabled at Further Consideration Stage, which asked the First Minister and deputy First Minister to share information in the Chamber about a number of relevant matters. The deputy leader of the Alliance Party described the amendments as neutral in that they do not achieve anything and that they are not a meaningful way of dealing with such serious matters. Those matters include SOCA, MI5, the independence of the Public Prosecution Service and of the judiciary. How ironic is it that, within days of the Alliance Party refusing to endorse those amendments, Mr Ford — in my view, rightly — returned to them and to the issue of a justice Department being set up under the Bill?

5.45 pm

However, what did Mr Ford say in the newspapers at the weekend? Referring to the Omagh bomb investigation, which revealed that MI5 had not shared intelligence on dissidents, he said:

“There is clearly the need, as Omagh showed, to ensure that intelligence is joined up. I would expect the justice minister to be informed in a general sense but on specific security details . . . I will be the champion of that principle if I become justice Minister. In the context of Omagh, there are significant concerns about . . . MI5 . . . That should not have happened, regardless of whether justice powers are devolved or not. But the Minister in a devolved department should be the champion of that principle of sharing intelligence.”

**Mrs D Kelly:** I take it that that is the same self-styled champion of the opposition?

**Mr Attwood:** That is self-evident.

When the SDLP tabled its amendments, and as I said in the speech that I made when proposing those amendments, the importance of the national security protocol and the sharing of relevant and appropriate intelligence with a justice Minister was partly informed by the Omagh bomb experience. The Alliance Party could not find its way to endorse that. Yet, within days, it is relying on that very argument when it comes to the integrity and authority of the justice Minister, be that Minister from the Alliance Party or any other party. I rest my case on the Alliance Party.

**Mr Neeson:** I appreciate the Member for giving way, and I appreciate the very sanctimonious stance that he is taking on behalf of the SDLP. However, during the Troubles, the SDLP refused to take its seat on the Police Authority and left it to parties such as the Alliance Party and the Ulster Unionist Party, and even the DUP —

**Mr Deputy Speaker:** Order. Will the Member be seated? The debate is getting totally off the content of the Bill and must return to it.

**Mr Attwood:** I want to make some comments on the approach that Sinn Féin has adopted during the debate and in other comments in recent times. The most revealing comment was that of Mr O'Dowd. Democracy in this part of Ireland has now been reconfigured to require a nationalist to go cap in hand to a unionist, and, to use Mr O'Dowd's word, "convince" the First Minister as to why a nationalist should be in government.

**Mr O'Dowd:** Will the Member give way?

**Mr Attwood:** I will give way in a minute.

Mr O'Dowd said that there was a need to "convince". He said that we had convinced Sinn Féin, and we know why Sinn Féin has changed ground on that matter, but that we needed to convince a unionist that a nationalist would be fit and qualified to sit in the Government of Northern Ireland. *[Interruption.]*

As Dolores Kelly has said from a sedentary position, we will have to send a CV to the DUP for approval.

There is an argument that I will come back to, although we do not accept it, around the issue of a justice Minister and cross-community consent. However, to portray this issue in such a way — to ask the nationalist community to send in its CV and convince the DUP of the SDLP's fitness to go into government — is an appalling characterisation of the Irish democracy that people struggled for and worked towards for 30 and 40 years and an appalling indictment of anybody who makes that point.

**Mr O'Dowd:** First, the Member does not represent the nationalist community. The SDLP is a minority party in the nationalist community. I know that that is difficult for the Member to accept, but he needs to remember that.

Secondly, if the Member is going to quote me, he should do so correctly. At no time did I ask any nationalist to go to the DUP with a cap in their hand to seek employment. It was Mr Attwood who brought the phrase "no nationalist need apply" into the debate. I was responding to that comment.

SDLP Members should spent less time gurning to the media about no one listening to them and no one treating them with respect and use the mechanism of cross-community support, which the majority of Members will support this evening, to gain the justice Ministry. That may make their task easier.

My party and I support the cross-community dimension to the vote. If the SDLP is serious about holding the justice Ministry, it will have to convince unionists about that. The SDLP has convinced Sinn

Féin: we will vote for an SDLP candidate, but it is up to the SDLP to convince others.

**Mr Attwood:** I do not know who is gurning to the media that nobody is listening to us. The First Minister thinks that Sinn Féin is looking over its shoulder at the SDLP on a lot of issues.

*[Interruption.]*

That is what he said.

*[Interruption.]*

**Mr Deputy Speaker:** Order, order. I ask all Members who are participating in the debate to remember that we are debating a Bill.

**Mr Attwood:** It is a strange irony that although nobody may be listening to us, the First Minister certainly appears to be.

I used the term "cap in hand", and I only speak on behalf of the SDLP constituency. However, I think that I have a sense of what democratic nationalism on the rest of the island thinks, because we stood with democratic nationalists on the rest of the island during the years of the conflict when others did not.

**Mr O'Dowd:** So the electorate is wrong?

**Mr Attwood:** No, the electorate is absolutely right and always is, but the Member's party did not accept that for 40 years.

The First Minister has said that he will veto our application when we submit it. Therefore, Sinn Féin is inviting us to do something with a predetermined outcome. That is not a serious process and is a way for Sinn Féin to cover its tracks for conceding the veto in the first place.

The First Minister said outside the Chamber that there will have to be a consultation after a package is agreed, but Mr Martin McGuinness said that a date has to be agreed by 24 December. Twenty-four days is not a long time in which to agree a package and consult with the people. I hope that that can be done, and we will help if we can, but it seems to be a very narrow window of opportunity. However, where there is a will, there is a way.

The process, and the way that it has been managed by the DUP, has been characterised as a train wreck political strategy. There is supporting documentation around the Bill, in particular the November 2008 letter from the First Minister and the deputy First Minister. I hope that the political strategy is not a train wreck, but I can understand the sentiment that leads people to that conclusion. However, if that is the case, people are missing the point, because Sinn Féin helped to build the train. It was Sinn Féin that put the 35 carriages in place, namely the 35 steps that were annexed to the letter from the First Minister and the deputy First Minister in November 2008. It was Sinn Féin that named



one of the 35 carriages “community confidence”. Therefore, regardless of whether Peter Robinson has overplayed his hand and whether he has set false tests for community confidence, the community confidence carriage was built and put on the tracks by Sinn Féin and the DUP, and the DUP has driven the train in its current direction.

The frenzy of criticism and comment that has emanated from Sinn Féin in recent days, not to mention all the tough words, is to cover its tracks over the fact that Martin McGuinness signed a letter that gave Peter Robinson, as he mentioned in an intervention during Basil McCrea’s speech, the power to check community confidence when an agreed package is in place. That act has come back to haunt Sinn Féin. We warned and advised against that, but people carried on regardless.

I will return to the Bill and to our amendments, which, at Consideration Stage, tried to reintroduce d’Hondt and to delete clause 2. At the weekend, Martin McGuinness referred to the DUP’s comments about the Parades Commission and to the First Minister’s ill-judged view —

**Mr Deputy Speaker:** Order. The Member promised to return to the Bill.

**Mr Attwood:** The point is absolutely relevant to clause 2 and to the Bill’s passage this evening.

In response to the DUP’s comments that three of four parties around the Executive table could manage business, and its comments on the Parades Commission, Mr McGuinness said:

“I see these attacks as a very clear example of the failure on the part of the DUP to embrace the equality, partnership and power sharing arrangements which lie at the heart of these agreements.”

The agreements in question are the Good Friday Agreement and the St Andrews Agreement.

As I have tried to say, I understand some of the sentiment behind those comments, even though Sinn Féin is living with the consequences of its strategic errors of the past. When the deputy First Minister excludes a nationalist from government, is that not a very clear example of the failure of Sinn Féin to embrace the equality, partnership and power-sharing arrangements that lie at the heart of the Good Friday Agreement? When the deputy First Minister decides to jettison d’Hondt, is that not a clear example of the failure of Sinn Féin to embrace the equality, partnership and power-sharing arrangements that lie at the heart of the Good Friday Agreement?

If those are the standards, they must apply equally to all citizens and all parties in our society. The deputy First Minister cannot berate the DUP for its failure, as he sees it, to embrace the equality, partnership and power-sharing arrangements and, at the same time, sit

comfortably while jettisoning d’Hondt, excluding a nationalist from government and reducing democratic inclusion to a tactic rather than a principle. That is what the Bill does. That is the point that Mr McGuinness, as deputy First Minister, will respond to soon.

I have outlined how we can address the issue of the Parades Commission. Lord Ashdown has begun, undoubtedly with the assistance of the British Government, to try to reconfigure whatever commitment was given to the DUP in the letter that Shaun Woodward sent to the Assembly and Executive Review Committee that agreed to endorse and fund the recommendations. The DUP must live with that letter and with the fact that there is no agreed report, and address it after the devolution of justice and policing powers. It will be unforgivable if that one issue — it could come down to that — trips up the Assembly and the devolution of justice powers.

I want to make it clear that, despite all its recent failures, we defend the Parades Commission. Sinn Féin needs to clear its head and decide whether it does or does not. At the weekend, Martin McGuinness repeated the failed approach that the abolition of the Parades Commission could not be a precondition of the devolution of justice powers. That implied that it could be a condition thereafter. Sinn Féin needs to clear its head on that matter, perhaps in the way in which Mr O’Dowd usefully remarked in an intervention. Taken at face value, what he said appears to contradict Mr McGuinness’s comments.

Mark Durkan indicated how the SDLP will vote on the motion. We will not impede the progress of the Bill, nor should anyone impede progress towards the devolution of policing and justice powers.

6.00 pm

**The deputy First Minister (Mr M McGuinness):** Go raibh maith agat, a LeasCheann Comhairle. I thank all those who contributed to the debate.

As I said in my opening remarks, it is a measure of the importance attached to the devolution of policing and justice powers that the legislative stages of the Bill have generated so much debate in the Chamber. My speech is described as a closing speech, but in Civil Service parlance it is described as a wind-up speech. However, during many arduous hours of debate on the various stages of the Bill, we have had far too many wind-up speeches, including some today.

The Bill represents a significant step towards devolution. It establishes the architecture needed for the Administration to support policing and justice, and it enables us to activate it quickly once the Assembly resolves to seek the transfer of powers. Our sponsorship of the Bill and its speedy passage through the Assembly is a reflection of our commitment to making progress towards devolution without undue delay. We are

determined to work through the remaining steps in the process on which we embarked in November 2008.

In case anyone has lost the thread of the Bill, let me remind Members that its purpose is simple. It provides for the establishment of a Department of justice and makes arrangements for appointing its Minister. It puts into effect arrangements agreed earlier in the year by the Assembly when it endorsed the report of the Assembly and Executive Review Committee on devolution of policing and justice matters. The broad support of the Assembly for that report was re-emphasised in votes at each stage of the Bill's passage. We are grateful for the strength of that support, and we acknowledge its cross-community nature. It is an example of the legislature working at its best.

I do not intend to speak at length again about the objectives and detail of the Bill, or, indeed, about the importance of devolution of policing and justice to the Administration and the people whom we represent. However, I would like to respond to some points that were raised during today's debate.

The issue of the d'Hondt principle was raised by a number of Members, mostly from the SDLP, including Alban Maginness, Alex Attwood and Dolores Kelly. At every opportunity during the earlier debates on the Bill, the SDLP, with the support of the Ulster Unionist Party, questioned the proposed ministerial appointment arrangements in clause 2. Those arrangements clearly differ from those for appointing other Executive Ministers. However, cross-community buy-in is of the utmost importance for that key and sensitive post. The Assembly and Executive Review Committee recognised the need for that buy-in in the ministerial model that it recommended in its January 2009 report, and the Assembly recognised that when it endorsed the Committee's report. That is the basis of the model that is set out in clause 2.

The person appointed to the post of justice Minister must have the support of the majority of Members voting, the majority of designated nationalists voting and the majority of designated unionists voting. At this point in our history, that strikes me as an entirely balanced and sensible model for such a sensitive post. Those will, of course, be interim arrangements, and the Assembly will have a chance to review them in due course and finalise a permanent model that will apply from May 2012.

Several Members raised other issues. Martina Anderson spoke about the issue of the date of commencement of the Act. The Bill provides for the First Minister and me to bring the Act into operation on a day that we may determine. In effect, that will create the Department as an essential step in the devolution process. It will be necessary for the Department to be established slightly in advance of

devolution so that it is in place to take receipt of the powers that are being transferred.

Basil McCrea made several points in his wide-ranging prepared speech that, I feel, have to be addressed. His central argument, as it appeared to me, was the Ulster Unionist Party's view that the Executive were entirely dysfunctional. The First Minister has previously outlined the experiences of this Executive in decisions taken and agreements reached, and has pitched those experiences against those of the previous Administration that existed from the winter of 1999 until October 2002.

Since the establishment of this Executive, it is almost as if the words of Liz O'Donnell have come back to haunt us. Liz O'Donnell was a junior Minister involved in the Good Friday negotiations and returned to Dublin after that success. In the aftermath of the 2003 elections, when Sinn Féin and the DUP emerged as the largest parties on the nationalist and unionist sides, she made a very revealing comment that she believed that the Ulster Unionist Party and the SDLP were in denial about that result. That has conditioned the approach of the Ulster Unionist Party and the SDLP as they moved into an Executive in which they were not the largest parties.

It was quite clear to me from the beginning that the approach of both parties was, yes, to be in the Government and take up ministerial positions, but to reserve the right to be critical of that Government whenever they so chose. By God, did the Ulster Unionist Party and the SDLP exercise that right. That is reality, and contrasts with the conversations we had when I was Minister of Education in the previous Administration, when Seamus Mallon, as deputy First Minister, reminded us that we had to be a united Executive; we had to stick together and stand by any decisions taken. A fundamental change occurred in the intervening period that can be explained only by the fact that the electoral results changed the mindset of the Ulster Unionist Party and the SDLP.

**Mr Deputy Speaker:** Order, Minister. Is this about the Bill?

**The deputy First Minister:** It is absolutely about the Bill. Many Members had considerable leeway during the debate today to attack the Administration that we are part of. I think that I am entitled to the right to defend the Administration that I am part of. It is incumbent upon the SDLP and the Ulster Unionist Party to reflect on that, and to recognise that the allegation of dysfunctionality might be as applicable to those parties as to anybody within the Executive.

Some genuine efforts were made in the course of the debate to try to recognise that we are now in a new place: we have come to the Final Stage of the Bill. Although I have criticisms about some of the things

that Basil McCrea said, he clearly indicated that the Ulster Unionist Party is coming to terms with the fact that we are in a new place.

Alex Attwood started well. Someone told me earlier that they heard at the Assembly and Executive Review Committee meeting this morning that he intended to speak for 35 minutes. He kept close enough to that time, considering the number of interruptions. He started in a very positive vein that carried on from Mark Durkan's assertion that the SDLP would not impede the progress of the Bill. He then took the opportunity to launch into outright attacks, mostly on Sinn Féin. That is his right.

What Basil said struck a chord with me. He talked about the need to recognise that much unites us in the House, and that we must tackle the issues that unite us. He talked about important issues: elderly people being attacked by hooligans and thuggish or criminal elements within society; young women who have been raped; people who have been subjected to antisocial behaviour; and the fact that that happens across the community. It does not just affect the nationalist and republican community; it affects loyalists and unionists also.

We all recognise the importance of moving forward. Some telling comments were made about whether Sinn Féin is ready. Indeed, the question was asked a number of times: is Sinn Féin ready? I have said to Matt Baggott, whom I met yesterday, and others that, when we took the decision to move forward on policing two years ago, we effectively engaged in one of the biggest-ever debates within Irish republicanism.

Many people thought that we would never reach that point in the same way that they asserted that we would never go into the institutions with the DUP. Indeed, the SDLP was foremost in saying that there would never be a deal between the DUP and Sinn Féin. However, we confounded many in the media and in the SDLP when we finally reached a deal and went into government with the DUP.

The debates on policing were of critical importance to us — it was not a charade or a sham. More than 1,400 people went to the Millennium Forum in Derry city to be addressed by the Sinn Féin leadership. At that meeting, we nailed our colours to the mast as regards how we intended to take forward our participation in policing. That meeting was replicated in every part of the North. I attended two huge meetings in Belfast on the same Saturday, and they were both packed to the doors. We nailed our colours to the mast at those meetings. We did not tell people that we were in this 40%, 50%, 70%, 85%, 95% or 99·5%. We told them that we were in this 100%. We took the decision to make the institutions work, to build a better future for the people whom we represent and to support the

police, which would have been heretical a number of years prior to those meetings.

Nobody should accuse us of not being ready. When I go home at night, I do not look over my shoulder at the SDLP. I do not look over my shoulder at people who have threatened my life and who are doing their damndest to destroy a process that many of us have put our heart and soul into for the past 15 years. I live in the heart of the Bogside, and I am not afraid of any of those people. This is big stuff that we are talking about. The transfer of power is of critical importance to our entire community, and I believe that it will make life better for all the people whom we represent. I ask people, particularly on the unionist side, to recognise Sinn Féin's contribution in addressing those town hall meetings.

Basil McCrea also talked about not knowing specifically what powers will be devolved to the justice Minister and the justice Department. The powers that will be devolved to the Department of justice were clearly set out in the Assembly and Executive Review Committee's report of March 2008. That Committee has done much work in respect of the responsibilities that will be devolved to the justice Department. I say that without prejudice to the discussions that will clearly have to follow, involving all parties, on how we move forward. I hope that we will move forward in a united way to ensure that we can all sign up to whatever programme is put in place for the new Department and the new Minister. I do not believe that that is beyond us, and there has clearly been progress already.

The biggest debate on this side of the House concerns the difference of opinion between Sinn Féin and the SDLP on how to take the process forward. We all heard the allegations of Dolores Kelly, Mark Durkan and Alex Attwood regarding the appointment of the justice Minister. The SDLP said that it supports the immediate transfer of power, but the *realpolitik* is that its suggested approach would prevent the transfer of policing and justice powers.

Of course, the SDLP knows that as well as any other party in the House. It knows that at this stage of our political process there is no possibility of the approach that it has suggested gaining cross-community support. The inevitable consequence is that we would be condemned to live with the policing and justice system being presided over by British direct rule Ministers for evermore. That is a serious misjudgement on the part of the SDLP. The indication today that it is not prepared to impede further the progress of the Bill is a welcome development. I do not know whether that means abstention or support, but I urge the SDLP to support this position as we move forward because that is the positive thing to do.



6.15 pm

The sunset clause was also mentioned. I suppose that when people are on a roll against the way in which the institutions are moving forward, or, in their view, are not moving forward, it is understandable that they will try to seek political advantage by portraying the advance towards 2012 in a negative way. However, I choose to advance towards 2012 in a positive way by ensuring that the Assembly maintains its united approach against criminality and violent forces who believe that it is sensible to plunge our society back into a conflict that nobody wants to see revisited on any of us ever again. I move forward in the spirit of hope and optimism. I hope that, as we get to know one another, and look at one another and not see ten heads on one another's shoulders, we can come to a new place and forge agreements that will make life better for the people whom we represent. I go positively, not negatively, towards 2012.

Simon Hamilton posed a question in relation to the accusation that there was little dialogue or consultation with the other parties. The fact is that the Ulster Unionist Party has been involved in discussions with Gordon Brown, Shaun Woodward, the First Minister and deputy First Minister, and the US Secretary of State, Hillary Clinton, who was here not so long ago. The party also has its representatives on the Assembly and Executive Review Committee. Furthermore, according to my information, it has been involved in conversations with the Irish Government, so there has been extensive dialogue and discussion about the way forward.

**Mr Kennedy:** I am grateful to the deputy First Minister for giving way. Does he accept that there is a difference between discussions and negotiations?

**The deputy First Minister:** Yes. I am also very conscious of the fact that people have to take views on board whenever they are negotiating a way forward. However, at the end of that process, leadership has to be given and decisions made. There was considerable dialogue.

I do not know the last time when anybody from the SDLP rang me to ask for a meeting. That is the reality. When I was the Minister of Education in the first Administration from 1999 to 2002, I do not think that I ever received a phone call from either Séamus Mallon or Mark Durkan. Any engagement was initiated because I asked for a meeting with them or I rang them. It has been the same during this Administration. If there is a fault, it might be on both sides.

**Mr B McCrea:** I have listened intently to what the deputy First Minister has said. A central message is coming through, and I hope that it is being sent and received. We have used the analogy of phone calls, but phones work in both directions.

Sometimes, the mark of leadership is to make the first call. Of course, when that call is made, it is appropriate, in certain circumstances, for it to be answered and responded to. If I heard the deputy First Minister correctly when he was talking about the advances that have been made, it seems that we need to reflect maturely on whether we treat one another with respect and whether we respect one another's mandates and points of view. If we can find a way to do that, that in itself will build confidence in all our communities.

**The deputy First Minister:** I absolutely agree with the Member's final remarks. I would like to think that I am one of the people who has treated everybody in the House with respect. I absolutely respect every Member's mandate.

Members raised a number of concerns. Alex Attwood questioned the main roles of the DPP and the Attorney General in the context of devolution. When policing and justice powers have been devolved, an Attorney General must be appointed to undertake a wide range of statutory functions, including legislative and legal functions. For example, the Attorney General will challenge the legislative competence of Assembly Bills and defend the public interest in civil law matters. He or she will have functions in respect of the DPP, such as appointing the director and arranging for the DPP's annual report to be laid in the Assembly. In addition, there will be a consultative advisory role, including issuing guidance on human rights standards and being consulted on the Criminal Justice Inspection programme. Furthermore, for Members' information, the First Minister and I are minded to invite the Attorney General to be the chief legal adviser to the Executive. I should also correct my announcement that there will be a DPP. There will not be; it will be a PPS. I made a mistake, for which I apologise.

**Mr Attwood:** I have been listening intently about the, hopefully, more positive conversations that we will have. Does the deputy First Minister agree that the incoming Attorney General should come to the Assembly and Executive Review Committee as soon as possible to discuss the role that the deputy First Minister has just outlined, because he appears to be hesitant about doing so?

**The deputy First Minister:** I will speak to the, hopefully, incoming Attorney General.

Alex Attwood also said that it is time to take the legislation forward, and I agree. I am leaning more towards Alex's positive remarks. Indeed, I am leaning towards all Members' positive remarks, because sometimes we are good at winding one another up and point scoring.

We are at an important stage in the Administration's history. As someone who is absolutely committed to the

success of the Assembly, the North/South institutions and the east-west institutions, I passionately want all of them to work. However, those institutions have to work on the basis of the agreements that we made — the Good Friday Agreement and the St Andrews Agreement — and in line with equality and partnership, which is how we show respect to one another.

Last week, Ian Paisley Snr was in County Sligo and, during an RTÉ interview, he said that, whatever might be said about Sinn Féin, when it gives its word, it keeps it. We have given our word, and we intend to keep it. It is right to expect others to do the same.

I want us to move forward. In the past two years, the process that we have been through has been fairly extraordinary.

There is a passionate belief in the community that, in spite of all our problems and difficulties, we can move on and be judged for important matters, such as how we uphold the rights of the most disadvantaged in our society; how we eradicate poverty; how we put in place a better Health Service and a better education system; how we care for our farmers and rural communities; and how we deal with the everyday lives of the people whom we represent. I believe absolutely that all Members of the Assembly are here because they want to make life better for the people whom they represent. We are up for it, and we are hoping that everybody else is up for it, as we move forward.

I thank the Members who contributed to the Final Stage of the Department of Justice Bill for raising the issues that they did. Devolution of policing and justice functions will have significant implications for the Assembly and beyond, and it is vital that we get the preparations right. The Bill lays the groundwork for the establishment of a Department of justice and will facilitate a swift response once the Assembly has agreed that policing and justice functions should be transferred. I commend the Bill to the House.

*Question put and agreed to.*

*Resolved:*

That the Department of Justice Bill [NIA 1/09] do now pass.

*Adjourned at 6.26 pm.*

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## NORTHERN IRELAND ASSEMBLY

Monday 7 December 2009

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

*Members observed two minutes' silence.*

### ASSEMBLY BUSINESS

**Mr Campbell:** On a point of order, Mr Speaker. On 10 November, an honourable Member for South Down Mr John McCallister claimed that the cost of asking Northern Ireland questions was £300 a question. Subsequently, I discovered that a Conservative Member of Parliament in the House of Commons had tabled 250 questions for written answer on one day. From the House of Commons, I have established that the cost of that was £37,250, but, in the course of establishing that, the House of Commons also informed me that the average cost of answering a question for written answer is £149. At some point in the immediate future, Mr Speaker, will you determine the precise or average cost of answering a question for written answer in the House to prevent any future misunderstanding or deliberate misinterpretation of the cost?

**Mr Speaker:** I thank the Member for his point of order. I will come back to the Member or the House directly on the issue.

## SPEAKER'S BUSINESS

### Petitions of Concern

**Mr Speaker:** Before we proceed, I wish to advise the House of an approach that I intend to take with regard to petitions of concern. The issue of whether a petition of concern might be withdrawn was raised on 3 November by Mr Ford, who, I know, is not in the Chamber, following the outcome of the vote on the amendment to the Northern Ireland Human Rights Commission motion. I am grateful to the Member for raising the matter, because it is an important issue for the procedures of the House.

Petitions of concern are provided for in the Northern Ireland Act 1998, and their purpose is to provide a mechanism to safeguard the interests of a significant minority of Members. Standing Orders set out the procedure to be followed. However, the Northern Ireland Act 1998 and Standing Orders are silent on the issue of whether a petition of concern may be withdrawn once it has been presented, and the Speaker has determined that it is valid.

The tabling of a petition of concern is a serious and important procedural step, which raises the bar in changing the vote from a simple majority basis to a cross-community basis. The use of a petition of concern should not be regarded lightly. Therefore, my ruling is that, once a petition has been presented and the Speaker has determined that it is valid, the petition may not be withdrawn. In addition, Members who have signed the petition may not withdraw their names from it after the point at which it has been determined as being valid. That is an important point. Once it is submitted to the Business Office, comes before the Speaker and is then validated, it remains very much alive from then on in.

I do not intend to take any points of order on the issue, but, if Members have any queries about my ruling, they should speak to the Clerks, the Business Office or me. We shall now proceed.



## ASSEMBLY BUSINESS

### Resignation of Mr Francie Brolly

**Mr Speaker:** I wish to advise the House that I have received a letter from Mr Francie Brolly stating that he will resign as a Member of the Assembly with effect from 11 December 2009. I have notified the Chief Electoral Officer, in accordance with section 35 of the Northern Ireland Act 1998, and I know that the whole House will share with me in wishing Mr Brolly every success as he steps down from the Assembly.

**Some Members:** Hear, hear.

## MINISTERIAL STATEMENT

### North/South Ministerial Council

#### Agriculture Sectoral Format

**Mr Speaker:** I have received notice from the Minister of Agriculture and Rural Development that she wishes to make a statement regarding the North/South Ministerial Council (NSMC) meeting in agriculture sectoral format.

**The Minister of Agriculture and Rural Development (Ms Gildernew):** Go raibh maith agat, a Cheann Comhairle. With your permission, I wish to make a statement in compliance with section 52 of the NI Act 1998 regarding the twelfth meeting of the North/South Ministerial Council in agriculture sectoral format that was held in Agriculture House, Dublin, on Wednesday 18 November 2009. Junior Minister Robin Newton and I represented the Executive. The Irish Government were represented by Brendan Smith TD, Minister for Agriculture, Fisheries and Food, who chaired the meeting. This statement has been agreed with Mr Newton, and I am making it on behalf of us both.

The Council noted the ongoing progress on the delivery of the draft all-island animal health and welfare strategy and the work that is in hand to finalise arrangements for a cross-border stakeholder consultation event in early 2010. Ministers noted the revised working group arrangements and looked forward to receiving a further progress report at the next NSMC meeting in agriculture sectoral format.

Ministers welcomed a presentation by the plant health and pesticides steering group of its comprehensive report on a joint strategic approach to plant health and pesticides. They noted that the report identified a significant number of areas of mutual interest that would benefit from an agreed framework for co-ordination and delivery. The Council agreed, without prejudice to the need for final approval, that the steering group should develop a work programme for consideration at a future agriculture NSMC meeting.

Ministers noted developments on the implementation of the common agricultural policy (CAP) health check agreement, the future of the CAP and the World Trade Organization (WTO), the challenges facing the agriculture sector, in particular in relation to greenhouse gas emissions reduction targets, and the current situation in the dairy industry. They requested that officials remain in close contact on those issues and report developments to a future NSMC meeting in agriculture sectoral format. The Council agreed that its next meeting would take place in spring 2010.

**The Chairperson of the Committee for Agriculture and Rural Development (Mr Paisley Jnr):** I thank the Minister for her statement and note how timely it

is, given that it was this time last year that the Minister had to give the unfortunate news to the House about the dioxin outbreak. Thankfully, today is not about bad news.

I note that the all-island animal health and welfare strategy is continuing to progress, although there is little, if any, evidence of anything substantive arising out of the strategy other than meetings and more meetings. However, will the Minister provide us with three things: first, a timeline that details the targets for completion of the proposed piece of work; secondly, details of the types of actions that will arise from the proposed strategy; and thirdly, the positive impact that the actions will have in respect of the Northern Ireland industry. Those are the crucial matters.

Finally, will the Minister indicate why the challenges that are facing the industry, such as diminished farmgate prices, low profitability and compliance with the nitrates directive, have a lower priority at agricultural sector meetings than greenhouse emissions?

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

**Development:** I would have liked more time to discuss a wider range of issues, but the meeting was time limited because of the need for people to move on to other meetings that day and the constraints of ministerial diaries. However, there have been a number of positive outcomes as a result of co-operation on animal health and welfare to date, although we did not go into them all in detail during the meeting.

To give the House a flavour of the amount of work that is ongoing, areas of co-operation include the development of a largely similar system of sheep identification on the island; the exchange of data to facilitate trade in bovines following the lifting of the BSE export ban; a broad alignment of border control policies aimed at preventing the introduction of animal disease; and contingency planning for exotic disease outbreaks, including agreement on a common chapter in epizootic contingency plans for foot-and-mouth disease, avian influenza and, most recently, bluetongue.

Agreement has also been reached on a protocol for animal welfare during transport breaches and on co-operation on testing regimes for TB and brucellosis in border areas. That strategic approach will enable the achievement of further positive outcomes over the next year, all of which provide for meeting the key aim of free animal movement.

Like me, the Chairman has frequently lobbied on some of the difficulties that remain with the all-island movement of animals, and the Department is keen to make progress in that area. It is important that we all work together and that all parties recognise the importance of the strategy so that it can be finalised.

**Mr W Clarke:** Go raibh maith agat, a Cheann Comhairle. I thank the Minister for her statement. Given the need for an all-island approach to the issue of

sheep electronic identification (EID), will she confirm whether that issue was raised at the sectoral meeting?

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

**Development:** As the Member will be aware, the European Union has set a compulsory implementation date for sheep EID of 31 December 2009, which means that member states must introduce the system for sheep born after that date. The purpose of sheep EID is to enable the recording of individual sheep movements.

The Department's public consultation on the new system closed on 6 November 2009, and the responses are being considered as the new rules are developed. Departmental officials are working closely with their counterparts in the South and in Britain to ensure that the systems that are established will minimise the administrative and cost burden on keepers here. The Department is also considering whether it can support keepers with the cost of tags and support markets and meat plants with the cost of reading equipment during the initial implementation of EID.

**Mr Elliott:** I also thank the Minister for her statement. She mentioned the all-island animal health and welfare strategy, and my question relates to the specific movement requirements between the two jurisdictions. When cattle transfer from farms in Northern Ireland to farms in the Republic of Ireland, the authorities in the South insist that that movement history is transferred electronically to their system, but there is no requirement for that information to be transferred if cattle move in the opposite direction. Has there been any discussion on that issue or any insistence by the Department on the creation of such a system here.

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

**Development:** The Member has made a number of enquiries to the Department on the movement of animals, and he is aware that full co-operation on animal health issues on the island of Ireland has the potential to help to reduce and prevent the spread of animal diseases. It also helps to facilitate trade and improve the sustainability of farming in the North.

The ultimate objective of North/South co-operation should be a facilitation of trade through the free movement of animals on the island and an optimisation of the animal health status of the island through an alignment of policies to control animal disease. The island of Ireland should be recognised internationally as a separate unit for disease control purposes, because that would ensure effective traceability of livestock in the event of a disease outbreak.

*12.15 pm*

The Member is also aware that there are different brucellosis schemes, North and South, given that the South has brucellosis-free status and we are working towards such status. The South is nervous about our ability to export brucellosis and that is why the question

arises. However, the Member is aware that we are fixated on getting rid of brucellosis in the short term, and we are appealing to the industry to work with us to do that. I am anxious for us to be able to eradicate brucellosis as quickly as possible in order to facilitate the free movement of animals on the island.

**Mr McGlone:** Go raibh maith agat, a Cheann Comhairle. I hope that the brevity of the Minister's statement does not reflect its content. Given the pattern of flooding throughout the island, did the Minister take the opportunity to raise the matter with her counterpart for the rest of the island? Have she and her officials given any consideration to an all-island approach to seek assistance to deal with the intensity of the floods across the island?

**The Minister of Agriculture and Rural**

**Development:** I presume that the Member is talking about seeking assistance from Europe. Last week, I told the Member about how serious the flooding had to be before Europe could help, and we are well below that threshold. However, we have tried to examine all the options available.

The competent authority that deals with flooding in the North is the Rivers Agency, and the Department of Agriculture, Fisheries and Food (DAFF) has responsibility for dealing with flooding in the South. Although the matter was not discussed at the NSMC meeting, we are working closely with the agencies on the other side of the border to maximise public money and how it is spent and to ensure that that work is enhanced by the development of co-operation in border areas. We work together closely, but the issue of flooding did not arise during the meeting.

**Dr Farry:** I thank the Minister for her statement. She referred to the future of the common agricultural policy and the World Trade Organization. Will she assure me that she and her Southern counterpart will avoid the temptation to take a protectionist stance in those talks, not least because there is a groundswell of support in both parts of the island of Ireland that wants to see proper international development, which means giving farmers in the developing world the opportunity to move beyond subsistence farming and to compete internationally on a level playing field?

**The Minister of Agriculture and Rural**

**Development:** I will certainly not be involved in anything that would make life more difficult for farmers in other parts of the world. However, my job is to try to make things better for farmers in this part of the world. Therefore, I must look carefully at what happens with regard to the CAP and the WTO.

The Member is aware that, during the negotiations last year with the WTO, the Dublin Minister and I were concerned about some of the likely outcomes from the WTO, and we all breathed a sigh of relief

when those talks collapsed. DEFRA's position on the WTO is not necessarily consistent with ours or with that of Scotland and Wales. We do not want to see any international agreements being made that would have a significant negative effect on farming in any part of Ireland.

**Mr Molloy:** Go raibh maith agat, a Cheann Comhairle. I thank the Minister for her statement. Is there any indication of the make-up of the groups that will attend the stakeholder consultation event, and what benefit does the Minister hope the event will achieve?

**The Minister of Agriculture and Rural**

**Development:** The event, which will happen in the spring, will bring key stakeholders from both jurisdictions together to discuss the delivery of the all-island animal health and welfare strategy and to discuss the all-island strategic approach to animal health and welfare. Arrangements for the meeting are in hand, and we hope to have a suitable date early in 2010. Both Departments agree the cognisance that must continue to be taken of the views of stakeholders in the delivery of the strategy.

As the Member is aware, I have been very keen to emphasise the importance of partnership and of keeping in close contact with our stakeholders so that they know what is coming. We must operate on a no-surprises basis and work in conjunction to get the best for the industry. I do not have a list of stakeholders with me, but I will provide the Member with such a list at a later date.

**Mr Burns:** I have a question on the issue of animal health. Was there any mention at the meeting of the whereabouts of the cattle with tuberculosis that were stolen?

**The Minister of Agriculture and Rural**

**Development:** The answer is a very short no; those cattle were not mentioned at the meeting on 18 November.

**Mr Doherty:** Go raibh maith agat, a Cheann Comhairle. I thank the Minister for her statement. Will she outline the steps that have been taken to deal with any future food-safety incidents, bearing in mind the experience of previous incidents?

**The Minister of Agriculture and Rural**

**Development:** As the Member is aware, after the dioxin incident in 2008, which occurred around this time last year, it was agreed that a rapid alert system should be put in place. An interim system has been put in place, and a long-term system will be developed following the reviews of the incident. We want to ensure that there is proper consultation on all those issues and that we are able to work in conjunction and with better communication to ensure that we learn from the past.

**Mr McHugh:** Thank you, a Cheann Comhairle. I thank the Minister for her statement. I thank her in



particular for her answer to Stephen Farry's question, which concerned the effect that issues affecting the developing world could have on the future of the agriculture industry here. My question concerns the World Trade Organization and the future of the common agricultural policy from this point on.

Even as we speak, farmers here in Ireland are under particular pressure because of the difference between retail and farm prices and the pressure that greenhouse gas emissions create, particularly methane emissions. Indeed, the Minister mentioned greenhouse gas emissions in her statement. People in many developing countries depend on meat and milk in particular for their staple diet. That should be taken into account when we consider the developing world. Ireland is an 80% producer and exporter, so the dependence —

**Mr Speaker:** The Member must come to his question.

**Mr McHugh:** What impact will all that have on discussions about the future position of the CAP for Ireland and countries like it?

**The Minister of Agriculture and Rural Development:** We had a discussion on 18 November about the CAP and the WTO, and we reviewed the various decisions that both Departments made to implement the CAP health check agreement. We also looked forward to the forthcoming debate on the future of the CAP post-2013, and we considered the various issues that are emerging from that. Those include matters such as the size of the CAP budget, the future shape of the single farm payment scheme and rural development. We also reviewed the current position of the world trade talks and agreed that officials from both Departments should continue to keep in close contact on those matters. Clearly, both the CAP and the WTO will feature in future NSMC meetings.

## **North/South Ministerial Council: Aquaculture and Marine Sectoral Format**

**Mr Speaker:** I have received notice from the Minister of Agriculture and Rural Development that she wishes to make a statement on the North/South Ministerial Council meeting in aquaculture and marine sectoral format.

**The Minister of Agriculture and Rural Development (Ms Gildernew):** Go raibh maith agat, a Cheann Comhairle. We can probably think of better ways to spend a Monday afternoon, but there we are.

With your permission, a Cheann Comhairle, I will make a statement in compliance with section 52 of the NI Act 1998 regarding the recent meeting of the North/South Ministerial Council in aquaculture and marine sectoral format. The meeting was held in Dublin on Wednesday 18 November 2009. The Executive were represented by me and Robin Newton MLA, one of the junior Ministers. The Irish Government were represented by Eamon Ryan TD, Minister for Communications, Energy and Natural Resources, and Conor Lenihan TD, Minister of State for Natural Resources. The statement has been agreed with Mr Newton, and I make it on behalf of us both.

The Council welcomed a progress report on the work of the Loughs Agency, which its chief executive, Mr Derick Anderson, presented. Ministers noted the importance and effectiveness of the Loughs Agency's conservation and protection work when salmon stocks are in decline; progress with the implementation of its marine tourism development strategy through the roll-out of projects supported by INTERREG IV; the successful delivery of angling development events and the engagement with the NI Tourist Board; the delivery of marine monitoring vessel the *Ostrea*, which was achieved with the support of EU financial instrument for fisheries guidance (FIFG) funding; and the completion of the delivery of the hardship package for the rationalisation of commercial salmon fishing.

The Council welcomed a presentation by Loughs Agency officials on the agency's collection of geographical information systems data. Ministers noted the practical use of that information and how it is applied in the field.

The Council approved two sets of regulations. One will extend areas in which angling is prohibited to protect vulnerable salmon, and the other will make it an offence to kill certain coarse fish, including roach, bream, tench, carp, rudd, perch and any hybrid of those fish after they have been captured with a rod and line.

Ministers reviewed plans to introduce commencement Orders, which are required for a staged and managed introduction of the new powers that are available to the Loughs Agency to develop and license aquaculture and

to protect the fisheries in the Foyle and Carlingford areas. They considered the agency's legislation implementation plan, welcomed progress on its delivery and noted that further regulations will require NSMC approval in early 2010.

The Council noted the revised 2009 business plan and budget provision for the Foyle, Carlingford and Irish Lights Commission, which awaited the approval of both Finance Ministers. Ministers also noted the Loughs Agency's annual reports and financial statements for 2007 and 2008, prior to their submission for laying before the NI Assembly and the Oireachtas. The Council agreed that the next meeting in aquaculture and marine sectoral format will take place in February or March 2010. Go raibh míle maith agat.

**The Chairperson of the Committee for Agriculture and Rural Development (Mr Paisley Jnr):**

The excitement is contagious. I thank the Minister for her statement, and I offer the Committee's unanimous support to the Department, the Minister and her officials in the forthcoming negotiations on fishing opportunities at the December EU Fisheries Council meeting. The cuts that are proposed, particularly those to the prawn catch and fleet, have the potential to devastate the industry. It is imperative that those proposals be negated as far as is possible. On a number of occasions, the Committee has offered to help the Department and, more importantly, the industry in whatever way it can. It is important to use this opportunity to highlight the importance of that issue.

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

I ask the Minister to apprise the House on three matters. First, what will be the cost of the new marine monitoring vessel? Secondly, have any problems arisen since its commissioning? Finally, can the Minister apprise the House on the details that are associated with the hardship package for the rationalisation of commercial salmon fishing? I am not aware of that matter's having appeared before the Committee, and we look forward to an update on it.

**The Minister of Agriculture and Rural**

**Development:** Go raibh maith agat, a Cheann Comhairle. Under FIFG, the agency secured funding of £750,000 for the Ostrea. The vessel was second-hand and was sourced in New Zealand. The total cost, including purchase, refit, shipping, fees and expenses was between £810,000 and £820,000. The balance came from the agency's aquaculture and shellfish budget line. Members will be interested to note that the vessel is insured at its estimated European replacement value of £1.5 million.

I am aware that certain allegations have been made about the vessel's procurement. The allegations are under investigation by departmental officials, so it is

not appropriate for me to comment further until the investigations are complete.

I am aware that there have been some difficulties with the vessel after its refit in New Zealand. The agency has advised that all minor faults were repaired under a guarantee from the refit contractor. Some initial concerns about the engines have proved to be unfounded, and, at the NSMC meeting, the agency reported that the vessel was safely home and that the crew are being trained on it. It is anticipated that the Ostrea will be fully operational by the end of 2009.

The hardship package dates from 2007, but I will get back to the Chairperson of the Committee about that, because I do not have sufficient detail with me.

12.30 pm

**Mr Molloy:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for her statement. Will she explain more about geographical information systems (GIS)? I realise that the Minister has no direct responsibility for Lough Neagh, but would GIS benefit that region?

**The Minister of Agriculture and Rural Development:** Geographical information systems use hardware, software and data to capture, manage, analyse and display all forms of geographically referenced information. The Loughs Agency uses GIS to collect information about the areas for which it has responsibility in order to manage them more effectively. The system has given the agency greater capability to deal with pollution incidents because it allows staff to deploy quickly and make interventions more accurately and specifically. It also facilitates more effective information sharing between the Loughs Agency and other bodies.

The agency intends to use GIS to benefit its customers by introducing a system that can be used by the public to access useful information on the Internet. The Department expects that to be of great benefit to the area's tourist industry, because a potential visitor from anywhere can conveniently access information about everything that the Foyle and Carlingford areas have to offer. Recognising that all politics is local, I presume that there would be a benefit if the system were available to Lough Neagh. It is not up to me to bring that forward, but the NSMC presentation was fascinating, and showed how technology can be used to our benefit in protecting water quality and fish, and by ensuring a positive experience for those who want to fish.

**Mr Elliott:** I thank the Minister for her statement. Does the Department play any co-ordinating role among Loughs Agency staff, the Fisheries Conservancy Board and the Republic of Ireland authorities to help to prevent salmon poaching in the Foyle and Carlingford areas?

**The Minister of Agriculture and Rural**

**Development:** The Department works closely with other departmental bodies, and as the Loughs Agency is a cross-border body, information is shared with officials in the South. The Department employs several people who work antisocial hours to try to catch poachers. I recently reported to the House that two cars that were seized from poachers were of a high value. Therefore, the poachers were not acting out of financial hardship. There is a lot of co-operation across the various agencies to try to reduce poaching in the Foyle and Carlingford areas.

**Mr McGlone:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a ráiteas.

I thank the Minister for her statement. Like Mr Molloy, I would be interested in more detail about geographical information systems. Following on from my earlier question about flooding, does GIS deal with water levels, and, if so, how might that affect the exchange of information with the Rivers Agency? I do not expect a detailed answer now, but I would be grateful if such information could be provided, because this matter is of interest to me and to some of the groups with which I work.

**The Minister of Agriculture and Rural**

**Development:** Rather than providing a long, convoluted answer, it may be beneficial, given that the two Members who raised the issue are members of the Committee for Agriculture and Rural Development, if Loughs Agency staff gave a presentation to the Committee on geographical information systems, because I learned a lot from the NSMC presentation.

**Dr Farry:** I thank the Minister for her statement. With the ongoing progress at UK-wide level on the marine Bill, and the potential for the House to consider its own marine Bill in the near future, has the Minister had any discussions with her counterpart in the Republic of Ireland on how marine legislation on the island of Ireland can be harmonised, bearing in mind that Carlingford Lough and Lough Foyle share a national boundary with the Republic.

**The Minister of Agriculture and Rural**

**Development:** I agree entirely with the Member's sentiments on the matter. There needs to be as much co-operation as possible to ensure that the rules are harmonised, that we are able to work together and that there is no confusion for people who fish in the Lough Foyle and Carlingford Lough catchments and, as the Member pointed out, cross the border to do so.

Although the Department of the Environment has the lead on the marine Bill, my Department also ties into that. The matter was not covered specifically at the meeting, but we will want to consider it in the future to ensure as much co-operation as possible.

**Mr Shannon:** I thank the Minister for her statement to the House this afternoon. In common with the Chairman, I offer her the Committee's support when she goes to Brussels. We are keen that the prawn quota is not reduced at all.

The Minister referred to the marine tourism development strategy, which is supported through INTERREG IV. Will she indicate whether money has been allocated for INTERREG IV projects under that strategy? Will other parts of the Province qualify for it?

Budget provision for the Foyle, Carlingford and Irish Lights Commission awaits the approval of both Finance Ministers. Is that being held up unnecessarily? I want to ensure that the process is moving along.

**The Minister of Agriculture and Rural**

**Development:** As regards the marine tourism development strategy, the Loughs Agency reported at the NSMC meeting that the first project that is likely to be delivered is the pontoon and mooring facility on the Foyle, which has received planning approval. It is hoped that that will commence in early 2010.

The agency also referred to working in partnership with Newry and Mourne District Council and the Mourne Heritage Trust on two potential developments at Narrow Water and Mill Bay in the Carlingford catchment area.

Therefore, work is happening in Foyle and Carlingford. The money that we have talked about is being used for that work, but other funding streams are available to areas that are outside those auspices.

**Mr Shannon:** What type of funding?

**The Minister of Agriculture and Rural**

**Development:** Funding is available from the European fisheries fund. That is the route that I would go down for Strangford. Obviously, my Department wants investment not only in infrastructure but also in fishing villages and the entire area of aquaculture.

The Member asked about approval for the budget. The Finance Ministers' approval was not received in time for the NSMC to approve the business plan formally at its meeting on 18 November 2009. That approval was received on 23 November. Subsequently, the business plan and budget received formal NSMC approval at its meeting in education sectoral format that was held on 25 November. Therefore, the timing has worked out well. Approval was obtained, and we were able to process the plan and budget two days later.

I want to record my thanks to Minister Ruane for agreeing to add that item to the agenda of the meeting in education sectoral format. There is now full NSMC approval for the business plan and budget.

**Mr W Clarke:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for her statement.



Earlier, poaching was mentioned, salmon poaching, in particular. Given the increase in poaching on the County Down coast, what extra resources will be put in place to deal with that major problem?

**The Minister of Agriculture and Rural**

**Development:** I am working on the assumption that the Department has directed all the resources that it can to combat poaching. As I said, Rivers Agency staff work hard for long, antisocial hours to deal with the issue. The Member will be aware that the Loughs Agency, like other agencies, has had to make efficiency savings. I am not sure that there are extra resources to put towards the fight against poaching. We would appreciate any information that the Member can give us on those difficulties, and, in consequence, we may be able to deal with them.

**Mr Savage:** I also thank the Minister for her statement. She said that delivery of the hardship package for commercial salmon fishing has been completed. Who will benefit from that package?

**The Minister of Agriculture and Rural**

**Development:** Those who will benefit are the salmon fishermen who previously had licences but rescinded them in order to benefit from the hardship package. They are no longer fishing for salmon; they have been bought out of that activity, and they will benefit from the money.

## COMMITTEE BUSINESS

### Report on the Inquiry into Climate Change

**Mr Deputy Speaker:** The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer will have 15 minutes to propose and 15 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 the Environment (Mrs D Kelly):** I beg to move

That this Assembly approves the report of the Committee for the Environment on its inquiry into climate change; and calls on the Minister of the Environment, in liaison with Executive colleagues, to bring forward a timetable for implementing the recommendations contained in the report.

It is important that the report is read in context, as I and many others believe that climate change is the single most important issue facing the world today. One has only to look at recent flooding in England and, closer to home, in the South of Ireland to see the effects that climate change has had already. In its 'Third Assessment Report: Climate Change 2001', the UN's Intergovernmental Panel on Climate Change (IPCC) stated that:

"There is new and stronger evidence that most of the warming observed over the last 50 years is attributable to human activities."

Scientists from around the world who sat on that panel said that, during the past 100 years, the world's surface air temperature increased by an average of 0.6°C. That does not sound like a lot, but the effects are clearly felt and the following are among them. Sea levels are rising, and, during the twentieth century, the sea level rose by about 15 cm due to melting glacier ice and the expansion of warmer sea water. Models predict that the sea level may rise by as much as 59 cm during the twenty-first century, threatening coastal communities, wetlands and coral reefs. Sea surface temperature has also risen. Warmer waters in the shallow oceans have contributed to the death of about one quarter of the world's coral reefs in the last few decades. Rainfall has become heavier, causing flooding in many regions, as seen throughout the UK and the Republic of Ireland. There has been an increase in extreme drought. Higher temperatures have caused a higher rate of evaporation and a more frequent instance of drought in some areas of the world. Ecosystems have changed. As temperatures warm, species may either move to a cooler habitat or die. Warming has also caused changes in the timing of spring events and the length of the growing season.

The World Health Organization (WHO) states that climate change will impact on human health and that scientists consider that most of its health impacts will be adverse. In 'The World Health Report 2002', the

WHO states that climate change was estimated to be responsible, in the year 2000, for approximately 2·4% of worldwide diarrhoea and 6% of malaria in some middle-income countries. It states that warmer average temperatures, combined with increased climatic variability, will alter the pattern of exposure to thermal extremes and resultant health impacts in both summer and winter. The WHO states that, beyond the early recognition that such changes will affect economic activities, infrastructure and managed ecosystems, there is now recognition that global climate change poses risks to the health of the human population.

It would be easy for us, in the North, to leave mitigation of, and adaptation to, climate change to the more powerful countries in the world, but the Committee's evidence, gathered over the course of the inquiry, shows that it is vital that we play a full part in the fight against climate change now. Indeed, members selected climate change as the subject of the Committee's first inquiry because they recognised its potential to impact in many ways on society today and long into the future.

The Committee agreed the aim and terms of reference of the inquiry at its meeting on 15 January 2009. The purpose of the inquiry was:

"To understand the implications of climate change for Northern Ireland and to make recommendations on government policies, in line with the Committee's earlier response on the UK Climate Change Bill, to mitigate the impacts of climate change, examine economic implications and identify suitable adaptation initiatives."

12.45 pm

The Committee was presented with 45 written submissions and agreed to take oral evidence from 24 organisations, businesses and individuals. During the evidence gathering stage, it became apparent that organisations were concerned about a number of specific areas in the terms of reference. The Committee agreed that the report should focus on the following key areas: legislation and policy; targets and budgets; structures and accountability; costs; sectoral targets and action; and additional specific actions. The report contains 52 recommendations, but I am sure that Members will be pleased to hear that I do not intend to speak to all 52.

I will focus on the recommendations that the Committee feels are the most important ones to come out of the report. Recommendation 47 states:

"The Committee recommends that, as a matter of social justice, Northern Ireland government has a duty to recognise the global impacts of climate change on the most vulnerable people and places and this should act as a driver for the delivery of the recommendations of this report."

The Committee recognises that the impact of climate change on the most vulnerable people in society is a matter of social justice and that it should act as a driver for Northern Ireland to develop its own climate change implementation strategy.

Members agreed with several correspondents who said that it should be a moral imperative for Northern Ireland to support and assist the developing world in adapting to the impacts of climate change and to urge action based on the principles of equity and human rights. Northern Ireland has a duty to recognise the global impacts of climate change on the developing world and should act as a driver for delivering the recommendations in the report.

Recommendation 6 states:

"The Committee recommends that Northern Ireland government should commit to Northern Ireland making a fair and proportionate contribution to the UK Greenhouse Gas Emission Reduction Targets required under the UK Climate Change Act."

The Committee agreed that Northern Ireland should make a fair and proportionate contribution to UK greenhouse gas emission targets. It also agreed that that should be achieved by Northern Ireland urgently setting its own targets for greenhouse gas emissions.

In addition to long-term targets, Northern Ireland should set short- and medium-term targets on an annual or rolling basis. The Committee feels that the setting of targets needs to be underpinned by sound local research at sectoral level, which should provide sufficient information for setting challenging but achievable Northern Ireland-wide targets enabling sectoral adjustments to be made, where necessary, in response to local circumstances. The targets should encourage attitudinal change and reflect where the most cost-effective reductions can be made.

Recommendation 7, which is linked to the previous recommendation, states:

"The Committee recommends that Northern Ireland should underpin its contribution to UK Greenhouse Gas Emission Reduction targets by urgently establishing its own emissions targets based on sound local science. Long term targets should be accompanied by short and medium term annual or rolling targets which should be challenging but achievable, encourage attitudinal change, reflect local circumstances for each sector and based on the most cost-effective approach for Northern Ireland."

The Committee heard from and agreed with the Council for Nature Conservation and the Countryside when it expressed concern that even if targets — such as the target to halt the decline in biodiversity by 2010 — are set, there is a risk that they will not be met. Research indicates that a major factor in the failure to meet that target was that too much time was spent talking and not enough time was spent on action. I am sure that a lot of Members agree with that point. The Council for Nature Conservation and the Countryside argued that that gives a clear signal that action on climate change must start now and that not everything has to be known about climate change before action can commence. The Committee very much agrees with that view. The time for talking is over; the time for action is now.

**Recommendation 1 states:**

“The Committee recommends that, as a matter of urgency, Northern Ireland should develop its own climate change implementation strategy that encompasses both mitigation and adaptation and focuses particularly on opportunities contributing to economic growth and delivering multiple objectives. It should also identify and seek to minimise any risks of outcomes that will counteract Northern Ireland’s efforts to meet climate change objectives in the longer term.”

The Committee agreed that Northern Ireland should produce, as soon as possible, its own climate change implementation strategy, which should encompass mitigation and adaptation. Members felt it important that every opportunity be taken, when developing the strategy, to identify any beneficial aspects of addressing climate change and, in particular, where those could contribute to economic growth. The strategy should prioritise the obvious win-win opportunities, such as the potential for green jobs and the actions that will deliver more than just climate change objectives. For example, measures to improve energy efficiency could contribute to a reduction in fuel poverty, or, practices aimed at reducing agricultural emissions could lead to more efficient farming. Members agreed that the strategy should identify ways of ensuring that Northern Ireland avoids any potential perverse outcomes of addressing climate change, such as adapting to hotter summers by increasing the use of fossil-fuel powered air conditioning.

**I highlight recommendation 15, which states:**

“The Committee recommends that the Northern Ireland Audit Office should be tasked and funded accordingly, to assess progress on climate change objectives across government and report to the Public Accounts and Environment Committees.”

In the event of the efficiency review deciding to co-locate climate change policy and energy policy within a single Department, members noted that it is unlikely that the scrutiny role of the equivalent Statutory Committee would fulfil that role. In the interim, the role must continue to be carried out by the Committee for the Environment. The Committee recognised that that structure, which represents the status quo, is limited in its ability to perform cross-cutting scrutiny of other Departments and recommends that such scrutiny be added to the remit of the Audit Office, which is directly akin to the current arrangement for overarching financial scrutiny. The Committee believes that the Audit Office should be given the remit and resources to undertake the specialist role of the detailed assessment of, and reporting on, the achievement of climate change targets across government. The Audit Office would report to the Assembly’s Public Accounts Committee, but its reports would also be available for the Environment Committee to scrutinise more closely should that be necessary.

I want to express my thanks and appreciation to the Committee staff for their work in the compilation of

the report. I thank the specialist adviser to the Committee, and, last but not least, Committee members and the former Chairperson, my colleague Patsy McGlone, for their hard work on the report over the past 12 months. I thank the organisations and individuals who provided written and oral evidence.

The report marks only the beginning in the fight against climate change in the North, and I do not want it to become another inquiry report that merely gathers dust on the shelf. Following the report, the Committee will be commissioning its own research to better inform members on the cost implications of addressing climate change in Northern Ireland. Those costs are obviously very important. However, the cost of doing nothing will be catastrophic.

I welcome the Minister’s attendance at the debate, as climate change is too important an issue to ignore any longer. The Committee calls on the Minister and the relevant Departments to implement the recommendations in the report.

The climate change report is the first that I have introduced to the House since I assumed the role of Chairperson of the Environment Committee, and I have the greatest pleasure in commending it to the Assembly and in recommending its support by the House.

**Mr Weir:** In her opening remarks, the Chairperson said that there was a danger of too much talking and not enough action. Therefore, I will try to keep my remarks as brief as possible.

I add my thanks to those of the Chairperson: I thank the Committee staff, and, in particular, the previous Chairperson of the Environment Committee. Perhaps we, on this side of the House, will start a ‘bring back Patsy’ campaign. I thank all those who contributed to the report.

Undoubtedly, climate change, and how we, as a region, deal with that, is a very serious issue. Across the Chamber, and, indeed, throughout Northern Ireland, there is not necessarily a uniform view on climate change. However, to my mind, that is a red herring. Whether we like it or not, we all have to face up to the issues.

In Northern Ireland, we face two choices. We can drag our heels, kicking and screaming, and potentially have measures, which may not be conducive to local circumstances, imposed on us. Alternatively, as an Executive, an Assembly and a society, we can take a lead by providing a certain level of guidance on the key issues that need to be tackled. Undoubtedly, the second choice is the wisest, because it will enable us to find measures that are proportionate and finely tuned to the needs of Northern Ireland.

Mention was made of vulnerable people. Obviously, we are looking at the impact on vulnerable people



throughout the Third World, but we are also looking at the impact on the vulnerable in our own society. We need to ensure that our measures strike a balance to ensure that we have proportionate responses that are financially balanced and protect the environment and the most vulnerable in our society. Addressing climate change will not be confined to the lifetime of this Assembly or the next one; it will be an ongoing issue for decades to come.

Like the Chairperson, I want to touch on a couple of the areas that were covered by the recommendations. Recommendation 2 is particularly important in ensuring that we have progressive targets that are, initially, not legally binding and are based on sound evidence of the particular circumstances in Northern Ireland. The Committee found that the vast bulk of data was produced on either a UK or a worldwide basis. However, only a limited amount of data was Northern Ireland specific. Therefore, it is important that we get the facts right for Northern Ireland and, as an Assembly, tailor our response appropriately. That is important in ensuring that we have an informed debate.

As has also been indicated, we are part of the United Kingdom and should be playing our full role in it. Whatever actions are taken across the UK, Northern Ireland should, at the very least, play a proportionate role. Our level of contribution, and the level of the UK's commitment, will be a moving target. It is significant that we are having this debate when there is a focus on the Copenhagen summit, because the latter may adjust the agenda across the world. We are all hopeful that there will be some degree of settlement at the summit, although it may tee up a situation in which decisions can be made early in the new year. As a society, we have to play our role.

The Committee looked at the issues of structures and accountability. When looking at a cross-departmental issue, there is often a problem with allocating responsibility. If all the focus is on one Department, there is a danger that other Departments may simply ignore the issue. Alternatively, if responsibility is spread across all Departments, it may become a tick-box exercise without the required level of scrutiny. Recommendation 15 calls for the Northern Ireland Audit Office to focus on progress, which would be a useful device for accountability. At this point, I declare an interest as Chairperson of the Audit Committee. The Environment Committee visited Westminster and Whitehall to receive briefings from a number of government Departments on accountability and found that they had their own separate structures —

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

**Mr Weir:** We need to ensure that we have our own appropriate structures. The efficiency review will be an

opportunity to bring a lot of the subjects under the control of one Department. There are a lot of issues, which other Members will address. I commend the report to the House.

**Mr McKay:** Go raibh maith agat, a LeasCheann Comhairle. I welcome the report and thank the Committee staff for all their hard work. I also thank all the stakeholders who contributed to the report over the past year.

The publication of the report is quite timely, given the upcoming major summit in Copenhagen. There is a great deal of consensus on climate change, and I hope that all parties in the Assembly will call on the world leaders who meet in Copenhagen to strike a fair and binding deal to cut emissions and, as recommendation 47 states, as outlined by the Chairperson, mitigate against the impact on the developing world.

The list of recommendations is comprehensive — 52 in total — and many of them represent progress and should be welcomed. The Executive should take on board much of the report's content and more. I think that we should have set a legally binding target to reduce CO<sub>2</sub> emissions by 80% from 1990 levels by 2050. That should be an Executive priority.

*1.00 pm*

We have heard that leadership has been demonstrated in other places, such as Scotland. We should not in any way shirk our responsibilities here. The report calls for the urgent setting of emission targets, specifically short- and medium-term annual or rolling targets, which will help us to establish an up-to-date picture of progress on our long-term targets.

The Climate Change (Scotland) Act 2009 is now in effect. It sets an interim target of a 42% reduction by 2020, the power for which can be varied based on expert advice, and a target of an 80% reduction by 2050. The Minister for Transport, Infrastructure and Climate Change in Scotland has set annual targets for emissions between 2010 and 2050. Such an approach is ambitious and demonstrates leadership. There is no reason why this Administration, when provided with similar expert advice, cannot take that same path.

Recommendation 52 recognises that the “green new deal” offers an opportunity to address climate change issues now and calls on all relevant Departments to make progress on that. There is confusion about which Departments — whether it be the Department for Regional Development, the Department of Agriculture and Rural Development or the Department of the Environment — are accountable for certain climate change issues. The report will provide more clarity on accountability and will, it is to be hoped, put more pressure on all Departments to make progress on climate change.

It is good that, if the recommendations are implemented, Departments will be required to take climate change implications into account when writing new policies. Legally binding targets should undoubtedly be set. That key demand has been set out by several groups in the sector, including Stop Climate Chaos, which held successful events in Belfast and Dublin at the weekend. That group rightly points out that the least that we can do is help to create the impetus to change behaviour and attitudes among the public and in the Government.

It is important that the majority of the report's recommendations be actioned. However, that is only a start, and, as the Chairperson said, when the Committee receives further local information, it should, from an informed position, push for the introduction of stronger measures. I welcome the report as an important first step, and I urge other parties to consider the major summit in Copenhagen this week, which Bairbre de Brún, as one of our local MEPs, will attend. It is important to agree a fair and binding deal to cut emissions there. I urge all parties to join us in calling on world leaders to strike a fair deal.

**Mr Beggs:** Given the commencement of the Copenhagen summit, it is timely that the report has been published today. I hope that, collectively, we can plot a way forward to mitigate global warming and to enable us to adapt to it. I urge all Members to take the time to read the report and the submissions therein to understand the basis of our recommendations.

I put on record my appreciation for the professionalism and hard work of our Committee Clerk, Committee staff and the special adviser who guided us through our evidence sessions. We received evidence from the EU and visited Westminster to consider legislative actions that are under way. It appears that Northern Ireland is lagging somewhat behind.

The report contains 52 significant recommendations. The Committee sought evidence from the public, which elicited 45 written submissions as well as oral evidence from 24 individuals and groups, which we appreciated.

Last night, while watching the Met Office forecast on 'Countryfile', I was struck by the statement that this autumn was the third warmest autumn since 1914 and that rainfall in the United Kingdom in the same period was 184% above the average expected. Those things were both predicted in the Met Office's climate change models. We rely on the Met Office for weather warnings, and it got the forecast right at the end of last week. We should take cognisance of its scientific evidence and the models that it uses to predict what might happen in future. We cannot just ignore that.

The report contains some significant recommendations, and I will focus on a couple of them. Recommendation 1 states that, as a matter of urgency, Northern Ireland

needs an implementation strategy to take into account our particular circumstances. It is not enough to do nothing; clearly, we need to take action. Recommendation 5 seeks the support of all Departments in the Executive. There is little point in having individual silos that do not contribute to the collective change that is needed in Northern Ireland. I hope that all Departments and their Ministers, including our new Finance Minister, Sammy Wilson, will recognise that climate change is a serious problem that affects us all.

All but one of those who submitted evidence to the Committee recognised that the climate is changing and that scientific evidence points to the actions of man in contributing to that change. One individual who supports the view of our former Minister of the Environment stood out alone — Mr Hans Schreuder, a retired analytical chemist. He stated emphatically that he did not believe that mankind was having any effect on the world's climate.

If Members have the time they should read the Hansard report of Mr Schreuder's evidence session of 21 May 2009. Some of what he had to say was very interesting. He said:

"There are sections within the United Nations who are determined to have world domination."

I do not know where that came from in the middle of our inquiry. He also said:

"man has no influence on climate change at all ... It is so difficult to talk even to sceptical scientists. They still believe that man has some influence."

Mr Schreuder did not strike me as having an open scientific point of view. He said that "Man has zero influence", and, later on, he said:

"there are known reserves of several trillion barrels of oil. New oil is discovered all the time. Why is this? It is because the earth produces oil all by itself. Oil is not based on dead plant or animal material. There is not a single trace of animal or plant material in crude oil."

Mr Schreuder was the one climate change sceptic from whom we received evidence in the course of our inquiry, and who supported the views of the former Environment Minister.

The Committee was presented with very strong scientific evidence and also heard from a range of those who are concerned about the environment, all of whom said that climate change is happening and that man is contributing to it. If we are contributing to climate change, we should take action to minimise its effect so that we mitigate it and protect future generations from the damage that we could be doing.

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

**Mr Beggs:** We must ensure that the limited hydrocarbons that we have are protected for future generations to use.

**Mr Ford:** As yet another member of the Committee for the Environment, I welcome the fact that the report, which has taken most of the year to produce, has been published. I thank the Committee staff, DOE officials and representatives of a huge range of NGOs who assisted us in our work. One of the most useful aspects of the inquiry was a practical visit to AFBI at Hillsborough to see the work that it was doing on renewable energy and on the remediation of methane production from ruminants. It was an example of where Northern Ireland could be at the forefront of the debate, but sadly, at the moment, is not.

**Mr Beggs:** Does the Member accept that another important issue, which has not received enough coverage, is the fact that farmers can save money and protect the environment by carefully timing the spreading of slurry and artificial fertiliser so that nitrates are not wasted and given off into the atmosphere?

**Mr Ford:** I agree entirely.

It is clear from the report that we need to do much more about establishing targets than we have done so far in Northern Ireland. An 80% carbon reduction by 2050 is an ambitious target on one level, but on another it is almost useless as 2050 appears to be so far away. It is also rather unfortunate that, in answer to a number of questions that I tabled to every Department recently, it appears that so far there has been hardly any engagement between our 11 Departments and the UK Committee on Climate Change, which is where the expertise resides at a level that is available to all four nations of the UK and where that evidence should be being brought forward and implemented.

The 10:10 campaign, which is being supported by a large number of businesses and by local councils across the water, is committed to making a significant, urgent and immediate cut in carbon reduction. That is setting an example of what we should be doing. We need to establish targets that are not so far out there that people do not recognise the reality. We need targets that deal with the short and medium term and that are specific and sectoral. So far in Northern Ireland, we have failed to make any of that happen.

One section of the report deals with the structures that we need. In her introduction, the Committee Chairperson highlighted a potential role for the Audit Office, whereby it would look at environmental management issues as well as financial management issues and report to the Assembly through the Public Accounts Committee (PAC).

I have some concerns as to whether we should have adopted the Westminster model of having a separate Environmental Audit Committee instead. Others took the understandable view that creating another Committee in the Assembly might not see it well staffed and able to focus on the issue. However, if we go down that

road, questions must be asked to ensure that the Audit Office is adequately staffed and able to engage across its double range of responsibilities and that the PAC similarly develops structures that would ensure that matters are dealt with properly.

It is clear that there has to be some structure that ensures the full basis of operation for every part of our environmental governance, which is not yet in place. The problem that remains is that responsibility for climate change is scattered across too many Departments. The DOE has a certain amount of responsibility, particularly through its climate change unit. Yet, that unit effectively has no clout whatsoever; despite his being diplomatic and tactful when he gave evidence to the Committee, the permanent secretary was unable to persuade me that it was anything other than a small unit within a relatively small Department, which is not being listened to across the range of government.

I suspect that we should be looking at an equivalent of the UK Department for Energy and Climate Change, which would have an overarching responsibility for all aspects of climate change policy alongside energy as the key part of that. Whichever Department has that responsibility, it is clear that the climate change unit that resides in the DOE must be part of the key Department. It must be strengthened and have the ability to manage across every aspect of government in a way that it is currently unable to do. That requires a political buy-in at Executive level to ensure that every Department recognises the expertise that exists in that unit, draws on it, listens to it and develops from it.

Towards the end of the recommendations, mention is made of sustainable development. Responsibility for that has been taken away from the DOE and placed within OFMDFM. There is no doubt that the expertise to understand sustainable development was in the DOE. OFMDFM has the clout to ensure that issues are dealt with across Departments, but that joined-up issue has not yet arisen. It seems that we have lost out because sustainability is not being addressed adequately in OFMDFM, given all the other problems that reside in that Department. If the report is to mean anything, it must mean joined-up government, ministerial involvement and drawing on the expertise that is available.

It is a matter of considerable regret that the report notes that, realistically, we could not draw up a Northern Ireland climate change Bill at this stage. We do not have the evidence; we do not necessarily have the expertise; and we need to work on a lot of factors, because there is no doubt that we are lagging behind Scotland and Wales, and we need to move forward on that agenda as quickly as possible.

*1.15 pm*

**Mr Ross:** I, too, thank the Committee staff who worked very hard to put the report together over past



months. As Members have said, it is a good time for us to discuss climate change, given that delegates are arriving for the Copenhagen summit today. Although there will probably not be any legally binding agreements made at that summit, I have no doubt that the UK Government will sign up to certain targets that we in Northern Ireland will have a responsibility to deliver. It is important that we have a strategy in place, and we have done some background work on how any such strategy should be implemented.

It is not lost on me that, over the next few days at the Copenhagen conference, more than £130 million will be spent and the carbon emitted will equate to the emissions of a small African country. The carbon footprint created as a result of meetings about carbon footprints is ironic. In recent weeks, the “climategate” scandal exposed scientists and academics who have massaged figures. In e-mails, they admitted to using tricks to disguise some temperature rises in recent years that were incompatible with the figures that they wanted. That sort of thing adds to public suspicion.

In recent days, a populist research poll showed that only 41% of the public are convinced by the science behind the claim that climate change is entirely man made. Therefore, it is a shame that we have not been able to have a sensible debate on the causes of climate change. Indeed, people who question the science behind it, not just here but across the world, have been labelled with loaded terms such as “deniers”. Over the weekend, the Secretary of State for Energy and Climate Change said that those who questioned the science were “flat earthers” who should be ignored. That is not a sensible way forward; we should be able to have open discussion on the issues.

It is important to note that the Committee’s report was not an investigation of the science behind climate change. The majority of people who gave evidence to the inquiry were convinced that man is responsible for climate change, and they came up with practical measures that could be taken in their respective fields to target the problem. As Mr Beggs mentioned, the exception was Hans Schreuder, who outlined the difficulties that he could see with some of the models that are used to predict future temperatures and his belief that all the data do not add up. However, the majority of people who gave evidence are convinced by the science behind climate change.

The Committee focused not just on the climate change policies that we would have to implement but on the impact that those policies would have on the economy and individuals. It is noteworthy that those who gave evidence did not provide a lot of information about the costs of such policies. A lot of work needs to be done on how much some of the relevant measures will cost.

I do not want to go through the entire report, because Members should read it and see what has come out of the Committee’s inquiry. However, I will highlight a few of the issues that were raised during the evidence sessions. The Energy Saving Trust presented a win-win scenario in which people can save both energy and money. Manufacturers have a responsibility to produce products that use less electricity. Our phones, modems, Sky boxes, television and so on mean that our homes use more energy than before.

It is easy to get across the message that we can all make small lifestyle changes. However, other suggestions are much more challenging. The Institution of Highways and Transportation, for example, said that people should reduce the amount of travelling that they do. However, in my view, the fact that people can travel more freely now than ever before is one of the greatest advances in civilisation over the past 100 years. The Institution of Highways and Transportation talked about getting people out of their cars, charging them more to use roads, introducing road tolls in Northern Ireland and increasing car-parking charges in town centres. The people who will be hit hardest by those measures are those who can least afford it. We must be cognisant of that fact when we look at what —

**Mr Beggs:** Does the Member accept that it is very economical to use Translink? One day last week, I bought a return ticket from Carrickfergus for something like £3·50. Public transport is the most economical and environmentally friendly method of travel. People should use public transport and park-and-ride facilities where possible.

**Mr Ross:** I agree totally that we want more people to use public transport, but I do not want to use a big-stick approach. The Northern Ireland Independent Retail Trade Association (NIIRTA) told the Committee that charging people so much that they are discouraged from going into town centres would be counterproductive and that the figures for that approach do not stack up. My colleague from East Antrim has been vocal in the House about the importance of Planning Policy Statement 5 and maintaining our town centres.

At a time when many small businesses find it very tough to sustain themselves, it would be very damaging to have a policy that stops people going into town centres, parking their cars and spending money with the local retailers. That is something that we have to bear in mind when we come up with policies. If everybody went to out-of-town shopping centres, it would kill off our town centres.

We talked to the Ulster Farmers’ Union (UFU), and to the Rural Climate Change Forum in London. Those were very useful meetings. Given that agriculture is such a large and important industry, comments from Dr Rajendra Pachauri of the Intergovernmental Panel

on Climate Change (IPCC), who said that we should stop eating meat, really do not do anything to inspire public confidence.

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

**Mr Ross:** I will. Those sorts of suggestions would cripple the industry and cause major health problems across the world.

We also discussed a plastic bag tax. I know that the Members opposite are very keen on that. Evidence from NIIRTA and other organisations indicated that the voluntary approach is much more beneficial. The way forward is to incentivise people to stop using so many plastic bags.

The report makes interesting reading. All Members should consider it, but they need to make sure that they remain balanced between meeting our environmental needs and those of the economy. We must ensure that we do not cripple small businesses.

**Mr Deputy Speaker:** The Member could have saved himself energy.

**Mr Dallat:** I will try to save as much energy as possible. Indeed, I did not put an awful lot of energy into my speech, given that I only joined the Committee at a late stage and the lever arch file was already pretty full. I acknowledge the work of the Committee staff, who have produced a very professional report. It will ensure that climate change is no longer a laughing matter. It is not material for any court jester or for a warm-up act at a conference. It is certainly not an issue to be taken lightly, no matter how superior one feels about the arguments for or against.

Like other Members, I am very conscious of the conference that begins today in Copenhagen. There is already any amount of newsprint about who is controlling it, and who is leaking the e-mails for and against. That makes me despair. Many of those who gave evidence to the Committee emphasised the need for leadership from our Departments, particularly in encouraging energy efficiency. However, I am astonished to find that our Departments do not work in unison; they do their own thing. From today onwards, that is not acceptable. I found it unbelievable that the work of the Carbon Trust, for example, does not include the public sector. It is truly astonishing that that body is not central to improving efficiencies across all Departments, rather than Departments working in isolation and using non-specialists to guide them.

I was disappointed with the Department for Regional Development because it has yet to order its first hybrid bus, which would use electricity as its main source of power. I do not hear of any plans for the development of electric trains. I worry, because

Translink buys and consumes millions of litres of heavy oil for buses and trains every year.

The evidence from the Department of the Environment makes for depressing reading. It certainly offers little incentive to the private sector to take climate change a great deal more seriously:

“The UK emissions reduction target has not been allocated to each country”

and,

“There has been no determination made in Northern Ireland as to what is a ‘fair share’ of UK emissions.”

To me, as a newcomer, that was astonishing. I wonder whether the sustainable development strategy target of reducing greenhouse gas emissions by 25% on 1990 levels by 2025 is achievable.

In addition, the Department indicated that there is no road map. However, what is the use of a road map anyway since the DOE is not in the driving seat? The recommendation that this Assembly should seek advice and assistance in setting sectoral-specific budgets, targets and action plans for Northern Ireland is no longer a topic for debate; it is something that must be done.

Climate change does not just affect far-flung places; it may well affect this part of Ireland much more than we imagine. Certainly, if we travel abroad, we can see the impact very clearly on places such as Africa or India, where I suspect that climate change is a direct cause of much of the famine and drought. Here, particularly in Fermanagh and Galway, questions are being asked about why climate change is so dramatic.

At the beginning of my contribution, I referred to the Copenhagen conference, where real power rests, and where truths and untruths will be told, information and misinformation will abound, and the art of lying with statistics may be the order of the day. However, here in Belfast, we must be mindful that we have a part to play, which, to date, has been less than convincing.

Let us hope that the report will bring reality to bear and that Northern Ireland will take seriously its obligations and commitments to global climate change, which will have devastating consequences for everyone, particularly those who are at the poorest end of this badly divided world. The targets that are suggested in the report are reasonable and achievable. However, in the past, targets have frequently not been checked. Therefore, the Audit Office has a critical role to play. I endorse the report entirely.

**Mr McQuillan:** I thank the Committee Clerk and staff for helping to prepare the report. I am relatively new to the Committee for the Environment, and much of its work on this subject had been completed when I came on board.

Climate change is everyone’s responsibility, from individuals through to the business, agriculture and

public sectors. We must ensure that everyone who might be affected by any new policy is informed as soon as possible to allow them to plan for any future requirements. In the Senate Chamber, shipbuilding, linen and agriculture are depicted as Northern Ireland's three main industries. When adopting new policies, we should give due consideration to agriculture, because we do not want to eradicate the last of those industries.

As a member of the Committee for Finance and Personnel, I have already seen building control Northern Ireland initiate changes, and the savings that have been realised by enhanced construction methods have contributed to the win-win situation that we all desire.

The Planning Service should do the same thing. For example, just outside Portrush, the Planning Service approved an application for a concrete batch plant. There are no raw materials on site, so everything has to be brought in by lorry. When the concrete has been made, it must then be taken off site, creating in the region of 20,000 lorry movements a year. If the plant had been located near a quarry where all the raw materials were situated, fewer than half that number of lorry movements would have been required, thus reducing our carbon footprint. The Planning Service should also take that information on board when it is taking decisions.

**Mr T Clarke:** I notice that you are coming close to the end of your remarks —

**Mr Deputy Speaker:** The Member should refer his comments through the Chair.

**Mr T Clarke:** Members will probably have noticed that the last SDLP Member to speak changed his opinion. I am glad that he recommended the report, because it recognises that nuclear power will be a necessity for Northern Ireland. I welcome that change — one might call it “climate change” — from the SDLP, which now recognises the need for nuclear power in Northern Ireland.

**Mr McQuillan:** Although progress may be slow, we should be aware of financial penalties or implications if objectives are not met. We should have a full verbal and written reporting system to assess each Department's progress in meeting its targets and to ensure that we do not avoid financial costs at the expense of our future environment. Realistic objectives that require inventive and attractive initiatives would allow this region to contribute to climate change policies. Any initiatives should be as cost effective and as affordable as possible and should allow each individual in Northern Ireland to take responsibility for his or her actions.

**Mr Wells:** As world leaders meet in Copenhagen to discuss this crucial issue, it is appropriate that the Assembly is having this debate. My message to the people of Northern Ireland is that we have to wake up, and soon, to the calamitous situation that the world is

in. I do not detect that sense of urgency from too many of the previous contributors, except Mr Ford. The Copenhagen conference is the most important meeting of world leaders since the end of the Second World War.

The statistics are irrefutable and extremely worrying. Before industrialisation, the atmosphere contained 280 parts per million of carbon. Today, it contains 435 parts per million, and, if present trends continue, by the end of the century, that figure will be 750 parts per million, which will produce an average temperature rise of 5%.

*1.30 pm*

The physics has been known for 150 years. It is self-evident that, if we pour vast amounts of carbon into the atmosphere, the temperature will rise. That is not rocket science. It disappoints me that there are still Members who feel that the physics is questionable. There are individuals who point to the fact that the University of East Anglia has a problem with statistics, but what about the other 1,999 climatologists in centres throughout the world who have come to the same conclusion on climate change? The science has been proved. An increase in carbon levels means dramatic climate change. If we allow that increase to continue, it will lead to droughts, massive rises in sea levels, mass migration and starvation. The situation is as stark as that.

We must stabilise our carbon emissions to achieve a level of 450 parts per million in the atmosphere to keep temperature rises to 2°C. Some Members may ask why Northern Ireland should bother. On the radio this morning, someone asked why Northern Ireland should bother given that China will put 12 million more cars on the roads this year and will build a coal-fired power station every week. We should bother for this reason: Northern Ireland, with its 1.7 million people, produces more carbon than most African countries with populations six and seven times larger because of its profligacy in energy use. Moreover, we in Northern Ireland cannot lecture countries and tell them to reduce their emissions if we continue in an upward spiral that means greater carbon output and more fuel waste.

Northern Ireland is split into three types of people: the believers, of whom there are not many; the agnostics, who make up the vast majority; and the sceptics. If the sceptics are right that this is all rubbish, that there is no climate change or that we are not responsible for it, what will happen if we implement new measures? We will develop new forms of alternative, renewable, clean energy. We will reduce our dependence on fossil fuels and on the Middle East for energy supplies. We will develop a new green economy that will bring about many thousands of jobs to which Northern Ireland is particularly suited because of its engineering skills, and we will save vast amounts of money through energy conservation. If I am wrong



and those who believe in climate change are wrong, that is all that will happen. If the sceptics are wrong, we face oblivion. It is as simple as that. It is a no-brainer. We must take this issue seriously. We should regard this as a wonderful opportunity for Northern Ireland's economy rather than something that will suppress economic revival when we come out of recession.

We heard Members say today that taking measures to address climate change will have a terrible impact on Northern Ireland's economy. We may even encourage or force people to use public transport. How terrible that would be. The Stern report mentions adopting a climate change policy that confines our carbon emissions to a 2% increase in temperature.

**Mr Ross:** I support efforts to ensure that public transport is good enough and to encourage more people to use it. However, does the Member agree that some low-emission vehicles use more fuel than other vehicles and that the carbon footprint of the new so-called environmentally friendly buses is, therefore, larger than that of old stock? That is a fact.

**Mr Wells:** The honourable Member for East Antrim simply does not get it. The argument is not about whether the buses travelling from east Antrim to Belfast should be bigger or smaller but about whether there will be a sea change in our society's attitude that can stop the impending chaos. It is as simple as that. All that we are asking of Western society is that it takes a 1% hit on GDP to bring a halt to climate chaos. I do not think that that is too much to ask.

However, I will agree with the Member for East Antrim about the total lack of action from the Department for Regional Development. When I was Deputy Chairperson of the Committee for Regional Development, we discovered that the split in the budget for transport in Northern Ireland is 69% for private transport and 31% for public transport. In three years' time, the figure will be 70% for private transport and 30% for public transport. There is no indication that there has been any sea change or turning of the tanker in Northern Ireland as far as climate change is concerned. Sadly, as the report states — I agree with Mr Ford on this point — there is no indication that we in Northern Ireland are taking the issue seriously. However, in 10 or 15 years' time, we will have no option but to do so.

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

**Mr Wells:** When we are hit by the climatic chaos that will undoubtedly occur if we do not take action, we will have only ourselves to blame.

**Mr B Wilson:** It is interesting to follow that contribution; I wish that I had made that speech.  
[Laughter.]

I welcome the report and congratulate the Committee on its hard work, widespread consultation and comprehensive research. The report makes 52 recommendations, most of which I agree with, although I have some reservations. It is important that we recognise the global impact of climate change on the most vulnerable people and countries. We have a moral obligation to act. We are stewards of the planet, and we have a responsibility for future generations.

Although I welcome the report, I have some reservations. Some of the recommendations are vague and woolly and should be strengthened. Furthermore, the report does not give proper timescales. Some Members do not take the issue seriously. I am particularly disappointed that the report does not recommend a separate Northern Ireland climate change Bill, because the UK Bill does not specify targets for Northern Ireland. We must set our own targets and be able to reach them.

The recommendations are largely aspirational, and I question whether the Assembly has the willpower to implement many of them. We have passed motions on climate change and the promotion of renewable energy, but the willpower to implement or enforce those policies has been lacking. For instance, recommendations 28 and 29 call for the enhancement of building standards and the promotion of a renewable energy initiative. That is ironic, because, in its first Budget, the Assembly decided to abolish Reconnect grants, which were introduced to promote the development of renewable energy systems. The Budget also reduced building standards, which were designed to promote energy efficiency. Recommendations 28 and 29 call for measures to be taken in areas in which we are moving in the opposite direction. Unfortunately, when it comes to taking action, the Assembly does not always live up to its ideals.

Energy performance certificates were introduced to encourage householders to improve the energy efficiency of their houses. Any property that is sold, built or rented is supposed to have an energy performance certificate at the time of sale. The aim of the scheme is to encourage people to buy a property with a high energy performance certificate. In practice, that has not worked, and many sellers do not provide certificates until a property is sold. That is frustrating the aim of the energy performance certificates. There is no enforcement of that legislation, and, therefore, it has little impact on energy saving. We introduce legislation, but we do not enforce it.

It is also disappointing that the recommendations do not include specific targets and that they are vague. In fact, they refer only to Northern Ireland making a fair and proportionate contribution to the UK greenhouse gas emissions reduction targets. We do not have our own targets, and we should have.

I welcome recommendation 7, regarding the need for short- and medium-term annual targets. They are essential. Setting targets for 2020 or 2050 does not indicate urgency, and most of us will not be around to find out whether they are met. We need targets that we can meet, and annual targets would help us to plan more efficiently.

Leadership from the Assembly is important if we hope to get the public to take climate change seriously. I welcome recommendation 16 that the Northern Ireland Government show leadership and adhere to their commitment to a carbon-neutral estate by 2015.

I welcome the fact that the Minister is going to the climate change conference in Copenhagen. The Minister's support is essential for the development of the comprehensive strategy on climate change. The activities of the previous Minister of the Environment set a bad example and set back the Assembly's efforts to promote public awareness of climate change.

I welcome the report and broadly support the recommendations —

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

**Mr Deputy Speaker:** Order.

**A Member:** Too late.

**The Minister of the Environment (Mr Poots):**

That was a close shave. Well done for noticing that the Member had gone beyond his five minutes, and well done for keeping Mr McCrea out.

I thank the Chairperson and members of the Committee for the Environment for their report, and I thank Members of all parties who contributed to the discussion. It is a particularly relevant report, as global negotiations on the issue commence in Copenhagen today, with the objective of coming to a legally binding global agreement on greenhouse gas emissions and other related climate change matters.

I believe the report to be a constructive attempt to chart a path forward on climate change, and I note in particular the focus on joined-up government and the need to put in place structures and oversight and accountability arrangements that are fit for purpose in delivering agreed reductions in greenhouse gas emissions; the identification of the need for a climate change strategy that focuses on what the Executive and Departments should address; the emphasis that fuller information is required if legally binding targets are to be put in place that achieve the proper balance between environmental protection and economic development in knowledge of the impacts on wider society; the reflection that the forthcoming efficiency review will provide a stable basis on which to consider the most appropriate position for climate change policy; and that we should do nothing that will compromise the good work of my departmental policymakers in the

meantime. That said, I do not believe that there is a one-size-fits-all model, and we will need to reflect constantly on what we need to achieve and how we are getting there as the science is updated and the international context develops.

I also think that the Committee will not expect a full response from me on the report at this time. The report became available only in the past two weeks, and I will need to take time and be respectful to the care put into it in considering its arguments and recommendations, as well as the further evidence set out by organisations and individuals in their written and oral submissions to the Committee.

My officials and I will take stock of the views of other Ministers and Departments on the report. Members will appreciate that there are issues in the report that fall directly to other Ministers or which are cross-cutting, and I will not respond to them in the absence of the relevant Ministers' considered input.

Much work is already under way across government to address the need for greenhouse gas reductions, and the latest indications, based on emission trends from 1990 and on policies that have been committed to or which are in the offing, are that we are likely to meet the targets set out in the Programme for Government to reduce emissions by 25% on 1990 levels by 2025.

We will continue that work. For example, after the Christmas recess, I will lay legislation before the Assembly for the CRC energy-efficiency scheme, which is a new cap and trade scheme for the UK. It could cut carbon emissions by approximately four million tons by 2020, which amounts to approximately 140 kilotonnes of CO<sub>2</sub> in Northern Ireland, and to reduce energy use in large non-intensive organisations, including Departments, saving the 5,000 participants up to £1.1 billion, which amounts to approximately £30 million across 80 participants in Northern Ireland.

In recent days, my Department hosted a significant event on adaptation to climate change, which engaged with interests across government and in society more widely. The Department of Enterprise, Trade and Investment has been consulting on the deployment of more renewables, as set out in the draft strategic energy framework. There are many initiatives in other Departments that will reduce emissions and reflect well on joint working.

Many of report's recommendations consider governance, government structures and reporting arrangements. Progress is also being made there. Tomorrow, I will meet the First Minister and the deputy First Minister and the Minister of Finance to discuss public service agreement accountability arrangements in relation to public service agreement 22, which is aimed at delivering reductions in greenhouse gas emissions by 25% by 2025. It would not be

appropriate for me to discuss the details today, but Members should know that I intend to make proposals that I think will go some way to addressing the report's recommendations on governance.

1.45 pm

I want to comment on several of the points that have been raised by Members during the debate. For example, the Chairperson of the Committee for the Environment referred to social justice, and it is very important for us to deal with that issue. Universal agreement must be reached in Copenhagen, because an agreement that is not signed by countries such as China and America is not one that can deliver. Those two countries alone account for 50% of the world's carbon emissions.

It is important that we in Northern Ireland also play our part. We have reduced our carbon emissions by 13% since 1990, and we are on target to achieve the target of reducing our carbon emissions by 25% by 2025. Much of that was achieved by switching from coal-fired to gas-fired power stations and by switching from coal heating in homes. However, in China, one coal-fired power station is built every six days, meaning that the work that we have done over the last 10 years can be undone by China in two weeks. Therefore, if we are to deliver and to make a significant impact on environmental issues, it is absolutely critical that countries of that scale sign up to the agreement that is reached in Copenhagen.

Recommendation 6 of the Committee's report examines the Programme for Government targets and budgets, and the Executive must re-examine those targets when devising the next Programme for Government because those targets and budgets are already set. I assume that the Committee wants the Executive to set higher targets than the rest of the UK. That comes with a price, and it must have universal buy-in from all of the Departments. However, higher targets can be achieved.

Mr Ford and Mr Brian Wilson said that Northern Ireland does not have any short-term or medium-term targets, and, frankly, they are talking nonsense. For example, a target of recycling 50% of our waste by 2020 has been set, and two councils in Northern Ireland are already achieving that. Therefore, it is not unreasonable to suggest that that target could be achieved by all councils by 2020, and could be significantly exceeded.

With respect to recommendation 7 of the Committee's report, we must attempt to strike a balance between the setting of targets and economic development issues. If Western Europe sets high targets that are not being set elsewhere, factories could close here and across the rest of the UK and be relocated in India and China, which may set lower environmental standards. We

must ask what that would achieve. Whatever we do, we must ensure that we do not damage our economy or the environment by ensuring that goods that were once produced in Northern Ireland are not produced in another country with lower environmental standards and then shipped back here. That does not make sense; it does not help the local population and it does not help the climate.

With respect to recommendation 1 of the Committee's report, Northern Ireland already has an adaption strategy under the Climate Change Act 2008. If that is perceived as insufficient, it can be re-examined in due course.

Recommendation 15 of the Committee's report deals with the involvement of the Northern Ireland Audit Office and its cross-cutting functions. Further discussions must be held to ascertain the appropriate organisation to do that.

Mr McKay talked about Scotland opting to set a target that would see a reduction in carbon emissions of 80% by 2025. Could we do that? We could, but I am very interested to know how Mr McKay would achieve it, because when planning applications are made for wind energy projects, very often Mr McKay's colleagues lead the fight against them.

How will we achieve that reduction if, on the one hand, the Member is calling for it, but on the other, he is objecting to renewable sources of energy? We can produce enough tidal power in Northern Ireland to do away with our current power stations. However, given that most of the tidal power stations would be located around Tor Head and that area of the north Antrim coast, they would challenge Northern Ireland's natural landscape. Nevertheless, those types of difficult decisions will have to be made if we are to achieve the 80% target that Mr McKay referred to. Therefore, it is not simple motherhood and apple pie policies that need to be introduced; we need to introduce policies for which difficult decisions can and will have to be made and that will have real benefits for Northern Ireland.

Mr Beggs talked about all Departments being involved. A consultation programme is going ahead with the sustainable development aspect of government.

Mr Ford referred to AFBI, and I am glad that the Committee has become aware of that body. I have been aware of AFBI's work for a long time. It is a tremendous organisation that has helped not only agriculture but the environment. Its special expertise should be harnessed and marketed properly across the world, because it is not as well recognised as it should be. Mr Ford referred to the short- and medium-term targets, which I dealt with. They exist, and if the Member looks for them, he will find them.

Mr Ross referred to the Energy Saving Trust and the win-win situation that that organisation clearly presents. I am a strong proponent of using renewable energy



because, first, it is good for the environment, secondly, we have it at source in Northern Ireland, and, thirdly, it reduces our reliance on bringing coal, oil and gas from unreliable sources across the world. We must look for win-win situations. The public in Northern Ireland do not want to see their lifestyles reduced dramatically as a result of our making significant decisions on the environment.

**Mr I McCrea:** I thank the Minister for giving way. Does he accept that financial savings are a key contributing factor when people decide to make their houses more efficient and that a reduction in carbon emissions is not such a factor, as people try to suggest?

**The Minister of the Environment:** That is probably the case for many people, and there is nothing wrong with that. However, it galls me whenever the Government introduce punitive environmental taxes. Instead of offering incentives to insulate older houses better with solar power installations and so forth, the Government charge the full whack of VAT. If the Government were real, instead of introducing punitive taxes, they could introduce significant incentives to help people who wish to reduce their environmental footprint. Such incentives could mean a win-win situation. We can arrive at a situation whereby people still travel in cars that will happen to be electric, charged with energy that is produced from renewable sources. That is an example of a real win-win situation, and it can be achieved.

Mr Dallat criticised the Department of the Environment (DOE); he does not appear to think that it is doing anything. Perhaps when he has been on the Committee a little longer and comes to some understanding of the issues, he will recognise that considerable progress has been made. For example, recycling is now at 32% as opposed to 5%; there has been a 13% reduction in the carbon footprint; the 7% target of energy from renewable energy has been achieved and is heading for the 2012 target of 12%. If Mr Dallat wants a conversation about those matters, perhaps I could enlighten him.

Mr McQuillan talked about the road haulage industry and the importance of having a good transportation policy. Jim Wells referred to opportunities for the economy, which I also referred to. Brian Wilson talked about reduced building standards. That is wrong; we have much higher building standards than we did previously.

In conclusion, Members are asked today to approve the report and the timetable for its implementation.

**Mr Deputy Speaker:** Will the Minister draw his remarks to a close?

**The Minister of the Environment:** We will commit ourselves to ensuring that the report is fully considered

in the context of international developments. I welcome the opportunity to discuss the issue today.

**The Deputy Chairperson of the Committee for the Environment (Mr Boylan):** Go raibh maith agat, a LeasCheann Comhairle. Ba mhaith liom labhairt i bhfabhar an rúin. I wish to speak in favour of the motion and the report. It is clear from the debate that we have heard today and from the wide range of interest that has been shown in our inquiry — not just from a very strong green lobby, but from ordinary individuals and corporate businesses — that climate change is a hugely important issue for everyone in the North.

The breadth and depth of expertise that was made available to the Committee during its inquiry was invaluable. I reiterate the Chairperson's thanks to all the contributors — those who hosted Committee visits and those who willingly provided information about their Departments and organisations when asked — for some very open and informative presentations. I trust that when they have a chance to study the report in full they will be able to see their contributions reflected.

I am grateful to the members of the Committee who contributed to the debate, and for the way in which they have conducted the inquiry. I especially thank the former Chairperson of the Committee, Patsy McGlone, under whose tenure the inquiry was initiated. I also thank other members who made contributions to the inquiry but who have now left the Committee: Mr Trevor Clarke, Tommy Gallagher, and you, Mr Deputy Speaker.

Economic realities have changed considerably during the inquiry, and during these difficult economic times it may seem more appropriate and realistic for one to focus more on the economy and jobs than on addressing risks posed by a change in climate far into the future. That was clearly recognised by the Committee.

The strong message of the inquiry is that we ignore climate change at our peril: peril for the economy, because it will cost more to catch up and repair than to prepare, according to the evidence we heard from business and industry; peril for jobs, because there are jobs associated with low-carbon living waiting to be created, which will be snapped up by other countries if we do not embrace new technology now, according to academics; and peril for life, especially for those already leading a vulnerable existence, both here and around the globe. During cold snaps, it is those who are in, or on the border of, fuel poverty who are affected the most. To take one example from recent times, the heatwaves in France a few years ago led to the deaths of many elderly people.

For every fraction of an inch that the sea rises, the more it threatens low-lying, poor countries like Bangladesh, according to those focusing on social well-being who gave evidence to our inquiry. The good

news, however, is that we can do something about it. The Committee believes that taking on board its recommendations today will be a good start. Before I refer to Members' contributions to the debate, I pay tribute to the Committee staff for bringing the report to us.

Mr Peter Weir spoke about the lack of a uniform view in the Assembly, but, whether we like it or not, we have to look at ways of dealing with climate change. The Committee is only too well aware of that. He also referred to the protection of the most vulnerable — and I certainly agree with that — and the need for local facts to tailor a local response, and said that there is a role for the Audit Office and for him and his colleagues on the PAC.

Mr McKay spoke about the timeliness of the report, but he would like to see legally binding targets, rolling targets and annual targets. He also urged all parties to encourage leaders to support events in Copenhagen.

Mr Beggs talked about this region being behind in legislation, which he has also mentioned on a number of occasions in the Committee. He also informed us that this autumn was the third warmest, and talked about the high rainfall. That was predicted by the Met Office, which has a key role to play.

He said that we cannot take the approach of doing nothing, and he said that Departments take a silo approach. It is a cross-departmental issue, and it must be approached in that way. He also reminded us of the scepticism of Mr Hans Schreuder, who made a presentation to the Committee. Anyone who was there that day will not have forgotten Mr Schreuder's presentation, particularly Mr Ross, to whom it took about half an hour to get an answer to a question. I hope that Mr Ross was well informed and well briefed by the end of that presentation.

2.00 pm

Mr Ford talked about the Committee's visit to the Agri-Food and Biosciences Institute. That visit was beneficial, and it was good for the Committee to see research into practical measures. He also said that the Audit Office should have a role in dealing with the issue, and he spoke about the need for the climate change unit to be strengthened.

Mr Alastair Ross talked about having a strategy to implement any required action, and the Committee agrees with the need for that. He also talked about how climate change will impact on the economy, and he said that there are win-win opportunities. That point was made in the Committee. He said that a big-stick approach was to be avoided and that a balanced approach should be taken.

Mr Dallat said that some Members have not taken seriously the issue of climate change, and he spoke about the impact that it has on continents such as Africa, which

suffer from drought. He also said that the Audit Office had a role.

Mr McQuillan said that the issue of climate change was everyone's responsibility and that solutions needed to be cost-effective and affordable, and we agree with that.

Mr Wells brought a bit of life to the debate. I am not sure whether he was asking the Chamber or the whole country to wake up. He said that the debate presents a unique opportunity, given the talks that are taking place in Copenhagen. He outlined the serious implications of climate change, including droughts, mass migration and floods. He also said that the Assembly does not take the issue seriously enough and that we will have only ourselves to blame. I do not think that Mr Ross is on Mr Wells's Christmas card list this year, although he should probably send e-mails rather than cards anyway.

Brian Wilson welcomed the report, but he had some reservations about the recommendations. He said that some of the recommendations were "vague" and "woolly" and that the report does not recommend timescales. He was also disappointed that the report does not call for a Bill or for specific targets.

I am grateful to the Minister for attending and participating in the debate. The debate represents the end of the Committee's inquiry into climate change, but it does not signal the end of our interest in the matter. The Committee recognises that a cross-departmental approach will be required to address the impact of climate change, and we ask the Minister to work with the Committee to ensure the implementation of the recommendations in the report. We hope that the report highlights the need for the Assembly to be proactive in its approach to mitigating the impact of climate change. I commend the report to the House, and I ask Members to support the motion.

*Question put and agreed to.*

*Resolved:*

That this Assembly approves the report of the Committee for the Environment on its inquiry into climate change; and calls on the Minister of the Environment, in liaison with Executive colleagues, to bring forward a timetable for implementing the recommendations contained in the report.

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

## PRIVATE MEMBERS' BUSINESS

### Under 25s Not in Education, Employment or Training

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

**Ms S Ramsey:** I beg to move

That this Assembly notes that one third of all benefit claimants are now under 25 years old and that one fifth of people aged 16 to 24 are classed as 'not in education, employment or training'; welcomes the study on this issue currently being undertaken by the Department for Employment and Learning; and calls on the Minister to bring forward a cross-departmental strategy and programme, in conjunction with Executive colleagues, to prevent these young people becoming a lost generation.

Go raibh maith agat, a LeasCheann Comhairle. The growing number of young people who are facing unemployment and who are not in any kind of education, training or employment should concern all of us in the Assembly. It has an impact on those young people's health, education, aspirations and futures.

We have 47,000 16 to 24-year-olds not in education, employment or training. That is one in five of 16 to 24-year-olds, and it is a staggering figure. Of that number, 12,000 are aged 16 to 18. The Committee for Employment and Learning, which I have the honour to Chair, brought a similar motion to the Assembly. However, I secured this debate as a private Member, because it is time that we focused on this issue and the consequences that it has for our young people and communities. It is also time that we found out what action the Department and the Executive will take to reduce those numbers and get young people back into employment, education or training.

I welcome the Minister, and I thank him for attending the debate. Credit where credit is due, I also thank him for beginning to put in place a study to consider the issue and the impact that it has on those young people, who are known as NEETs — that is, not in education, employment or training. In my view, this issue is not the sole responsibility of the Minister or the Department for Employment and Learning; it requires a cross-departmental and Executive-led response.

There is a 12% unemployment rate for people who are aged under 25 in the North. That is four times the unemployment rate of those who are aged 25 and over. They have carried the brunt of many of the current job losses, and I assume that many Members will talk about personal experience and the experiences of their constituents. The reality, however, is that the current

recession has led to a 90% increase in job losses in the past year. We cannot afford to ignore that situation.

Failure to act the previous time that there was a big rise in youth unemployment meant that many young people simply became long-term unemployed. That meant that they went on to have children and brought up their families in a situation in which work was not part of their lives and in which their children grew up in a cycle of poverty and disadvantage. That has partly contributed to the North's economic inactivity rate, which, at 29.5%, is above that in England. It is crucial, therefore, that we do not allow this generation of young people to be lost to such disadvantage and poverty.

There are serious costs, economic and otherwise, to failing to address the needs of young people who are not in employment, education or training. Being in such a situation is estimated to cost £100,000 over a young person's lifetime. Therefore, failing to help the 12,000 16 to 18-year-olds who are NEETs will cost the economy well over £1 billion. We cannot afford that sort of cost, and we cannot afford to fail to harness the talents of many of those young people. A cross-departmental approach is needed because the mental and physical health costs of those young people must be considered. A recent study estimated that some 10% of young NEETs would have died within 10 years of finding themselves in that situation.

Young people who are most likely to not be in education, employment or training are from disadvantaged communities, have become disaffected with school, have spent time in care or custody, or are disabled. Young people want to learn skills for work and independent living. There are clear links between young people who underachieve at school and go on to become a NEET. That makes improving literacy and numeracy outcomes for all children crucial.

It is also crucial that the Department of Education works with other Departments to address the underlying causes of young people's becoming NEET and to put in place an early prevention programme. There must be commitment to creating a programme in schools to target children and young people, some of whom I highlighted earlier, who are already known to be at serious risk of being categorised as NEET.

I understand that the Minister has asked his Department to undertake research on the level and nature of the issue. I register my support for his taking that action. Indeed, it shows that he is also concerned for those young people. I want to know when the study will be made available and what action is likely to come from it.

My main concern is why the kind of strategy and approach towards the issue that is taken in England, Scotland and Wales has yet to be taken here. In England, Scotland and Wales, there is clear public sector agreement to reduce the overall number of young people who are



categorised as NEET. In Wales, there is a target of 7% reduction by 2010. In England, the target is 2%. In Scotland, there is a specific commitment to reduce the overall number.

While I may think that some of those targets do not go far enough, there is no specific target in the North. It is crucial that one is developed in order to begin to clearly address the issue. I want to hear the Minister's view on the development of a specific target to reduce the number of young people who are categorised as NEET. I ask that, if that information is not available to him today, it is followed up in writing.

In England, Scotland and Wales, a strategy and associated funding has led to specific programmes being put in place to help young people back into training or the workforce. In England and Wales, there are guaranteed jobs, training or work placements for all young people between 18 and 24 who have been unemployed for more than 12 months. Again, I want to hear whether the Minister has considered bringing such a scheme to life here.

In England, Scotland and Wales, the future jobs fund, which is aimed primarily at young people aged between 18 and 24, has been allocated a total of £1 billion to create 150,000 jobs. At present, 95,000 of those jobs have been allocated. I want to find out the Assembly's current position on the creation of a future jobs fund and how the Minister might see that moving forward. Has the Department allocated specific funding? If so, how much and with what focus?

In saying that, I do not underestimate the nature of the problem or the scale of the task that the Assembly must address. We cannot afford to say that because there is a recession, it is not possible to begin to assist young people who most need it. If the North is not to produce another lost generation of young people, it is critical that the Executive act now to make that a priority and that the Minister is supported by his colleagues in developing a strategy as a matter of urgency.

The Committee looked at the matter and brought forward a similar motion. However, I was keen to debate the motion that is before the House so that, at least, the Assembly could obtain information from the Minister. As I said, I appreciate that the Minister has taken forward and asked for that study. I would also appreciate, if he has time in the debate, his answers to the questions that I have posed. Go raibh míle maith agat.

**Mr Buchanan:** The motion that is before the House is more of a take-note motion that sets out the action that has already been taken by the Minister to produce a cross-departmental strategy and programme, with the Executive's support, to assist all of those young people who are currently on benefits and in the NEET category.

I welcome the initiative which the Minister has already taken and look forward to completion of the study

resulting in a strategic programme, which I hope will pave the way towards helping and encouraging young people to remain in education, employment and training programmes and wean them off the benefits culture that is prevalent in Northern Ireland society.

I ask the Minister to give the Assembly an indication of when he anticipates the study will be completed and the programme in place, and how he proposes to roll it out throughout Northern Ireland. Until that happens, we will not see a difference in the number of young people who are in that situation.

2.15 pm

The Committee for Employment and Learning, in considering why there seems to be such a large proportion of young people in the NEET category, received numerous briefings from a number of organisations, and I hope that the Minister and the Department are engaging with them on this same matter.

It is alarming that we have some 47,000 young people in Northern Ireland who are in the NEET category and who are not utilising their full potential in their youth. That will hinder them in the future. However, they may be divided into two categories. There are those who, for one reason or another, have no desire to undergo further training or get on the employment ladder. They are caught in what I call a "benefit trap". Equally, there are those who have a general interest in furthering their education and training to get into a place of employment, but, on account of some learning disability, difficulty or social circumstance, have disengaged from learning for a substantial part of their adolescence due to a lack of additional support.

That is why addressing the matter adequately requires a cross-departmental strategy. Incentives must be provided to encourage those in the benefit trap back into employment. We have a situation in Northern Ireland whereby some young people are better off financially in receipt of benefits than in employment. That creates a negative impact; it must be challenged and changed to give the young people the incentive to get back into the place of employment. Also, additional support must be provided for those with learning difficulties.

Our further education colleges are well placed and have a vital role to play in meeting the needs of young people in the NEET category. Some of the colleges are currently at the sharp end, working with and seeking to re-engage those young people to entice them back into education, employment and training by delivering essential skills, building confidence and helping them to get the vocational and professional skills that they need to make progress in today's society. For employers and local communities, those people are key partners in responding to the social and economic challenges that we face. Therefore, more work must be done with, and

support given to, colleges delivering for the young people in that situation.

In seeking to address this matter, the Scottish Executive realised that the more choice they provided, the greater the chance of getting young people back into places of employment. That is something that we should be looking at: the provision of more choice to encourage young people back into employment. I support the motion.

**Mr McClarty:** I thank the Members who proposed the motion and brought this important debate to the House.

The problem of young people aged 16 to 24 who are not in education, employment or training is, unfortunately, persistent; it has been with us for some time. However, in the light of the financial crisis and recession, the problem has been exacerbated. Thousands of young people, both those who are qualified and those who are not, have found themselves outside the job market and education. There are increasing reports of a "lost generation" of young people, hit particularly hard by the recession. That is worrying, for there is evidence that periods of long-term unemployment early in life can have serious psychological effects as people grow older. Those who have suffered long-term unemployment early in life are more likely to suffer further unemployment as they get older. It is crucial that we tackle this problem with urgency.

I take note of the debate that we had on this very issue in November 2008. The Minister then made a commitment to take the lead in a scoping study to research further data on NEETs in Northern Ireland, identify the relevant actions in place across all Departments and recommend whether a cross-departmental strategy could achieve better outcomes for the group in the future. Today's debate gives the Minister an opportunity to update us on the progress that his Department has made, and I look forward to his response.

I note that the other devolved institutions throughout the United Kingdom have specific strategies in place to tackle the NEETs issue, and we must ensure that we maintain best practice here in the Province. Although I acknowledge that the Minister for Employment and Learning must play the lead role, Members should recognise that this is a cross-cutting issue, which the entire Executive have a responsibility to tackle. For example, the Department of Enterprise, Trade and Investment (DETI), along with other Departments, has a significant role to play in facilitating the recovery of the economy in the short term. We must always bear in mind that, no matter how keen and qualified young people are to work, if no jobs are available, the issue of NEETs will be a persistent problem. Therefore, I cautiously welcome reports that Northern Ireland's economy is now emerging from recession. We must do

all that we can to build on that positive news. I also welcome the Minister's reaction to the recession and the steps that he has taken, through his Department, to tackle that problem.

The Training for Success programme, which gives young people who have attained the minimum school-leaving age but who are under the age of 18 the training to develop occupational and employability skills, and, where necessary, essential skills training, is very welcome. I also strongly welcome the introduction of programme-led apprenticeships, which were launched in September as an intervention measure during the recession. The programme has proven popular among young people, as it gives them the opportunity to gain full apprenticeships and to prepare for the upturn when that arrives, which it undoubtedly will. It has reduced the number of NEETs, and for that it should be commended. Furthermore, initiatives such as Steps to Work and the work of the Careers Service should not go unnoticed.

The Department of Health, Social Services and Public Safety and the Department for Social Development also have significant roles to play, because evidence suggests that more than half of all young people leaving care leave school without any qualifications. That is a statistic that must be addressed. The Department of Education could have the most important role to play in dealing with the entire issue. A significant percentage of young people who find themselves out of work and outside the education system when they reach 16 years of age has had problems with education at a much younger age. Like so many education issues, that issue really emerges when children are aged 11 and under. It is vital that young people get the support that they need at a very early age to ensure that they are engaged with learning and that they meet their educational potential.

I find it deeply regrettable that the Minister of Education has repeatedly delayed the publication of an early years strategy and has not published a strategy that is solely dedicated to tackling educational underachievement.

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

**Mr McClarty:** It is right and correct for the Minister for Employment and Learning to address that issue, and I look forward to his response. However, if he is not supported by the Minister of Education, I am afraid that this is a problem that he and our society will continue to deal with for some time. I support the motion.

**Mr P Ramsey:** I support the motion that Sinn Féin tabled. As the motion states, the Minister has initiated a cross-departmental study, and, presumably, he intends to implement policies that are based on his clear recommendations. I say that because he has already introduced innovative proposals, including the Step Ahead initiative and programme-led apprenticeships,

which Mr McClarty mentioned. I commend the Minister on those initiatives.

I am sure that most people expected the Executive to introduce urgently a comprehensive Budget, a Programme for Government and an investment strategy to deal with the recession. Every other Administration in the world that I know of, including the other devolved Governments, have put in place holistic economic strategies to deal with the recession. That begs the question: why have our Executive not done so?

Northern Ireland's under-25s' workforce has been seriously affected by the recession. Many were in temporary positions or were agency workers and therefore were the first to lose their jobs when the recession hit. We know from our experience and knowledge that many people's situations and the social and economic environment in which they live have colluded to prevent them from entering employment.

Such people include lone parents, people with caring responsibilities, those with low educational attainment or low levels of work skills, and, of course, people with disabilities. Many other situations have been well documented, and those who in such situations become demoralised, demotivated and disconnected from economic life. They become dependent on benefits, and the route to work becomes risky and more difficult. As the motion states, people become "lost", and complex interventions are required, some short term and some long term, to allow them to contribute fully to society.

That is not to say that there are no opportunities now. There are programmes in place for adults with poor essential skills through the Department for Employment and Learning. Help is available to people to overcome barriers, and a range of training initiatives is available at different skill levels. DETI has a range of initiatives aimed at increasing employment and self-employment opportunities. On that point, I ask the Minister to provide an update on the Steps to Work programme in my constituency.

Whatever the barriers, we must ensure that they can be, and are, overcome. That will require action from many Departments. Such action should be led by the Office of the First Minister and deputy First Minister and should be based on an overall anti-recession strategy. The greatest incentive for people to get back into training and education, to get over the barriers and become motivated, is the prospect of real work at the end of the process. History has taught us that there is nothing more demoralising for people than going through cycles of training, where hope is followed by unemployment, disappointment and cynicism. We must create a momentum of opportunity, inclusion and hope, and we must re-engage those people who are lost, whether they are 16 or 60.

That brings me back to my earlier point. The region needs an Administration that act competently; that provide vision and leadership; that design their strategies and actions on current global and local economic realities, and include everyone. The DUP and Sinn Féin are the establishment now, and it is under their system and during their watch that these problems are happening. The people of Northern Ireland cannot understand Sinn Féin and the DUP's refusal to produce a new Budget, a new Programme for Government and a new investment strategy. Those parties collude to ensure that they are the major power brokers. Therefore, is it not time that they started to use that power, on this and many other issues, to benefit the people, and in particular the young people, of Northern Ireland?

**Mr Deputy Speaker:** As Question Time begins at 2.30 pm, Members may take their ease until that time. The debate will resume after Question Time, when the next Member to speak will be Mr Kieran McCarthy.

*The debate stood suspended.*



2.30 pm

## Oral Answers to Questions

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

#### Security: Dissident Republicans

1. **Mr Cree** asked the First Minister and deputy First Minister if they have had any meetings with the Chief Constable regarding the security threat posed by republican dissidents. (AQO 492/10)

**The deputy First Minister (Mr M McGuinness):** Over the past year, the First Minister and I have maintained regular contact with the Chief Constable and his predecessor on the security situation. Members will recall that we met the Chief Constable in the immediate aftermath of the killings of Mark Quinsey and Patrick Azimkar at Massereene Barracks and Stephen Carroll in Craigavon in March this year. We met him again in May following the killing of Kevin McDaid by loyalists in Coleraine. We held a further meeting with Sir Hugh Orde in June and formally met the new Chief Constable, Matt Baggott, in early October. In addition, we both hold regular meetings with the Chief Constable and his senior officers in our party capacities.

**Mr Cree:** I thank the Minister for his response. Will he confirm whether the security advice that he has received indicates that elements in the IRA, who are dissatisfied with Sinn Féin's political strategy, are giving advice and support to dissident republicans?

**The deputy First Minister:** I have heard that asserted in past weeks. Obviously, I do not have any first-hand information on whether that is the case. However, people who were involved with or were supporters of the IRA would be very foolish to become embroiled with factions or groups that have no support whatsoever in the community. People in those groups are acting against the interests of the people of the island of Ireland. Remember, when the Good Friday Agreement was put to all the people of Ireland, they overwhelmingly supported it.

The people in those groups are totally out of step and are determined to drag us back to the past. They are determined to have more British soldiers returned to the streets and to have more death and destruction on the streets. Those people do not appear to live in the real world, which the vast majority of Members inhabit. As we move forward in our peace process, we travel in

hope that the will of the overwhelming majority of the people of the island will prevail over that of the tiny elements that have no support whatsoever in the community.

As far as we are concerned, the policy is steady as it goes. We all know from the history of the process that some people who were involved with the IRA decided that they could not accept the new arrangements. Those people made a huge mistake. The activities that they are engaged in are totally counterproductive. They take people's lives and will further no cause. At worst, their activities will undermine the image that we have presented worldwide showing that our society is moving forward from a bitter conflict to a better place in which our children can have a future.

**Mr Speaker:** I call Alex Maskey to ask a supplementary question. It is important that Members rise if they want to ask a supplementary question.

**Mr A Maskey:** I apologise. I thought that I had indicated my desire to ask a supplementary question a few minutes ago. I appreciate your direction on the matter.

I intended to ask the deputy First Minister to outline, on behalf of himself and the First Minister, the level of support for those micro-groups. I am pleased that he confirmed that those groups have no support or credibility in the wider community and that their actions serve no purpose. If the Minister wants to add to that, that is well and good; if not, I appreciate his earlier response.

**The deputy First Minister:** Clearly, those groups have no clear strategy, no plan and no public support. They make themselves relevant only by carrying out actions that, as I said, seek to bring us back to conflict. They do that at a cost to families. I think of the people who have been killed by such groups: two men in Belfast, Emmett Shields in Derry, the soldiers at Massereene Barracks and Stephen Carroll. Those actions were unnecessary and pointless, all the more so because they happened against the backdrop of the enormous achievement by the political establishment in Ireland, including all of us in the Chamber, when we engaged in the dialogue that brought about the Good Friday Agreement and the St Andrews Agreement.

Therefore, there is no prospect whatsoever that the activities of those people will achieve anything or contribute to the causes of justice and equality or to the realisation of Irish reunification. However, in one regard, they have united all the people of this island: they have united all the people of this island against them.

**Mr A Maginness:** Does the deputy First Minister agree that, when dealing with the campaign by dissident elements, all Members and parties have an important duty to make politics work in the House and in society? As democrats, that should be our fundamental answer to those people who seek to undermine, undemocratically

and anti-democratically, the settlement that was established under the Good Friday Agreement.

**The deputy First Minister:** Yes; it is incumbent on all of us to make politics work. The only way to do that is to continue the enormous political progress that has been made in the past 15 years, during which the parties in the House have contributed positively to agreements that have changed the political landscape for ever. The Good Friday Agreement and the St Andrews Agreement have brought about changes that have made the activities of those groups absolutely out of order.

Politics has worked for a number of reasons. The then British Prime Minister, Tony Blair, was prepared to make progress in conjunction with the Irish Government, with the support of Bill Clinton and with the goodwill of political parties that were involved in various stages of negotiations on the Good Friday Agreement or the St Andrews Agreement. We have entered a new place, which is better than where we were 10 years ago. As I said at the celebrations to mark the tenth anniversary of the North/South Ministerial Council in Armagh city the other night, 10 years from now, we will be in a better place than we are at the moment.

We must keep our nerve. Those people can do outrageous things and carry out activities that take people's lives. Do they have the ability, the public support and the military capability to break the will of all the people of this island, who supported the agreements that were made by the political forces? Not in a million years.

**Mr G Robinson:** Did the meetings include discussion on the topic of maintaining front line policing numbers?

**The deputy First Minister:** A new Chief Constable, Matt Baggott, has been appointed, and the First Minister and I have met him, as many Members have recently. He is learning about our particular circumstances, and it is a huge challenge to move from heading a police force in England to doing so in the unique situation here in the North of Ireland. However, he strikes me, as he has struck most people, as someone with great intelligence, a great understanding of policing and, more than anything, a deep appreciation of the importance of community policing. He recognises the importance of gaining as much support as possible in the entire community for a police service that provides a service for the people whom Members represent.

As he said in recent days, he understands the importance of ensuring that he and his senior officers can move forward in the full knowledge that he has the wherewithal and resources to deal with attacks on the working of these institutions and with antisocial behaviour and other counterproductive activities in which a tiny minority of young people become engaged.

**Mr Speaker:** Question 2 has been withdrawn.

## Childcare Strategy

3. **Mr Hamilton** asked the First Minister and the deputy First Minister for an update on the proposed childcare strategy. (AQO 494/10)

**The deputy First Minister:** The ministerial subcommittee on children and young people, which is chaired by the junior Ministers, identified childcare as a priority and tasked members of its cross-departmental subgroup on child poverty to undertake an exercise to consider the issues. A preliminary report was completed in June 2009, and the subcommittee agreed that an economic appraisal be carried out on a range of strategic options. The economic appraisal is out to tender and it is expected that a consultant will be appointed later this week. Once the appraisal is complete, the project group can launch a draft strategy document for consultation, and further decisions on the way forward will be taken at that time.

**Mr Hamilton:** I thank Mr McGuinness for his answer. He will, I am sure, appreciate the importance of a good childcare system in getting people from welfare into work and in keeping in employment those people who are already working. I am sure that he is also aware of the threat to remove childcare vouchers and the campaign to retain them. Childcare vouchers benefit many thousands of people in Northern Ireland. Will the deputy First Minister guarantee the House that he and the First Minister will do all that they can, through the Executive, to lobby the Government at Westminster to ensure that childcare vouchers are retained?

**The deputy First Minister:** Yes, absolutely. I can give a commitment that the First Minister and I will do that. It is also important to point out that the ministerial subcommittee has done a considerable amount of good work on the issue of childcare. The purpose of the paper that was submitted to the ministerial subcommittee on children and young people was to address issues such as the background on childcare, work on strategic policies and how they relate to the childcare agenda, and establishing the need for childcare provision. The paper also set the task of defining objectives for future childcare provision and its constraints, and of identifying a suitable range of policy options on the delivery of childcare provision.

Childcare is a big issue and is the subject of significant debate. A tremendous amount of good work has been done, and we all know and understand that children, particularly those who come from areas of undue social deprivation, benefit greatly from being part of a childcare system that takes care of their needs. I agree with the Member's first point, but I also want to stress that a considerable amount of work is being done by the two junior Ministers in the Office of the First Minister and deputy First Minister.

**Mr Kennedy:** What practical actions, as opposed to long-term interdepartmental policy guidelines, has OFMDFM been able to take to expand the provision of quality childcare?

**The deputy First Minister:** I mentioned the economic appraisal and the fact that we will see more progress on that this week. The economic appraisal will have to assess current levels of childcare, gaps in provision and evidence in support of increased provision. There are seven main forms of childcare provision: childminding; the home care scheme; nursery schools; day nurseries; playgroups; out-of-school provision; and summer schemes and crèches. The new childcare strategy will seek to address, through the options appraisal, greater coherence and increased provision to reduce poverty and to promote the healthy development of children.

We believe that a cost benefit model of childcare delivery and outcomes should be developed. We should assess the costs of implementing each option, and we should determine which model of childcare delivery will be most effective in reducing child poverty, improving outcomes for children, and stimulating parental employment and the economy. The socio-economic benefits of childcare expansion should be made explicit, and, of course, the role of childcare in meeting United Nations Convention on the Rights of the Child considerations should be addressed.

**Ms Ní Chuilín:** Go raibh maith agat, a Cheann Comhairle. Will the deputy First Minister share the details of the economic appraisal of the childcare strategy that is under way, given the importance of access to employment for women and the reduction of poverty across the board?

**The deputy First Minister:** Now that we have moved forward decisively, under the tutelage of the ministerial subcommittee, we can endeavour to ensure that the process moves on with all speed.

We do so in the full knowledge that there is deep appreciation within the Administration that the issue of childcare must be dealt with in a satisfactory way, even in the face of difficult economic circumstances. One of the major tasks is to continue to ensure that we are attacking the child poverty levels that we all find unacceptable.

2.45 pm

## Efficiency Savings: DHSSPS

4. **Mr Easton** asked the First Minister and deputy First Minister if proposed efficiency savings within the remit of the Department of Health, Social Services and Public Safety have ever been discussed at the Executive. (AQO 495/10)

**The deputy First Minister:** It is not our practice to disclose details of any discussions that may have taken place at meetings of the Executive. Questions relating to efficiency savings in the Health Service should more appropriately be raised with the Minister of Health, Social Services and Public Safety.

**Mr Easton:** Does the deputy First Minister agree that, if Ministers are having problems meeting their efficiency targets and budget, they should seek advice from their Executive colleagues on how to manage that? Does he find it extremely strange that a Minister has created £36 million of extra efficiency savings for the CSR period 2010-11 above the 3% efficiencies that were agreed with DFP?

**The deputy First Minister:** Everyone will have a view on where savings can be achieved in any service. In reality, Ministers are responsible for the management of their budgets. It is for them to determine the areas where efficiencies can be achieved based on the advice that they receive. We are confident that all Ministers want to achieve the most efficient use of their resources. We are all aware that that will become more crucial in future years. Hard decisions will have to be taken on priorities. I do not think that there is one party in the House that does not understand that, as things tighten in the face of a worldwide recession, none of our Departments will be immune from the pressures that we are all living under.

**Mr O'Loan:** Given that the Government in the South of Ireland spends 35% of its budget on health, and that we spend 50p of every £1, does the deputy First Minister agree that there is great scope and necessity for much enhanced co-operation between the two parts of Ireland on health issues, and that there is the potential for significant benefits in efficiency and value for money?

**The deputy First Minister:** Few people in the Assembly would disagree that co-operation is mutually beneficial for the Administrations, North and South. It is sensible to work together. All parties signed up to that.

Although it does not relate to the issue of people's health, a terrible story came out of County Donegal at the weekend. A baby had died and had to be brought to Dublin by its parents to undergo an autopsy. In such circumstances, many people would wonder why we could not have some arrangement whereby that autopsy could have been carried out in the North. That may be an extreme example, but all sorts of situations arise. There may be legal difficulties in some cases, but those difficulties could be overcome with good, ongoing co-operation between the gardaí and the PSNI.

There is no doubt that, when it is mutually beneficial, whether in government in Dublin or Belfast, it is in all our interests to work together to ensure that we provide the best service possible with as much efficiency as we can deliver.



**Dr Farry:** I am sure that the deputy First Minister agrees that it would be unsustainable for one Department to be ring-fenced from efficiency pressures. Does he also recognise that the real challenge in dealing with the issue is through collaboration among a range of Departments? The only way that we can address the cost pressures on the Health Service is through collaboration on issues around health inequalities, which involve input from the Department for Social Development, the Department for Employment and Learning, and other Departments.

**The deputy First Minister:** I agree that the Budget, and in-year adjustment to it, is a collective process for the Executive. The financial commitments that we face are a common challenge. Therefore, all Ministers, without exception, must engage in a realistic assessment of the options and the achievement of a fair outcome. Individual Ministers will want to make the strongest case possible; that is fair enough, and we expect no less. However, difficult decisions will have to be taken, and we cannot guarantee that any Minister's budget will be ring-fenced or exempt from the impact of efficiency savings.

### Policing and Justice: Funding

5. **Mrs D Kelly** asked the First Minister and deputy First Minister for their assessment of the status of the financial offer from the Prime Minister in the event that policing and justice powers are not devolved before the next Westminster election. (AQO 496/10)

**The deputy First Minister:** The British Prime Minister has made it clear to the First Minister and me that the package of financial support, which is set out in the letter that he published on 21 October 2009, is dependent on the devolution of policing and justice responsibilities. Its aim is to provide a secure financial foundation for a new Department of justice, which is important in ensuring confidence in policing and justice services across the community. The leadership of the Opposition at Westminster have also confirmed their long-term commitment to the financial package that was proposed by Gordon Brown.

**Mrs D Kelly:** I thank the deputy First Minister for his answer. Will he say whether the offer is subject to policing and justice powers being devolved by the start of the 2010-11 financial year?

**The deputy First Minister:** The offer is subject to policing and justice powers being transferred. If we are to be honest, it does not talk about a time frame. However, I remind Members that the First Minister and I communicated with the Assembly and Executive Review Committee on the basis that the transfer of powers would happen without undue delay.

**Mr Campbell:** In answer to an earlier question, the deputy First Minister indicated that we will be in a

better place in 10 years' time. Does he agree that, if we all work at creating community confidence, we may be able to have policing and justice powers devolved within his 10-year time frame?

**The deputy First Minister:** I do not think that that question even deserves an answer.

**Mr K Robinson:** Will the deputy First Minister indicate how he believes the devolution of policing and justice powers, or any other function, can be justified in light of the Executive's inaction and foot-dragging on council and public service reform, education, and the mounting black hole in public finances?

**The deputy First Minister:** I note that the Ulster Unionist Party takes every opportunity to try to portray our finances as being blacker than they really are.

All the parties here agree that the transfer of policing and justice powers would be a good thing, and they all want it to happen. Different parties perhaps approach the issue from different perspectives. However, people in the community overwhelmingly believe that it would be good to have a local Minister in charge, because that local Minister will be more acutely aware of the needs of the local community.

There are issues on which we are not agreed, but, as the First Minister has said on countless occasions in the House, there are many issues on which we are agreed. We are engaged in assessing whether the funding arrangements that we have agreed with Gordon Brown meet the needs of our Police Service and our Court Service. Both the courts and the police have clearly indicated that they believe that a good job of work was done.

Everyone now needs to move forward and engage in the process that will achieve the transfer of policing and justice powers, so that the funding that has been agreed by Gordon Brown can be given to the police and the courts to ensure that we have a better Police Service and a better Court Service. Determination will be required on our part over the next while.

I am passionate about these institutions, and I want them to work. The agreement on the way forward, which was set out in the Good Friday Agreement and the St Andrews Agreement, is one of the most important historical events that have taken place. It gives us a real opportunity to move forward in a way that ends the divisions that have been so detrimental to all of us over many decades.

I want this institution to work, and I want the North/South and east-west institutions to work. I want to work with all my colleagues in this Assembly in a positive and constructive way. To do that, however, it is very important that, whenever we make agreements and commitments over which two Prime Ministers preside, there is a binding duty on all of us to deliver.

Sinn Féin has delivered on many difficult issues in the process. I think that many Members on the Benches opposite thought that we would never have tackled those issues, but we have done so. We have not done it in a half-hearted way; we have done it in a fulsome way, because we believe that it is good for the people whom we represent and for the people whom they represent also.

**Ms Anderson:** Go raibh míle maith agat. Will the Minister clarify whether the financial package will fall if there is a failure to agree on the transfer of policing and justice?

**The deputy First Minister:** The First Minister and I were involved jointly in a lengthy negotiation to secure adequate funding for policing and justice in the event of the transfer of powers. On 12 October, Gordon Brown wrote to us outlining his proposals. It has been reported that the settlement could have a value in excess of £1 billion. The proposals are solely and explicitly in the context of the transfer of powers to a local Minister. Therefore, the offer that is outlined in the letter will not be implemented in the event of failure to agree the transfer of powers.

### Childcare Strategy

6. **Mr Craig** asked the First Minister and deputy First Minister for an update on their Department's work on the childcare strategy, including any work with other Departments. (AQO 497/10)

**The deputy First Minister:** As I said earlier, the work on childcare is at economic appraisal stage. Providing that the tenders are of sufficient quality, we plan to appoint someone within the next week to carry out the work. In relation to work with other Departments, the initial project group members met on a number of occasions to discuss the issues and provide input into the report that has now prompted the economic appraisal.

We see this as very much a cross-cutting issue. It is essential that all the key players are involved fully and are committed to taking it forward. An interdepartmental steering group, with representatives from the Department of Education, the Department of Health, the Department for Employment and Learning, and the Office of the First Minister and deputy First Minister, has been set up to work with the successful candidate during the appraisal stage to ensure that they have access to any relevant information.

Obviously, it will take time for the appraisal work to be completed satisfactorily. In the interim, however, we expect that the interdepartmental group will meet to begin drafting an outline strategy into which the final appraisal will be incorporated.

**Mr Craig:** I thank the Minister for his answer. The Government are trying to get single parents back to work, but they face a huge difficulty in Northern Ireland because of the lack of a childcare strategy. They need to provide proper childcare facilities for those individuals. Does the Minister agree that there needs to be a joined-up approach by all Departments to deliver that service for those individuals? A lot of them want to get back to work.

**The deputy First Minister:** I agree absolutely. The absence of a way forward obviously contributes to unacceptable levels of child poverty. I believe absolutely that a joined-up approach is required, and our Executive recognise that fact.

### Ministerial Code

7. **Mr Ross** asked the First Minister and deputy First Minister how alleged breaches of the ministerial code are investigated. (AQO 498/10)

**The deputy First Minister:** The ministerial code does not specify any procedure to be followed in relation to the investigation or determination of breaches, nor does it assign us any specific role in the matter. Section 28A of the Northern Ireland Act 1998 requires Ministers to act in accordance with the provisions of the ministerial code. Any alleged breach of the code could be decided as a matter of law.

In addition, a failure by a Minister to observe any of the terms of the Pledge of Office may be the subject of a motion for a resolution of the Assembly. Such a motion can be moved jointly by the First Minister and me, or by an MLA with the support of a minimum of 29 other Members.

**Mr Ross:** The deputy First Minister will be aware that the Committee on Standards and Privileges conducted a long review into breaches of the Members' code of conduct. One thing to emerge from that review was that the public were concerned that no mechanism exists to deal with alleged breaches of the ministerial code. Does OFMDFM have any plans to review that issue?

3.00 pm

**The deputy First Minister:** Not at this stage. However, I remind the Member that, apart from the courts, the ultimate authority for breaches of the ministerial code resides with Members and the House.

### ENVIRONMENT

#### Planning: Strategic Flood Map

1. **Mr K Robinson** asked the Minister of the Environment what impact the strategic flood map has

had on planning decisions since its creation in November 2008. (AQO 507/10)

**The Minister of the Environment (Mr Poots):** The strategic flood map for Northern Ireland and, when available, other information sources such as local evidence and detailed study maps, are used by my Department to inform the planning process for managing development. When determining planning applications, if a flood risk is known to exist, my officials pay regard to the policy that is set out in policy planning statement 15, which seeks to avoid, whenever possible, development on flood plains. However, when there are compelling reasons for the development to take place, PPS 15 requires the developer to provide a robust flood-risk assessment and suitable mitigation measures. In most cases, the Department of Agriculture and Rural Development's Rivers Agency is consulted for advice.

**Mr K Robinson:** What warnings, if any, did residents who were affected by flooding in recent weeks receive as a result of the information in the strategic flood map? Furthermore, in light of the recent floods in Belfast and Fermanagh, on how many flood plains has there been development, thereby removing the natural resources on which people relied in the past? Finally, how many households have been alerted to take action because they are situated in areas liable to flood?

**The Minister of the Environment:** The Member has asked the wrong Minister for an answer to some of his questions. I recall from my days on the Committee for Agriculture and Rural Development that approximately 16,000 homes are on a potential flood plain. That figure may not be precise, but it is my recollection, so the Member may wish to ask the Minister of Agriculture and Rural Development.

Information to let householders know about flood risks comes from the Met Office and is disseminated to local authorities, which then take action. Local authorities take the lead in emergency planning; therefore if there is a significant flood risk, the local authority issues warnings.

**Mr Shannon:** November saw the heaviest rainfall since 1951. Given that there has been much more flooding recently and that we seem to be entering a period in which there will be more problems as a result of flooding, how realistic is the strategic flood map that was created in November 2008?

**The Minister of the Environment:** Although annual rainfall levels are not significantly higher, it is evident that we now have greater concentrations of rain, which is why my Department is developing its sustainable urban development policy and, in particular, installing impervious materials around residential developments in built-up areas to ensure greater absorbency. As a result, water that is caught will be able to be released more slowly into water systems.

**Mr Gallagher:** The Minister will agree that the strategic flood map has been a useful education tool. However, does he agree that we should be moving on and that more clarity is required from the Planning Service about development on flood plains? Will applications for developments on flood plains be refused? Is that the end of the matter, or are such decisions still a grey area for the Planning Service?

**The Minister of the Environment:** The general principle is that planning applications for developments on flood plains will be refused. Where there are significant mitigating circumstances and a particular need is demonstrated, the applicants must demonstrate how they would deal with any potential flooding problems and ensure that the properties being built would not be subject to flooding. That is all dealt with in PPS 15, which is a fairly clear document.

**Mr McKay:** Admittedly, the map is not sufficiently accurate to determine the flood risk to individual properties at specific locations. Will the Minister look into the possibility of carrying out more detailed work, perhaps with other Ministers, in at-risk areas to identify such risks, particularly in parts of my constituency, such as the Glens and Ballymena.

**The Minister of the Environment:** Again, that issue is really one for DARD and the Rivers Agency. We consult DARD to identify the areas that are subject to flooding and it passes the information on to us; we make planning decisions and DARD make recommendations to do with flooding issues.

## Single Waste Disposal Authority

2. **Dr McDonnell** asked the Minister of the Environment, in establishing the single waste authority, what consideration has been given to the benefits of further cross-border co-operation on waste disposal. (AQO 508/10)

**The Minister of the Environment:** Waste management is about managing resources. One of the benefits of having a single waste authority is the potential to apply a more strategic approach to waste management. That will allow Northern Ireland to make best use of resources and maximise any opportunities, including those relating to cross-border co-operation on the disposal and treatment of waste. The North/South Market Development Steering Group (NSMDSG) was established by the North/South Ministerial Council (NSMC) to identify areas of mutual concern and explore market development opportunities for target priority waste streams.

The NSMDSG is considering opportunities to exploit economies of scale in the market for recycled materials in both jurisdictions. The chairperson of the group is to make a presentation at the next NSMC meeting. Although



the work of NSMDSG is not dependent on the establishment of a single waste authority in Northern Ireland, such an authority should be beneficial in taking forward any cross-border programme that is based on specific deliverables of mutual benefit.

**Dr McDonnell:** I thank the Minister for his answer and congratulate him on the progress made. I am delighted to have been made aware of it. Will he give an assessment of the current levels of illegal waste-dumping, particularly toxic waste, in Northern Ireland? I am thinking of waste from fuel laundering, but there are other types of toxic waste. Some waste is dumped illegally in Northern Ireland, some is moved from Northern Ireland to the South and, occasionally, some is moved from the South to Northern Ireland. Will the Minister give us an assurance that there will be further restrictions on such activity?

**The Minister of the Environment:** The Member can be in no doubt that a substantial amount of fuel laundering has taken place in recent years. I recently asked for a report on what happens to the waste from fuel laundering, and I intend to put pressure on HM Revenue and Customs regarding the matter. Such illegal activities damage the environment and society, and they feed paramilitary organisations. I urge all Members to encourage others to let the proper authorities know where they are taking place.

**Mr Boylan:** Go raibh maith agat, a Cheann Comhairle. Does the Minister recognise the good work that the three existing waste bodies are undertaking through their own strategies? What impact will the creation of a single waste authority have on those strategies?

**The Minister of the Environment:** The work of the three single waste authorities demonstrates the efficiencies that can be achieved because the work that they carry out was previously carried out by 26 authorities. If we reduce the number of authorities from three to one, we will be in a far more powerful position as regards procuring and selling our recyclates. Northern Ireland can benefit significantly, including financially, from the creation of a single waste authority. We are here to deliver benefits for the people of Northern Ireland, which is why I am committed to that route.

**Mr Kinahan:** Does the Minister agree that we could create the single waste authority now rather than wait for the reorganisation of the councils? That said, I do not see how we can get round the fact that the three waste authorities disagreed over the different ways to treat waste, or how the Minister will get savings from that.

**The Minister of the Environment:** Should we not proceed with the 11 local authorities, we could proceed with a single waste authority. Therefore the answer to the Member's question is a clear yes. However, if we move ahead with the review of public administration,

as I hope we do, 2011 would be an appropriate time for the establishment of a single waste authority.

There are mechanisms to handle waste, such as pyrolysis, gasification, anaerobic digestion and incineration. We need to identify local solutions for local waste problems. I am not interested in super facilities on a single site to which waste is hauled for many miles to be dealt with. I would like to see processes to deal with local waste established locally.

**Mr Speaker:** Mr McGlone is not in his seat to ask question 3, so we proceed to Mr Dallat.

## Illegal Dumping

4. **Mr Dallat** asked the Minister of the Environment how many prosecutions for large-scale dumping were secured in each of the last three years, including the volume of the materials and the value of the fines imposed. (AQO 510/10)

**The Minister of the Environment:** In 2007, the Northern Ireland Environment Agency (NIEA) oversaw 68 successful prosecutions relating to illegal waste offences, which generated fines of £276,850; in 2008, fines of £117,100 were imposed in 72 cases against illegal waste offenders; and to date in 2009, 34 successful prosecutions have generated fines of £150,250. The NIEA does not record the volume of waste materials involved in every case that it investigates. Accurate volumes cannot be recorded in all cases due to the nature of the offence. For instance, the volume of waste materials cannot be recorded if the waste has been burnt or moved off site after it is put through a waste transfer station.

In instances where the NIEA can record volumes, they are usually noted on their files for the Public Prosecution Service and set in the context of the cost of removing the waste for legal disposal at a licensed facility — a figure that can provide a robust illustration of costs avoided and revenue diverted from the legitimate economy.

**Mr Dallat:** I thank the Minister for his reply. On the face of it, it looks impressive. However, calculations that I did recently suggest that people who dispose of waste illegally might be paying no more than £3.50 a ton. Does the Minister agree that as long as it is cheaper to dump waste illegally, the problem will continue? Does he also agree that as long as there is a huge difference between the cost of disposing waste in the Republic and of doing so in Northern Ireland, that gap will add to the problem?

**The Minister of the Environment:** It is unusual for me to agree with Mr Dallat, but I fully agree with him in that regard. Furthermore, the punishment needs to fit the crime; if it does not, individuals are encouraged

to engage in more crime. The decision on what penalty to impose on those individuals is for the courts, but I would encourage them not to be lenient with people who go out purposely to destroy our countryside by illegally dumping waste.

**Mr McQuillan:** Although fines are important, what can the Minister do to assure Members that the Department will take a more proactive approach to preventing illegal dumping?

**The Minister of the Environment:** The Department will deal with all reports of illegal dumping that it is informed about, and our crime unit is proactive in responding to complaints. The number of prosecutions over the past three years demonstrates the Department's effectiveness in that respect. However, we are happy to look at whether it needs to be supplemented or whether more work is required.

**Mr Molloy:** Go raibh maith agat, a Cheann Comhairle. The Minister said that the punishment should fit the crime. How will he tackle those who think that illegal dumping is a risk worth taking? What sanctions have been imposed, or will be imposed, on those who illegally dump waste?

**The Minister of the Environment:** Many people have been taken to court, and, over the past three years, that has led to fines of hundreds of thousands of pounds. That is an indication of how seriously the Department takes the issue. I would like to see heavier fines and greater punishments imposed, and, if people continue to engage in the activity, I would like judicial sentences to be imposed. However, that is a decision for a judge to make, after hearing all sides of the case.

3.15 pm

## Local Government Reform

5. **Mr McNarry** asked the Minister of the Environment what discussions he has had with his Executive colleagues about the cost of local government reform.

(AQO 511/10)

**The Minister of the Environment:** In my statement to the Assembly on 20 October 2009, I announced my intention to seek stakeholders' views on the economic appraisal of options for local government service delivery. That consultation recently ended, and I will discuss the outcome with the Department's strategic leadership board on 9 December. I have had some preliminary discussions with the Executive subcommittee on local government reform, and when I have considered the consultation responses and the strategic leadership board's views, I intend to have full and frank discussions with my colleague the Minister of Finance and Personnel to explore the implementation and longer-term funding

options that may be available, with a view to putting detailed proposals to the Executive in the new year.

**Mr McNarry:** I thank the Minister for his response. Is a case being made to justify spending millions of pounds on proposed reform of local government, only to end up in a situation in which the whole process may be disregarded because of the Minister's intervention over a little local difficulty?

**The Minister of the Environment:** I am not holding the process up; rather, I am driving it forward. If others wish to hold up the process by holding back Bills or local government orders, that is up to them. However, I wish to push the process forward, and I am surprised that the Member does not know that and has not acknowledged it.

**Mr Neeson:** What effect will the Westminster proposals to cut public spending have on the reform of local government in Northern Ireland? Is the Minister still as optimistic about the timescale's being achieved for the review of public administration?

**The Minister of the Environment:** The difficulties that the Member mentions about finances remind me of the song 'Money's Too Tight (To Mention)', and I will be speaking to the Minister of Finance and Personnel this week on that very issue. Obviously, when money is tight, it is difficult to obtain additional resources for that type of activity. Nonetheless, I am of the view that it is a central government initiative, which, as such, requires some central government contribution. I have to persuade the Department of Finance and Personnel on that issue. Ultimately, we are looking at investing £118 million to save £438 million. That makes economic sense. I think that we can do it for considerably less than £118 million, and councils need to be proactive in identifying where savings can be made.

I have been asked a number of questions about there being a single waste disposal authority and a business services centre, and I wish to make it clear that the identified savings in those two areas amount to more than £300 million. Therefore, Members who are being parochial by saying that they do not want a single waste disposal authority and that they are not sure about a business services centre can tell the ratepayers that even though £300 million would have been saved over 25 years, that will now be imposed on them as a tax or else services will not be delivered. Those Members should come back to me after they have told the public that.

**Mr A Maginness:** The Minister says that he is not holding anything up, and I accept his word on that. However, if he is not holding the process up, perhaps he can tell us who on the Executive is holding it up?

Is the Minister aware of the great uncertainty that exists in local government circles, not only among councillors but among local government employees,

who are uncertain about their future and wish to see a firm timetable established as soon as possible?

**The Minister of the Environment:** It is fairly evident who is holding up the Bill, which has been sitting ready to go out to public consultation since June — the deputy First Minister's office. A lot of toys are being thrown out of prams because certain people are not getting their way on a whole range of issues, and they are even threatening to pull down the institutions. However, they may find that threats and bullying do not work well with other folk in the Chamber.

## Local Government Reform

6. **Mr Butler** asked the Minister of the Environment what functions his Department intends to transfer to local councils under the review of public administration; and what assurance he can give that appropriate funding is in place to ensure a smooth transition on the transfer. (AQO 512/10)

**The Minister of the Environment:** The majority of planning functions are to be transferred from the Department of the Environment to local government. Those functions include development planning, control and enforcement. Planning staff in both professional and administrative grades will transfer to councils when the planning functions transfer.

The proposed planning reform Bill will deliver a reformed planning system and will transfer the majority of planning functions to district councils by 2011. The proposed Bill will provide for a more responsive planning system, delivered at a local level, with enhanced local political accountability; a streamlined planning system with a more meaningful level of community involvement; a better match of resources and processes to priorities; and improved value for money for all users of the planning system through more proportionate decision-making mechanisms.

The Department consulted on the planning reform policy between 6 July and 2 October 2009, and departmental officials are analysing the responses to that consultation. The officials aim to complete that analysis before Christmas, and I intend to circulate the final policy position to my Executive colleagues early in the new year. Subject to the agreement of the Executive, I intend to introduce a draft Bill to the Assembly in May or June 2010.

As for funding, as I indicated in my statement to the Assembly on 20 October 2009, I am fully committed to delivering local government reform in May 2011. That includes putting in place the necessary resources, policy legislation and practical arrangements to transfer a significant range of central government functions and staff to local government.

**Mr Butler:** Go raibh maith agat, a Cheann Comhairle. I thank the Minister for his answer. The Minister has outlined the transfer of planning functions to local government, but will he assure the House that adequate funding will be in place to allow the councils to deliver a decent Planning Service, which is a body that has come in for quite a lot of criticism? Will he also give an assurance that when the Planning Service transfers to the councils, it will meet the needs of this century, particularly with respect to economic regeneration, and that we will have a Planning Service that is fit for the future?

**The Minister of the Environment:** I have met several of the transition committees and have spoken to them about the transfer of functions. I have indicated that it is my desire that finance will follow function. I am not trying to pull a fast one on local government and lead it into a situation in which the Department transfers a function to councils but does not transfer the adequate finances. The situation is quite the reverse.

**Mr Speaker:** I call Declan O'Loan.

**Mr O'Loan:** Thank you —

**Mr Speaker:** Members who wish to ask questions must rise in their places. They are looking up at the Table, nodding and doing everything but rising in their places. The Member may continue.

**Mr O'Loan:** Thank you, Mr Speaker. The measures that have been outlined will mean major changes for local government. Does the Minister agree that the various pieces of legislation will need and deserve full scrutiny? Will he assure the House that he will not seek to use accelerated passage for any such legislation?

**The Minister of the Environment:** That is why I wish to put the Bills before the Assembly. Other Members have talked about the use of accelerated passage because they want to deal with issues of equality and equity, but the best way to deal with those issues is to get them before the House, the Committees and all the relevant people so that the legislation can be interrogated and approved. I fully agree with the Member that accelerated passage should be used only in exceptional circumstances.

**Mr Armstrong:** Does the Minister believe that the type of expensive mistakes that have been made during the saga of the Planning Service's e-PIC system and the longstanding inefficient and ineffective —

**Mr Speaker:** I encourage the Member not to read his supplementary question.

**Mr Armstrong:** Does the Minister believe that the type of expensive mistakes that have been made during the saga of the Planning Service's e-PIC system and the longstanding inefficient and ineffective performance of Land and Property Services would be avoided if those functions were transferred to local government?



**The Minister of the Environment:** I honestly do not know whether that is true. Local government is not infallible, and it has made its own mistakes over the years.

Nonetheless, it is my view that planning policy would be better delivered at local government level, and that is why the Department is transferring one of its major functions to local government. We believe in local government and in its ability to deliver for the people whom it serves.

**Mr G Robinson:** What training will be given to councillors on the new reforms?

**The Minister of the Environment:** I am seeking to get the legislation passed so that I can put the appropriate training mechanisms in place. It is essential for local councillors to be given adequate and appropriate training. We cannot have a situation in which, for example, a councillor could say that a certain planning application should be allowed to proceed because he has known the people concerned all his life and that they are powerful, decent people. Planning applications must be dealt with on their merits and against the policies that are set. Ultimately, councillors will need specific training on that issue.

## Road Safety

7. **Mr McCartney** asked the Minister of the Environment what action his Department is taking to raise awareness of road safety during the Christmas period, given the number of people who have died on our roads this year to date. (AQO 513/10)

**Mr McCartney:** Ceist a seacht. That means question 7, although I know that the Minister needs no assistance with the translation.

**The Minister of the Environment:** I would insist on that assistance, regardless.

The Christmas and new year anti-drink-drive 'Hit Home' campaign commenced on 1 December 2009 and will continue throughout the Christmas and new year holiday period, ending in early January 2010. The campaign comprises a 30-second television advertisement, with washroom posters and glow boxes displayed in pubs, clubs and restaurants across Northern Ireland, and an online activity carrying the strapline: "Never, ever drink and drive".

The television advert 'Shame', which was originally launched in 2002, will have special airings throughout December. It is a 60-second television advertisement carrying the strapline: "Could you live with the shame?" It will also be the second year of a radio campaign consisting of a portfolio of five 50-second radio edits. That campaign will run throughout December, targeting all road users with a mix of key road safety measures.

In partnership with the PSNI, DOE advertisements will appear on many Internet sites during the Christmas period and will run until February 2010. Those advertisements will be drawn from the current portfolio of digital advertisements, as well as new creations.

The Coca-Cola designated driver initiative, which is supported by my Department, was launched on 30 November. The scheme, which will be operational at 200 venues across Northern Ireland, offers three free soft drinks to designated drivers during the festive season.

**Mr McCartney:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin.

Given that the statistics show that the majority of road deaths occur on rural roads, is the Department doing anything in particular to focus on that issue as part of its campaign?

**The Minister of the Environment:** I met the PSNI recently to discuss that issue. Some 73% of road deaths happen in the south and the west of the Province, so there is clearly a major issue in those areas. I would like to see a greater concentration of police resources in those areas to clamp down on speeding and drink-driving and to target those areas where most road deaths occur.

**Mr I McCrea:** I welcome the Minister's commitment to tackling this issue over the Christmas period. As the Minister knows, quite a few road deaths have occurred in my constituency, and it has been said already that there has been an increase in the number of deaths on rural roads. Will he assure the House that he will work with the police to tackle that serious issue?

**The Minister of the Environment:** Absolutely. At lunchtime today, the number of deaths on our roads this year rose to 107. Another home has suffered bereavement as the consequence of a road accident, which means that the total number of deaths on our roads this year is the same as that for the whole of last year. Unfortunately, for the first year in many, we are likely to see a rise in the number of road deaths. That will affect every home. Last year, almost 1,000 people were seriously injured on our roads, and that illustrates the significance of the situation. More than 100 people are dead and more than 1,000 have been injured. Those statistics will be available at the end of this year. Those statistics are sad, and the situation is hugely damaging to many families.

**Mr P Ramsey:** Does the Minister join me in acknowledging and commending the considerable contribution of the Road Safety Council of Northern Ireland, particularly at this time of year when it is promoting good initiatives that are helping with road safety at a local level through local committees?

Will the Minister comment on the funding arrangements for the Road Safety Council?

3.30 pm

**The Minister of the Environment:** Considerable work has been done over the years on involving local communities in the Road Safety Council and road safety committees. Before I entered the Executive, a decision was made to change the funding rationale and for that to be applied more directly to the road safety committees. I have spoken to people on a number of occasions since then to see whether there is a better way forward. We have not yet identified exactly what that might be, but, nonetheless, we all need to work together to reduce the number of deaths on the roads.

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

## PRIVATE MEMBERS' BUSINESS

### Under 25s Not in Education, Employment or Training

*Debate resumed on motion:*

That this Assembly notes that one third of all benefit claimants are now under 25 years old and that one fifth of people aged 16-24 are classed as 'not in education, employment or training'; welcomes the study on this issue currently being undertaken by the Department for Employment and Learning; and calls on the Minister to bring forward a cross-departmental strategy and programme, in conjunction with Executive colleagues, to prevent these young people becoming a lost generation. — [*Ms S Ramsey.*]

**Mr McCarthy:** On behalf of the Alliance Party, I support this very important motion and thank the Members for bringing it to the Floor of the Assembly. I sincerely hope that every effort will be made by our Executive to make positive progress and secure a better future for all our young people. I have no doubt that the vast majority of our young people want to better themselves and to have an opportunity to be employed, but, unfortunately, they are being denied that opportunity.

Once again, the House is indebted to the staff from the Assembly's Research and Library Services and, indeed, to all other concerned organisations that have provided it with useful and important statistics and information. Some of that information makes very unpleasant reading, but Members have to be aware of all the facts so that those who hold offices of responsibility can make recommendations and take action to get our young people on the right track to further education and secure employment.

As has already been said, we had a similar debate in the Assembly last year, and, as I understand it, we are currently awaiting the Department's proposals. It is most unfortunate that, because of the world economic depression, so many people and businesses have been thrown into chaos, resulting in loss of employment on a massive scale. That state of affairs has had a devastating effect on our young people, particularly those leaving school, who now have little or no chance of gaining beneficial employment.

Youth unemployment in Northern Ireland has almost doubled in recent years, and, with the recession, it is significantly more difficult for our young people to get jobs. For those classed as not in education, employment or training (NEET) it is almost impossible to get any sort of work. Our young people simply cannot escape from that depressing predicament.

Members who have already spoken have given staggering facts and figures that must give all Departments immediate impetus to find solutions. I pay tribute to our Ministers for their endeavours to date, and I am glad to see Minister Empey here today. However, more

needs to be done, and the Assembly will support the Ministers in their efforts to improve the situation, if not eradicate the problem, at the earliest opportunity.

It is shocking to read that it costs Northern Ireland an estimated £500,000 a week in benefits, and there is nothing to show for it. Apart from the costs of providing funding for people who are caught in the NEET trap, research has shown there to be many detrimental effects, primarily for young people, such as poor mental health and involvement in criminal activities or antisocial behaviour. In the worst case scenario, some young people simply cannot cope and resort to self-harm. Unfortunately, in some instances, young people have taken their own lives. Our young people need and deserve better.

The Assembly should and must find ways to get all the young folk out of their beds in the morning and into further education or suitable training but, more importantly, into employment, if that is possible.

I remember a programme that existed some years ago called Action for Community Employment. It encouraged people of all ages to do community work and get training along the way. It provided enormous benefits, particularly to elderly people. In my opinion, that scheme was successful, and perhaps it could be resurrected in the future.

The Assembly cannot and will not accept any of our young people being part of a lost generation. All our young people will be supported and cherished for their whole lives, and it is up to the Assembly to make every effort to get them into education or employment. I support the motion.

**Mr Hilditch:** I welcome the motion, and I congratulate the Members who secured the debate. I also congratulate the Minister for Employment and Learning on the progress that he has made in a number of areas, particularly in programme-led apprenticeships and other initiatives, including the study and survey of the situation that we are considering. We look forward to his responses.

Since 2004, around one in 10 people from the crucial 16- to 19-year-old age bracket have not been in education, employment or training. That indicates that a cross-departmental strategy and programme must be developed to challenge the issue. The issue is challenging, particularly when one takes on board the figures and statistics that the Chairperson of the Committee for Employment and Learning and other Members gave.

As was discussed in a debate in April 2009, there is an annual requirement for the number of students who study science, technology, engineering and mathematics (STEM) subjects. Across all occupational areas, 1,350 recruits are needed just to replace the people who will retire in the next six years. In 2007, 2,500 people were recruited to the entire engineering industry, in which there

were 535 hard-to-fill vacancies. Those vacancies are estimated to have cost our economy £21 million in gross value added.

We hope that the Minister will put in place proposals to address and combat those issues. We cannot afford to have a lost generation. By working with his Executive colleagues and by implementing a cross-departmental strategy and, hopefully, a robust programme, the Minister could go some way to saving a generation. Employers are concerned that there will not be sufficient skills to provide for the next generation of scientists and engineers. They have good reason to be concerned, because jobs are available, but our people are not trained or sufficiently skilled to do them.

The higher an area's level of deprivation, the lower the proportion of school-leavers who go into further and higher education. Poverty in Northern Ireland is worse because more parents are on benefits, families are bigger, incomes are lower and the cost of living is much higher. Children in that situation are more likely to develop addictions, get involved in crime and become homeless. Therefore, the Office of the First Minister and deputy First Minister, Minister Ritchie, Minister McGimpsey and, indeed, the entire Executive must become involved. If we want young people from deprived areas to be out working, poverty and social inclusion must be tackled. We know about the situations of homelessness, social deprivation, child poverty, poor mental health and so on that people can find themselves in.

Our young people are the future of our economy. To encourage investment and economic growth, we need a skilled, educated and readily available workforce. Young people say that they are not in employment or training because they do not have the right qualifications to progress, they do not get the right opportunities or the right provisions are not available. Therefore, I urge all Departments to get involved in developing a plan that would take young people off the streets and out of their homes and place them in employment and in careers that would improve their quality of life by giving them a sense of belonging and achievement. That will provide economic growth and will encourage foreign investment into Northern Ireland.

I thank the Members who tabled the motion. I support it, and I look forward to the Minister's response.

**Mr Butler:** Go raibh maith agat, a LeasCheann Comhairle. More than likely, all Members will support the motion. Indeed, there has been a number of debates on this issue.

It is estimated that young people who are not in education, employment or training can cost the economy here in the region of £250 million a year. The Programme for Government gives a commitment to tackling the difficult issue of education, employment and training.



Not only are we trying to address it here but research has been done and several papers have been written on the subject across Europe.

However, I sense that we are not taking the same approach as the Scottish or Welsh Executives or even the British Government. Although policies such as Steps to Work and New Deal are in place, there seems to be no overall strategy for dealing with the issue, given that unemployment in the 18 to 25 age bracket has doubled to 20% since 2007. The Minister has implemented schemes such as the apprenticeship programme, but there is a sense, particularly among young people, that we are not doing enough to tackle the issue.

Some Members praised the Minister, and I welcome that fact that some steps are being taken. However, Reg Empey gave an interview to the 'Belfast Telegraph' recently saying that some young people are like vampires because they do not get out of their beds until 3.00 pm after having been out on the streets all night. Such statements do not help, and I hope that he will clear that up today. Whatever he was trying to convey with that remark, it sent out the negative message that young people do not want to work or to be in training. I am not blaming Reg Empey, because, as he well knows, this is a complex issue.

David McClarty called for an early years intervention strategy. By the time young people reach the crucial age of 15 and 16, they seem to drop out of school and do not want to be involved in further education, employment or training. A lot of the problems are associated with the early years, and I agree that a joined-up approach is needed between the Department of Education and the Department for Employment and Learning to address the issue. However, a series of issues must be considered, such as young people having disabilities or coming from broken homes. I know from dealing with young people over the years that unemployment is generational in that their grandfathers and fathers probably never worked, so there is no encouragement for them to go into either training or employment.

I was impressed with the Scottish Executive's more focused approach of tracking young people through to further education and of having a more interventionist strategy to get people into education or training. However, we obviously want them eventually to get into employment. In Britain, the Chancellor has guaranteed a work placement to all those who are aged under 25 who have been unemployed for a year. The British Government will introduce legislation to make education and training compulsory for people from the age of 17 from 2013 and from the age of 18 from 2015. We need to do that here.

It has been said that the youth unemployed and NEETS on this island are no different from those in

Britain, for example. However, our situation with such young people is behind that in the rest of Europe, and we are even behind that in the South of Ireland. A recent University and College Union study that compared people's qualifications here with those in Britain showed that we lagged behind in GCSEs. The Assembly must look at that issue. I hope that we hear some positive news from the Minister.

3.45 pm

**Mr Shannon:** I support the motion, and I thank the Members who tabled it. This issue affects everyone in the Province, from the taxpayer who pays for benefits for unemployed people, to individuals who have no sense of purpose and, in many cases, no sense of self-worth. We are all well aware of the issues. I am grateful, therefore, that the motion is before the House.

Often, in other debates, I have stated that we have a duty to prepare and equip future generations to take the reins of our nations and of the Province. For that reason, it is disconcerting to see a generation — perhaps a lost generation, although we hope that it will not be — that is unable to get work or education. One third of all claimants are under 25. That is not a statistic about which the Assembly can be proud. Rather than sweep the issue under the carpet, we must take affirmative action to change it. Hopefully, this debate will be the first stage towards effecting that change.

Tha Associashun O' Norlin Airlan Coalleges goet in tuch wi' me in tha leed up tae this debaet. They represint aw six o' oor coalleges, includin yin in mi' ain bailliwick tha sooth eastren regin, an they hae prauvided me wi' sum intrestin bakgroun. Tha coalleges er Norlin Airlan's maen knakky prauvider, attractin yin in three, sixteen an siventeen yeer oul schuill-lavers an prauvide fer sum 200,000 larners a yeer

The Association of Northern Ireland Colleges represents all six of our colleges, including that of my local area, the South Eastern Regional College, which has provided me with some interesting background on the issues. The colleges are Northern Ireland's main skills providers. They attract one in three school leavers who are aged 16 and 17 years old, and provide for some 200,000 learners each year. They have 47 campuses and 400 outreach centres.

Colleges employ 7,400 people, many of whom have expertise in working with people who are disengaged from work, education and training. They have a proven track record of delivering a high-quality service for learners, including those who need additional support. They are flexible and responsive to the demands of the economy and local communities. Colleges do all of those things. Therefore, clearly, their authoritative opinion must be taken into consideration in any report and proposed reform.

Northern Ireland's colleges are designed to be a gateway to re-engagement with education, training and, ultimately, employment. They have a fundamental role to build the skills and capacity of individuals, the workforce and the economy. There is no doubt that they are ideally placed to deliver increased flexibility and to target support at young people who are not in employment, education and training, making the most of their long-term and well-established network and links to the wider community.

Colleges have already demonstrated flexibility and responsiveness in meeting the demand for a new approach through programme-led apprenticeships. That was required due to the significant drop in employer-led apprenticeships. They currently provide some 3,300 programme-led apprenticeship places, which is a significantly higher number than their original target of 2,500. That is where problems have arisen. That positive contribution by colleges beyond their original target has created, by its very nature, substantial financial pressures. Concern is growing that the cost of delivery of programme-led apprenticeships is greater than what is provided through current funding mechanisms. That success has, therefore, created problems. The colleges are currently in discussions with DEL on that matter.

Any discussions to find a solution must ensure that adequate funding is in place to allow colleges not simply to continue to fund placements for current numbers, but to allow for expansion to much greater numbers. I am sure that that will provide many more young people with the experience that they need to secure jobs after their placements. I know that the Minister will want to respond to that issue in his remarks.

**Ms S Ramsey:** I appreciate the Member giving way and I thank him for doing so. I also appreciate his support for the motion and I thank him for that. In support of what he has said about the colleges' good work, I want to point out that a great deal of good work is also being done by the community and voluntary sector with young people who, for one reason or another, find themselves outside mainstream education. Therefore, the community and voluntary sector must also be included in any initiatives.

**Mr Shannon:** I thank the Member for her intervention. She is way ahead of me: if she had given me another two minutes, I would have caught up with her on that point.

**Mr McCarthy:** I thank the Member for giving way. We represent the same constituency. Given what he has just said, does he agree that it is absolutely diabolical that the University of Ulster is preparing to withdraw an important subject from our local Newtownards campus of the South Eastern Regional College? It would be to everyone's benefit, particularly that of

young people, if that course were retained for our constituents.

**Mr Shannon:** I thank the Member and I agree with him.

The Prince's Trust carries out excellent work with communities and colleges. It is building relations with the community, colleges, and elected representatives. In Newtownards, we are blessed with a good grouping which does great work.

The Minister will be aware of concern, particularly at a time of increased demand, over funded learning units which underpin the delivery of further education courses. Will the Minister respond to those concerns? There seems to be a cap on the number of full-time higher education courses in some parts of the Province. That is part of the problem. Steps must be taken to improve rates of retention and success. There should be investment in a unique pastoral care service. SERC Extra is one of those schemes which help individual students to overcome difficulties. It is one of the good things we have done. To date, that particular scheme has saved £238,000 of public funds at the South Eastern Regional College over the last year. An increase of 76% in the last year is good news.

I hope that any report on this subject stresses that increased funding for the regional colleges is essential to any scheme. The colleges, and the services they offer, are essential to the welfare of this "lost generation". Let us not leave them a "lost generation": let us save them, and do the job now.

**Mr B McCrea:** We are coming to the close of the debate and we are waiting to hear what the Minister has to say. It is apparent from contributions thus far that many in the Chamber are concerned about the problem of NEETs, the problems facing our young people and unemployment.

I was struck by the contribution of Mr Butler, who chided the Minister for his inappropriate use of the word "vampire". He said that it sent out the wrong message. He then went on to explain to the House that many of the problems facing young people are generational and that there are grandparents and parents of NEETs who have never worked.

That shows that we should challenge some attitudes. How are we going to address the very real problems facing us? It is wrong to characterise and label people, but it is equally wrong not to address some of the issues.

**Mr Butler:** This is not just anybody, it is the Minister for Employment and Learning, who has responsibility for NEETs. For him to make a statement using the word "vampire" and saying that people will not get out of their beds until 3.00 pm the next day because they were out all the previous night sends out a message that young people do not want jobs or education. That

is a negative image, and the Minister has to be very careful about what he says.

**Mr B McCrea:** I am grateful for the intervention, but sometimes things need to be said. It may well be that the Minister's language was colourful, but what I really want to see in the Chamber is a united stance that people must understand that education is important. It is the only enduring competitive edge. Far too often, young people come of age with no qualifications, no education and, therefore, relatively limited prospects. It is useful, sometimes, to draw attention to that and say it as it is. I am sure that the Minister will deal with the Member's point himself.

The statistics that we have to deal with are stark. In three years, between 2006 and 2009, unemployment among 16- to 24-year-olds has doubled from 9.9% to 24.4%. That is a staggering figure — one in five. That highlights the seriousness of the problem. Young people under the age of 25 now comprise one third of all of those claiming jobseekers' allowance. However, the most staggering statistic that I have come across is that the average rate of economic inactivity for people of working age in Northern Ireland stands at 29.5%, which is significantly higher than the UK average of 21%. That is a real productivity gap that we, as a region, must address. Maybe Mr Butler and his colleagues will help us to address that. It is also the case that we are talking about real people who cannot get on the steps to prosperity. Not only is it a problem for society, it is a huge issue for the individuals concerned.

In looking at how we might deal with this, it is somewhat strange — remember, I was on the Employment and Learning Committee — that further or higher education somehow transforms into a sweep-all solution to try to lift or deal with the tail of educational underachievement. People who have been failed by the system to date have somehow been swept into that area. Sometimes, it is about trying to shut the stable door after the horse has bolted.

The problem of young people being underqualified does not begin when they start further education. It actually begins much earlier in life, when they are primary school age and pre-primary school age. In that regard, the Department of Education has a role to play. I am not alone in thinking that it is disappointing that the Minister of Education has not yet brought forward an early years strategy.

One Member said the critical age is between 15 and 16. However, I think that the critical age is four, because by age four, a child can be up to two years behind in educational achievement, and that is ground that can be never made up. The issue is about absenteeism in particular wards, and my colleague Mr Beggs has told the Assembly on many occasions that the children who suffer the most are the ones who do not go to school at

all. Therefore, we must try to find a way of resolving that issue so that it does not affect young people when they get to ages 15 and 16.

**Ms S Ramsey:** I do not know whether the Member has read the motion. However, in my contribution to the debate, I said that the issue is the responsibility of more than one Executive Minister and Department, rather than the sole responsibility of the Department for Employment and Learning. However, we need the Minister to bring forward a strategy to address the issue.

I agree with the Member that the current education system has failed a lot of young people by labelling them as failures at a young age.

**Mr B McCrea:** I am grateful to the Member for her intervention. I hope that Ms Ramsey, for whom I have the greatest deal of respect as the Chairperson of the Committee, understands that I am trying to put forward my argument in a measured tone and that I am not having a go at certain individuals. Rather, I am pointing out the root causes of the issues that we face. Sometimes we have to say it as it is and, collectively, tackle such issues. If we come together, people will not be isolated and there will not be a tit-for-tat situation.

I do not want to detain matters any further, so I will conclude my remarks. When I met representatives from Mencap, they had nothing but praise for the Minister for Employment and Learning for the work that he had done to help people into employment. Therefore, good things are coming from this Minister as well as others.

**The Minister for Employment and Learning (Sir Reg Empey):** First, I thank the Members who tabled the motion. With the political hullabaloo that has been going on in the background, it is a pity that more Members were not here to participate in the debate, because the issue affects people who are suffering real hardship.

Rather than deliver the speech that I was going to make, I am initially going to address Members' queries, given that virtually every Member who spoke in the debate asked for some kind of assurance on, or background to, a particular issue. I will do that first, and if I have time, I will move to other issues.

I issue a note of caution about the statistics that Members have been quoting. We must remember that we are not working from the same page, because there are figures for 16- to 18-year-olds, for 16- to 19-year-olds, and for 16- to 24-year-olds. Therefore, there are all sorts of different definitions. If we do nothing else, we must get our heads around that and get some statistics that we all agree on. I will certainly consult my colleagues in the Department and in DETI, which deals with the labour force surveys on which many of those statistics are based.



I also wish to point out that the figures that we use to quantify the people who are not in education, employment and training are in three different categories. The statistics for Northern Ireland do not define and break down those figures in detail. The three categories are: the core figures, which represent those who are permanently in that category; the figures for students who are taking a gap year, which are included even though those students are not formally involved in education, employment or training; and the figures for those who are somewhere in between.

4.00 pm

Taking England as an example, we see that the figures for the 16- to 19-year-old category are worse than ours, whereas for the 16- to 24-year-old category, they are slightly better. Of those people, roughly 38% are in the core group, 22% are floating or undecided, and 41% are open to learning, on a gap year or waiting for an opportunity to arise. Therefore, there is no single figure that defines all those people.

Sue Ramsey asked whether the Department will set a target. Given what has happened over the past year to 18 months, any target that we might have set beforehand will be way off the mark. Again, I will use the example of England, where a target of 7.6% was set. At present, the figures are 13.4%, having risen from about 10.6%. Therefore, England is at almost double its target figure. There is not much point in setting a target until there is a general position from government.

As a member of the Executive subcommittee on children and young people, I can tell Members that co-operation is taking place. The scoping study, to which a number of Members referred, will be coming to me early in the new year — next month or shortly thereafter — and it is my intention to examine it to see where we go from there and to bring it to the Executive. As Members said, the Executive is where all Ministers are. As almost every Department has a role to play in this — the Department of Education, DHSSPS, DCAL and DSD are involved — the scoping exercise needs to go to the Executive. Any targets that we set would have to be incorporated into the Programme for Government. Therefore, it is my intention to bring the paper to the Executive.

The Chairperson of the Committee for Employment and Learning raised another matter concerning the Department for Work and Pensions future jobs fund. Resources for the future jobs fund, on the scale required to replicate the GB approach, are not available in the Department's budget. However, we have secured sufficient funds from our own baseline to test the future jobs fund concept in Northern Ireland. If the pilot proves successful, the Department will seek funds to offer similar schemes in other parts of Northern Ireland. We

are looking very closely at that, but, at present, we do not have the funds to roll it out.

Tom Buchanan referred to the extremely important role of the voluntary and community sector, and the scoping study has been informed by discussions with that sector. The Department has contracts with voluntary and community organisations to deliver its services. Therefore we are very much focused on that sector.

Pat Ramsey asked about the Steps to Work contract. The Member is aware that that has been an ongoing issue for a long time and that it is a concern to me. The contract has been subject to an unavoidable delay arising out of an ongoing dispute involving the proposed service provider, and until that matter is resolved, I cannot, unfortunately, comment any further. I am acting on legal advice, and I am sorry that I cannot be more open with the Member. However, the dispute must be resolved before we can move forward.

Overwhelmingly, Members expressed concern for the young people involved. Why would they not? As far as I can see, Northern Ireland is no worse off than England, except perhaps if the category were extended to include 16- to 24-year-olds.

If we take our position with 16- to 19-year-olds, we are probably slightly better off than the rest of the UK. At a meeting of the North/South Ministerial Council the week before last in Dublin, I raised that issue when we were comparing figures. The Republic does not categorise things in the same way as we do. We have agreed to follow-up on that issue, which we will hopefully do at the next Council meeting in the spring. However, we recognise that unemployment among young people is a problem that everybody faces.

People ask whether a failure to act has resulted in a lost generation. People have chided me about my language, and we have to be careful about using terms such as "lost generation", because we are not dealing with a homogenous group of people. There are different groups and, although the figures are staggering, we are dealing with individuals in each category. Virtually no two people are in the same position. We have many arbitrary divisions and determinations in Northern Ireland to categorise people.

I will address Mr Butler's point: when I took on my ministerial post, I was staggered by the levels of literacy in this country. I cannot understand how we hope to succeed with young people if we are transferring substantial numbers of them from primary to post-primary school when they cannot read. I just do not get that. I think that Basil McCrea touched on that point. If any co-ordination or strategy is needed around this place, it has to be one to address literacy levels, because people are left stranded if they do not have the basic ability to read and write when they go to post-primary school. Lack of literacy leads to children being isolated, having

poor self-esteem and being easily used for negative purposes by elements in the community. Therefore, we have got to really work at our literacy levels.

Mr Butler referred to a term that I used. I was introduced to that term by community workers in west Belfast. It was not my invention and was used as a nickname or as slang to describe a subgroup of people who live certain lives. Such people are out there. The term was not meant as one of abuse; it was used to describe a particular subgroup of people. I have been in community politics for 25 years. I chaired community groups for a number of years, including one in west Belfast, and set up the Greater Shankill Task Force and the West Belfast Task Force. People in my Department know that I have made essential skills one of my top priorities, because I was so horrified by what I found when I came into the job. I had not appreciated the extent of the problem. My remark was nothing to do with people taking benefits. Incidentally, the sensational piece was not written by the journalist who interviewed me, which is not insignificant.

My task and that of my Department is finding what we can do. What frameworks can we develop to tackle the problem? What are we going to achieve as an Assembly and as an Executive? Are we going to create the circumstances in which people leave the system in a better way than they were when they went into it?

I visited a number of organisations that my Department has contracts with, which deal with people who faced difficult circumstances in care, may have been subject to abuse and may have been involved with substance abuse. A lot of people have not got a clue about what is going on out there. We can look at the busy city and town centres and the shoppers who pile into them, but we forget that it is the people who are not in them, rather than those who are, who we are worried about, because they are almost invisible in our community. However, they exist, and they are not being dealt with in a way that will enable them to participate. I take those matters extremely seriously, and I hope that we will make progress early in the new year.

Mr Shannon raised the issue of the contribution of further education. I am aware of the funding issue to which he refers. It is being dealt with at a high level in the Department. We are discussing that matter with the further education sector, but I do not know what the outcome will be. However, we are aware of the problem, and it is receiving attention. I hope that, before long, we will be able to assess whether we have a way to resolve it correctly.

The colleges have played, and continue to play, a significant role. They have responded quickly and innovatively, and the Department has introduced a number of initiatives. Nevertheless, I agree with Members that the issue will only be resolved through collective

action by the Departments in Northern Ireland. That will only happen if the Executive agree to take a decision on whether they intend to prioritise the matter across all Departments. The Department for Employment and Learning and the Department of Education can do so much. However, the total effect would be far more effective through a cross-government position. That is the thrust of what those who proposed the motion are trying to achieve. I assure them that the issue will receive the best and most appropriate attention possible, and I will be surprised if other Ministers do not offer a willing and positive response.

**Mrs McGill:** Go raibh maith agat, a LeasCheann Comhairle. I thank everyone who contributed to this afternoon's debate and thank the Minister for his presence.

During the debate, Members said that we have already debated this topic. That is true; we are revisiting the issue. However, from listening to contributions this afternoon, it is clear that it is a live issue. As one Member said, it is a challenging and complex issue. Members' contributions were valuable in determining how to make progress on the issue. Repeated mention has been made of the need for a strategy, and Members' arguments on that point are valuable and coherent. If I understand correctly, the Minister agrees with that assertion. Several contributors thanked the Minister for the initiatives to date. I add my thanks to him for that.

I will outline why we proposed the motion today. Kieran McCarthy mentioned the valuable information pack that Members have, which contains different bits and pieces of media coverage from here and across the water. Although work has been done on the matter across the water, the issue has still not been sorted. I note that the British Prime Minister and others are being challenged at this stage. Early in the debate, David McClarty said that this is a persistent problem that has existed for a number of years. Therefore, it has not been sorted. I commend the Minister on his attempts to rectify that.

*4.15 pm*

I have read of examples of the gaps that exist in training provision. Recently, in November, the local press in my constituency printed a story about a 22-year-old man from Cookstown who applied to take up an apprenticeship. He got through the aptitude test but was unable to get a placement and had to abandon the course. I felt that something was wrong with that, because the programme-led apprenticeships, which were introduced by the Minister for Employment and Learning, have been in place for some time. Why did someone not explain the situation to that young man? The article stated that he had gone to the local job centre but could find nothing there. He had phoned round but could not find a placement anywhere.

That young man of 22 years of age is a parent, and he has worked since he was 16 in retail and as a postman. I wanted to share that example because it supports our view, and that of other contributors to the debate, that a strategy should be in place, and it shows that a gap exists. That young man did everything right, but he still could not get into training — not even into a job, but into training. There is something wrong there.

The cost of programme-led apprenticeships was mentioned, and I know that sorting out that problem and providing similar training programmes will not be cheap. They will be expensive, but money has to be invested in them. However, obtaining the resources that would be required to make those programmes a success is an entirely different issue. For example, I read the account of the principal of an education provider in Newquay who mentioned the cost of programmes that require intensive tutoring. We must examine the issue of resources and, in developing a strategy, as was mentioned a number of times in the debate, we must join up the departmental dots.

The Minister said that we have to get the statistics right. Sue Ramsey mentioned a figure in her opening remarks, and, if that statistic is accurate, it is, as the Minister said, staggering that 47,000 under-25s are not currently in employment, education or training, one way or the other. We have been talking about a cross-departmental approach, and that is the key to the problem, although some Departments will have more responsibility than others. Members quoted figures in the debate, but, if we were to give departmental officials a couple of figures and ask them how many under-25s are not in employment, education or training, I would be surprised if any of them were to come up with the figure of 47,000. Barnardo's is seeking a strategy on this issue, and, having listened to what the Minister said, it is clear that there are strategies in place. However, we have to tie everything together.

I want to comment on some Members' contributions, although the Minister has, to some extent, already done that. Paul Butler said that the cost of having so many young people who are not in education, training or employment is £250 million a year. He also made a comparison with what is happening in Europe, against which we are not doing that well. He also referred to the problem being cyclical. Everyone accepts that the issue is generational, and we should think about what we can do about that.

Several Members said that education is a key factor and emphasised the need to focus on education much earlier than at the age of 16. We accept that there are problems at earlier stages of education. Sinn Féin and the three Members who tabled the motion have no difficulty in accepting the fact that the problems go back to the early stages of education. Reference was

made to an early years strategy, which, I hope, will come to fruition.

However, the motion specifically refers to people who are under the age of 25. The three Members who tabled the motion are members of the Committee for Employment and Learning, and none of us has any difficulty with there being a more coherent approach to the problem. Basil McCrea stated that education is important. The way in which we deal with young people in bad situations is a problem for society. Those young people may have experienced family breakdowns and associated mental-health problems. We must consider how to deal with the whole situation. Members must bear in mind that it is not only statistics that we are discussing but individuals, as the Minister said.

I thank Members for their contributions. I did not refer to all Members because the Minister summed up their contributions.

**Mr McCarthy:** The Minister referred to the high percentage of young people who leave school without being able to read. Mrs McGill was a teacher. Was it her experience that people left her school, or any school in Northern Ireland, without being able to read? The Minister quoted a staggering figure.

**Mr Deputy Speaker:** I ask Mrs McGill to draw her remarks to a close.

*Question put and agreed to.*

*Resolved:*

That this Assembly notes that one third of all benefit claimants are now under 25 years old and that one fifth of people aged 16 to 24 are classed as "not in education, employment or training"; welcomes the study on this issue currently being undertaken by the Department for Employment and Learning; and calls on the Minister to bring forward a cross-departmental strategy and programme, in conjunction with Executive colleagues, to prevent these young people becoming a lost generation.

*Adjourned at 4.22 pm.*





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# NORTHERN IRELAND ASSEMBLY

Tuesday 8 December 2009

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

*Members observed two minutes' silence.*

## MINISTERIAL STATEMENT

### North/South Ministerial Council

#### Language Body Sectoral Format

**Mr Speaker:** I have received notice from the Minister of Culture, Arts and Leisure that he wishes to make a statement regarding the North/South Ministerial Council (NSMC) meeting in language body sectoral format.

**Lord Morrow:** On a point of order, Mr Speaker. During yesterday's sitting, my party colleague Mr Campbell asked a question of the deputy First Minister. He got the following reply:

"I do not think that that question even deserves an answer."  
— [Official Report, Vol 46, No 5, p283, col 2].

Mr Speaker, can we have a determination on that? First, are Ministers obliged to answer questions in the House? Secondly, what determines whether a question is answerable? As I look at that question, I see very little wrong with it. I would like a ruling to be made on when Members are entitled to an answer and when they are not.

**Mr Speaker:** I thank the Member for his point of order, and certainly —

**Mr McElduff:** Further to that point of order, Mr Speaker.

**Mr Speaker:** Order. Standing Orders are absolutely clear on Ministers answering questions. Let me look at the Hansard report, and I will come back either to Lord Morrow directly or to the House with my ruling.

**Mr McElduff:** I am content with your explanation, Mr Speaker. My point of order concerns whether the formula of words that the Minister used yesterday constituted an answer.

**Mr Speaker:** As Members know, I do not produce knee-jerk reactions to points of order. Let me look at

the Hansard report to read the question and the answer that was given to it.

**Mr K Robinson:** Further to that point of order, Mr Speaker, given that such matters have been raised in the House several times, it is pretty obvious that Members are dissatisfied with several Ministers and the answers that they give.

We have worked very hard in the Procedures Committee — the Chairman, Lord Morrow, is present — to make this House more relevant to Members and to the public. There is an underlying issue that will need to be dealt with at some point.

**Mr Speaker:** I understand what the Member is saying. However, there are two different issues. I do not sit in judgement on how a Minister answers a question, but it is a different issue if a Minister refuses to answer a question. I have always said in the House that I am not prepared to sit in judgement on how a Minister answers a question, but there is still some work for the Procedures Committee to do in determining how to move that forward. However, it is a totally different issue if a Minister refuses to answer a question. That is very clear in Standing Orders.

**The Minister of Culture, Arts and Leisure (Mr McCausland):** In compliance with section 52 of the Northern Ireland Act 1998, I wish to make the following report on the ninth North/South Ministerial Council meeting in language sectoral format. It was the fifth such meeting since the restoration of the Northern Ireland Executive and Assembly, and it was the third that was held in 2009. This report has been endorsed by Conor Murphy MLA.

The meeting was held in DCAL headquarters in Causeway Exchange, Belfast, on 2 December 2009. It was my second North/South Ministerial Council meeting. I chaired the meeting, and I represented the Northern Ireland Executive as Minister of Culture, Arts and Leisure, along with Conor Murphy MLA, the Minister for Regional Development. The Government of the Irish Republic were represented by Éamon Ó Cuív TD, the Minister for Community, Rural and Gaeltacht Affairs. The meeting dealt with issues relating to the language body and its two constituent agencies, Tha Boord o Ulster-Scotch, which is the Ulster-Scots Agency, and Foras na Gaeilge, which is the Irish language agency.

I will now present a summary of the issues that were discussed by the Council on 2 December 2009. The Council received progress reports from the Ulster-Scots Agency and Foras na Gaeilge on developments in 2009, including a draft Internet strategy for young people, which was compiled by Foras na Gaeilge, and FÓN, which is a learning from new technology project. It won the European Language Label, which is a European award for languages, on 26 September 2009.

Ministers welcomed the launch of the new Ulster-Scots Agency website and the fact that 38 language-based summer schools were supported by the Ulster-Scots Agency in 2009.

The Council noted the ongoing collaboration between the agencies, including a series of lectures on aspects of our shared heritage, which have been agreed with Dungannon and South Tyrone Borough Council, and the completion of a film in Irish about the Ulster-Scots language and culture, which will be broadcast on TG4. Ministers also noted that a joint policy on child protection is being prepared in conjunction with the NSPCC.

The Council noted the revised 2009 business plans and budget provision for the language body, which will be brought to a future NSMC meeting for approval. The Council noted that the 2010 business plans will be finalised once the budgetary allocations have been established and agreed by the sponsor and Finance Departments and that the finalised plans and budget will be submitted for approval at a future meeting of the NSMC.

Ministers considered proposals on the strategic focus, organisational structure and staffing of the Ulster-Scots Agency to reflect its emerging business priorities. They also discussed measures to strengthen corporate governance in the agency. The Council welcomed progress following the introduction of the amended financial assistance scheme for the Ulster-Scots Agency in July 2009. The financial assistance scheme affords opportunities for groups and individuals to draw financial support from the agency for Ulster-Scots activities.

The Council discussed staffing issues in Foras na Gaeilge and noted that arrangements are in place to fill five posts in Gweedore and three in Dublin. The Council noted that sponsor Departments have received an application from Foras na Gaeilge for additional contract staff to complete the English-Irish dictionary project. Ministers asked that consideration of that request be completed as a priority and that a recommendation be presented to the next NSMC meeting in language sectoral format.

The Council welcomed the Foras na Gaeilge review of its core-funded organisations. Ministers agreed that core funding of the Irish language voluntary sector by Foras na Gaeilge be reconfigured on the basis that Foras na Gaeilge will set high-level strategic priorities. Applications for funding will be invited from the voluntary sector, within those strategic priorities, for one or a limited number of organisations with a representational, information-dissemination, resource-and-support provision and advocacy role for the sector as a whole and, at local area level, from groups that take an integrated approach to the promotion of the Irish language, including working in community,

family, educational and youth settings. The reconfiguration is supposed to ensure a more effective, streamlined and cost-effective approach to the sector's funding.

The Council noted the progress that has been made on the annual reports and accounts for the North/South Language Body, including the fact that the 2005 accounts have been cleared formally by both Comptrollers and Auditors General and will be signed imminently and that progress is being made on the annual reports and accounts for 2006, 2007 and 2008. Both agencies, in conjunction with the sponsor Departments, are continuing to address the outstanding issues in relation to the annual reports and accounts as a priority. The Council requested a further progress report for the next NSMC meeting in sectoral format.

The Council agreed to hold its next meeting in language sectoral format on a date to be agreed in the second quarter of 2010.

**The Chairperson of the Committee for Culture, Arts and Leisure (Mr McElduff):** Go raibh maith agat, a Cheann Comhairle. Tá mé sásta gur tháinig an dá Rialtas le chéile chun an t-ábhar seo a phlé.

I welcome the Minister's statement. Why did he not refer to the development of an indigenous language strategy, both for the Irish language and Ulster-Scots, given that he is scheduled to brief the Committee for Culture, Arts and Leisure on Thursday and that he has still not submitted a paper to the Executive, not even on a strategy or on high-level principles that might guide a strategy? Was the language strategy discussed at the meeting that he attended? If not, when does the Minister intend to consult with Foras na Gaeilge and the Ulster-Scots Agency on a draft strategy? Furthermore, when does the Minister expect the Ulster-Scots Agency to improve its corporate governance arrangements, and how did it get into a position whereby its corporate governance is not what it should be? Finally, how will budget revisions affect service delivery, which he mentioned in relation to the language body and the 2009 budget?

**The Minister for Culture, Arts and Leisure:** The Member asked about the language strategy, which does not come under the North/South Language Body's jurisdiction. Therefore, I do not intend to answer that question. However, I will write to the Member about that subject.

The Member also asked about governance and accountability matters with respect to the Ulster-Scots Agency. I shall take this opportunity to address those matters more fully. The Ulster-Scots Agency is part of a North/South body. Therefore, its oversight rests with the two sponsor Departments: the Department for Culture, Arts and Leisure and the Department of Community, Rural and Gaeltacht Affairs in the Irish Republic. A range of significant governance and



accountability issues have been identified in the Ulster-Scots Agency, and the sponsor Departments have been working closely with the agency's board and chief executive to ensure that an effective financial control system is in place.

My predecessor Gregory Campbell recognised that there were issues in the agency, and a senior civil servant was seconded on a short-term basis to the organisation to help sort out the problems. However, that action alone has not resolved the situation. It is clear that there are ongoing issues concerning the agency's strategic direction and about governance and administrative processes.

I am determined to ensure that the agency is fit for purpose, provides value for money, is efficient and effective and is good for the community that it serves. That is what I said in the Assembly on 24 November, and that view is shared by Minister Ó Cuív in the Irish Republic. Consequently, at the North/South Ministerial Council meeting on 2 December and in the absence of the CEO, who was unable to attend due to illness, Ministers agreed to designate an interim CEO to the agency to try to make progress on the issues. The Ulster-Scots community is entitled to a first-class service, and I will endeavour to ensure that the agency is, therefore, fit for purpose and provides such a service.

10.45 am

**Mr Craig:** Will the Minister comment on the Ulster-Scots Agency's distribution of 3,000 full-face Santa hats at a recent Ulster rugby match? I think that we would all admit that that was a bit of a Christmas cracker. More importantly, will the Minister comment on the fact that board members were not informed of the distribution of the hats or of other decisions that were made?

**The Minister of Culture, Arts and Leisure:** That issue does not relate specifically to the NSMC meeting, but it does have a connection to the previous question. Last Friday night, 3,000 Santa hats advertising the agency's website were distributed at the Ulster versus Glasgow Warriors rugby match at Ravenhill. Production of the 3,000 Santa hats cost £2,542.56. The agency also placed a full-page colour advertisement in the official programme for the match and a feature article in Ulster Rugby's e-newsletter, at a cost of £2,300. The total cost to the agency was £4,842, inclusive of VAT. At a time of scarce resources and when there is significant pressure on budgets, such actions hardly set the right example with regard to the effective use of public funds, and I am certain that any right-minded person would share that concern. I want to see the resources directed where they should be. Those resources should be directed at community development, cultural development, research, tuition and teaching.

The Member has made a valid point, and it is true that members of the agency's board were not informed of the decision to purchase the Santa hats.

**Mr McNarry:** In his statement, the Minister referred to strengthening corporate governance in the agency. Recently, in the House, when referring to the Ulster-Scots Agency, he said:

"It is clear that there are issues regarding the strategic direction of the agency and issues around its governance and administrative processes." — [*Official Report, Vol 146, No 2, p111, col 2*].

He made those comments in response to a question for oral answer. Was that subject discussed in detail at the meeting? Does the Minister envisage any particular outcome on the strategic direction of the Ulster-Scots Agency, or is it too soon for such an assessment to be made?

**The Minister of Culture, Arts and Leisure:** The Member touched on two areas: first, strategic direction; and, secondly, governance and accountability. They are distinct issues, but there is a connection between them. On receipt of the draft business plans for 2010, my officials examined and commented on the 2010 business plan for the Ulster-Scots Agency. Subsequently, my officials wrote to the agency on 11 November to outline their concerns and comments on the business plan. The comments included a direction from me on how the agency could improve plans and priorities.

I asked the agency to consider four main issues in developing further its 2010 business plan. First, the primary focus of the agency should be the high-level promotion of Ulster-Scots culture, heritage and language to local and international audiences. Secondly, the agency should include a target in its business plan to develop high-level strategies to ensure that its work is carried out in a strategic way and that funding decisions are made in a clear, transparent and efficient manner. Thirdly, the agency should have high-level, explicit targets in the business plan for the development of the infrastructure and capacity of the Ulster-Scots community. Finally, the agency has a key role to play in the cultural marketing of all things Ulster-Scots. That will require proactively building practical working relationships with other public sector organisations such as the Arts Council of Northern Ireland, Northern Ireland Screen and Craft Northern Ireland. A high-level objective for that should be built into the business plan.

I am determined to ensure that the business plan for the Ulster-Scots Agency is fit for purpose, provides value for money and reflects the needs of the community that it serves. I know that that is also Minister Ó Cuív's view of the work of the Ulster-Scots Agency and Foras na Gaeilge.

**Mr D Bradley:** Go raibh maith agat, a Cheann Comhairle agus gabhaim buíochas leis an Aire as an ráiteas atá déanta aige inniu. Ba mhaith liom a fhiafraí

den Aire an bhfuil cóip den dréacht-straitéis 20 bliain don Ghaeilge atá foilsithe ag Rialtas na hÉireann faighte aige. Sa straitéis sin tá tiomantas ag Rialtas na hÉireann do reachtaíocht Gaeilge anseo sa Tuaisceart. Ba mhaith liom a fhiafraí den Aire fosta an mbeidh plé aige leis an Aire Ó Cuív faoi impleachtaí an tiomantais sin don straitéis anseo sa Tuaisceart.

Has the Minister received a copy of the Irish Government's 20-year strategy for the Irish language? Did he notice that the strategy gives both support and a commitment to Irish language legislation here in Northern Ireland? Will the Minister discuss with Minister Ó Cuív the implications of that commitment for the Northern Ireland indigenous languages strategy?

**The Minister of Culture, Arts and Leisure:** The development of a language strategy for Northern Ireland is a matter for the Northern Ireland Executive, the Northern Ireland Assembly and my Department. It is not a matter for the Irish Republic. I did not receive a copy of the strategy, and I have not read it. Whatever it contains is of no relevance to the internal matters of Northern Ireland, and it was not discussed during any part of the North/South Ministerial Council meeting.

**Mr McCarthy:** I welcome the Minister's statement. A' haeny a cloo as tae whut Dominic was takkin aboot. I don't understand what Dominic was talking about. Everybody accepts that the Irish and Ulster-Scots languages are important to a lot of people. However, will the Minister consider introducing at the next Council meeting the important issue of the Irish and British sign language problem? If that sign language were further promoted, many of our constituents in Northern Ireland would benefit.

**The Minister of Culture, Arts and Leisure:** I am disappointed to find out that Kieran McCarthy did not understand what Dominic Bradley said. Kieran McCarthy used some Irish at a previous sitting, and I thought that he had now developed a great fluency in the language.

On the point of the British and Irish sign language, the North/South Ministerial Council met to discuss the cross-border language body, which deals with two indigenous languages only, Ulster Scots and Irish. That is its remit, and those were the only matters that were discussed at the meeting.

**Miss McIlveen:** I welcome the Minister's statement. He mentioned the introduction of the revised financial assistance scheme. How has that benefited the Ulster-Scots community since its introduction?

**The Minister of Culture, Arts and Leisure:** The NSMC approved the revised Ulster-Scots Agency's financial assistance scheme on 8 July 2009. The scheme affords opportunities to a variety of groups and individuals to draw financial support from the agency for a range of Ulster-Scots activities. Primarily, the

scheme provides support for community and voluntary groups offering music and dance tuition to the Ulster-Scots community.

In October 2009, the agency received more than 350 applications for financial support for a tuition programme to be funded in tranche form and to run from 1 January 2010 to 31 December. Before October 2009, applications for tuition funding were received throughout the year; since the introduction of the tranche funding scheme, applications have increased by more than 100%.

Ulster-Scots community groups seeking financial support for administrative workers can also be funded through the community workers scheme. Applications have been received from a number of groups, and to date eight awards have been made. Groups have been able to draw funds from the agency since the end of November 2009. My predecessor Gregory Campbell identified community empowerment as one of the priorities for the agency, and the introduction of the funding stream for community workers is an outworking of that commitment.

**Mr Brolly:** Go raibh míle maith agat, a Cheann Comhairle. I have some difficulty in understanding why a strategy for the indigenous languages is not relevant or has not been discussed at the North/South Ministerial Council, particularly as the Ulster-Scots Agency has a headquarters in Raphoe in east Donegal. Will the Minister explain why that is not relevant to and should not be discussed by the North/South Ministerial Council? Does the Minister understand the frustration of Ulster-Scots and Irish-language speakers at the slowness in bringing forward a strategy for Ulster Scots and Irish?

**The Minister of Culture, Arts and Leisure:** I will repeat what I said earlier: the strategy for indigenous languages is a strategy for Northern Ireland. It is not a matter for the Government of the Irish Republic; it is solely a matter for Northern Ireland. It is our responsibility to bring that strategy forward, and it is being worked on at present.

Since taking over at the Department at the beginning of July, I have been engaged in consultations about the strategy. I have met Irish-language representatives, I have visited Scotland to gain an insight into how indigenous languages are promoted there, and I intend, in the early part of next year, to visit Wales as well. There are lessons that we can learn not just from the other parts of the United Kingdom but from other European countries, because the same issues of language promotion and cultural development apply across Europe.

Two of the key areas that I firmly believe to be important in this matter are education and the media. That has always been my view, and it was confirmed by all those to whom we spoke who are engaged in

indigenous language development. To that end, I wrote to the Minister of Education, Caitríona Ruane, asking for a meeting to discuss culture in the classroom. I am awaiting a reply to that request and hope that the meeting will take place in the near future so that we can progress in that area.

I have also been in conversation with the Westminster Government about broadcasting, which is, of course, a reserved matter. I want to see progress on that. It is important that we get an Ulster-Scots broadcasting fund to match and complement the Irish language broadcasting fund, and it is important that the cultural rights of children in the Ulster-Scots community are fully implemented and given effect in schools in Northern Ireland. I am not convinced that that is happening at the moment, but that will be an important element in the strategy, so the meeting with Caitríona Ruane will be an important one, and I hope that it takes place very soon. That meeting, when it does take place, will take us further along the road to the development of the strategy. The sooner it takes place, the better; I am sure that the Member will understand the point that I am trying to make.

**Mr K Robinson:** I thank the Minister for his statement. I welcome some things in it. I am particularly pleased to see that 38 summer schools have been supported by the Ulster-Scots Agency and that TG4 will now put out a programme in Irish showing the Ulster-Scots language and heritage. I am sure that the Chairperson of the Committee for Culture, Arts and Leisure will also be pleased with that, and I hope he will let me know when it is on in case I miss it.

There seems to be —

11.00 am

**Mr Speaker:** Will the Member ask a question?

**Mr K Robinson:** I am coming to it. There seems to be a definite strategic plan to deal with the Irish language and how it is brought down to community level by core funding and through the creation of eight posts. Why is there not the same drive in the Ulster-Scots community to bring funding and the influence of Ulster Scots into homes and schools that there seems to be with the Irish language?

**The Minister of Culture, Arts and Leisure:** I agree entirely with the Member's aspiration for Ulster-Scots language and culture to be brought down to community level and into homes, because that is where language and culture are passed on from generation to generation.

As I said earlier, the key point is that a more strategic approach is needed. I want strategies in place for language awareness and for publications in Ulster Scots. It is not simply a matter of making more money available, although we want to do that. However, that

money must be spent strategically, and, unless clear strategies are developed, that will not happen. That is why I told the Ulster-Scots Agency that it must include strategy development as a key part of its business plan. The agency has been in place for 10 years, and it should have clear strategies on all those matters.

**Mr McGlone:** Go raibh maith agat, a Cheann Comhairle. Chomh maith leis sin, gabhaim mo bhuíochas leis an Aire as ucht an ráitis a chuir sé os ár gcomhair inniu. Molaim an earnáil dheonach agus an fheidhm atá léi. An aontaíonn an tAire liom cé chomh héifeachtach agus atá na húdaráis áitiúla, ó thaobh straitéis áitiúil de, ag cur chun cinn na teanga i gcomhoibriú leis an earnáil dheonach, agus, go deimhin, ag cur chun cinn na teanga i gcoitinne?

I thank the Minister for his statement, and I acknowledge the contribution of the voluntary sector in promoting the Irish language. Will the Minister agree that core funding from Foras na Gaeilge has resulted in an important strategic and local role being held by Irish-language officers in local councils in working with local communities and the local voluntary sector?

**The Minister of Culture, Arts and Leisure:** That matter was not discussed at the meeting, but I agree that that funding stream from Foras na Gaeilge to local councils has benefited the Irish-language community. The Ulster-Scots Agency can learn lessons from that on how it works in partnership with other bodies, which is why I mentioned a number of bodies earlier. I recognise the fact that that has been a good partnership that has benefited the Irish language.

**Mr Speaker:** That ends questions on the ministerial statement.

**Mr K Robinson:** On a point of order, Mr Speaker. Some Members choose to use a language other than English, and, this morning, it appeared that much flexibility was given to those Members with the time that they were permitted. However, I feel, and my colleagues agree, that I was rushed in my question and was unable to outline the setting in which to place it.

**Mr Speaker:** As Members will know, I encourage all Members, as far as possible, to come to their question, even when they decide to use another language. That issue has been raised in the House on several occasions when Members have decided to use another language.

I also encourage those Members who want to use another language to come to their question sooner rather than later.

**Lord Morrow:** It is patently obvious that that tactic is used as provocation and has very little to do with culture or anything else. Will you assure the House today that the issues that Mr Robinson raised will be given due consideration? It strikes us on this side of



the House that a battle is raging between the SDLP and Sinn Féin about who is worse at speaking Irish.

**Mr D Bradley:** On a point of order, Mr Speaker.

**Mr Speaker:** I will take Mr Bradley's point of order.

**Mr D Bradley:** Go raibh míle maith agat, a CheannComhairle, as glacadh leis an phointe seo uaimse. Thank you very much for accepting a point of order.

People who choose to use a language other than English are obliged to then translate their words into English. If we had the proper simultaneous translation equipment in the Chamber, that would not be necessary. However, given that those circumstances do not apply at the moment, we are obliged to translate questions, which obviously takes longer. I must admit that Mr Robinson is not usually as long-winded as he was today.

**Mr Speaker:** Order. Two issues must be considered. The first is Mr Bradley's point about examining facilities in the Chamber for the use of languages other than English. He should perhaps raise that point with his party's Assembly Commission member as an issue for the Commission to consider. Secondly, Lord Morrow's point, which he raised previously, is perhaps a matter for the consideration of the Committee on Procedures.

Members know that I continually encourage them to come to their question as soon as possible. That is important. I continually tell the House that when a Minister makes a statement, Members should not try to also make a statement. A ministerial statement allows for a Member to ask one question and is another way to hold the Minister and Executive to account. Members, from whatever side of the House they come, should not abuse that system. More than anything else, that is what this issue is about.

I will take a further point of order.

**Mr McElduff:** On a point of order, Mr Speaker.

Tá mé ag caint faoin chóras aistriúcháin.

My point of order also concerns the simultaneous translation system. The matter was raised in the House about a month ago, and I understood that the Speaker's Office was to explore the feasibility of putting in place headsets and a simultaneous translation system to benefit all Members, not just those who sit at the top Table. Such facilities would solve the problem.

**Mr Speaker:** I told the House at that time that it was for party members who sit on the Commission to raise the issue. To date, no one has raised it in the Commission. Therefore, I encourage Members to raise the issue with their party members who sit on the Commission, and I assure Members that the Commission will consider the issue and try to deal with it.

**Mr Brolly:** On a point of order, Mr Speaker.

**Mr Speaker:** Order. I am almost running out of patience. I will take Mr Brolly's point of order.

**Mr Brolly:** With your indulgence, Mr Speaker, I will make what might be a parting suggestion. *[Interruption.]* Pending the introduction of simultaneous translation facilities, perhaps the Speaker could get the authority to ask Members who intend to use two languages to speak twice as quickly as everyone else. *[Laughter.]*

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

**Mr Speaker:** I will take Mr McNarry's point of order, and we then really need to try to move on.

**Mr McNarry:** Returning to the seriousness of the issue, I concur with what you said, Mr Speaker, and ask the House to support the direction in which you pointed it. However, those who would consider simultaneous translation facilities might also bear in mind that a great number of Members do not wish to avail themselves of that service.

**Mr Speaker:** Order. I very much note what the Member said.

Order. This is a matter for the Commission, and I am sure that the Commission will deal with it if its members raise the issue, which they have not done up to now.

## EXECUTIVE COMMITTEE BUSINESS

### Diseases of Animals Bill

#### Final Stage

#### **The Minister of Agriculture and Rural Development (Ms Gildernew):** I beg to move

That the Diseases of Animals Bill [NIA 22/07] do now pass.

At the outset, Cheann Comhairle, I want to say that, sometimes, I would benefit from simultaneous translation when some of the Members opposite are speaking in English. *[Laughter.]*

I am absolutely delighted that the Diseases of Animals Bill has reached its Final Stage. It was one of the first topics that were put in front of me when I was appointed Minister of Agriculture and Rural Development in May 2007. At that time, the focus was on issues that had arisen from the foot-and-mouth disease outbreak in 2001, which clearly indicted that the Department needed to review and update its powers to deal with outbreaks of serious disease.

Since then, of course, the threat to the agricultural industry has widened to include avian influenza and bluetongue. In the future, the industry will, undoubtedly, face threats from other new and emerging diseases. One thing is certain: we simply cannot afford to be complacent. The consequences of a full-scale disease outbreak here could be disastrous for the agrifood industry and economy. If vital export markets are lost, they will be very difficult to regain in today's highly competitive trading conditions and economic climate.

First and foremost, farmers and everyone else who is involved in the industry must do everything that they possibly can to keep disease out. However, if the unthinkable happens and there is an outbreak, robust powers will be needed to stamp it out quickly. It is in that context that I introduced the Bill to the Assembly in June 2008.

It is an appropriate moment to remind the House of the aims of the Diseases of Animals Bill. First, it will protect the North's animal-health status through enhanced disease-prevention, biosecurity and control measures. Secondly, it will enable policies to be introduced to reflect the latest developments in research and technology to trace and combat disease. Finally, it will ensure that appropriate enforcement powers are available and that the rights of innocent farmers are protected.

Those aims are, I believe, supported by all right-thinking people in the agrifood industry. However, in bringing the Bill forward I was conscious of the apparent lack of trust and confidence between farmers and my Department. That has concerned me greatly.

As Minister, I want to address that. There is no doubt that relationships must be built on mutual trust and respect. To that end, I will look at future initiatives that could improve or tackle that perception and assist in developing a better working relationship between farmers and my Department. A good example of how departmental vets already tackle that is through my brucellosis initiative, whereby they, together with vets from the South of Ireland, have worked in partnership with farmers in local brucellosis working groups with some success and are building good working relationships with farmers on disease-control measures.

I wanted the Diseases of Animals Bill to be subject to intense scrutiny by the Committee for Agriculture and Rural Development and stakeholders. I am glad to say that that is what happened. I believe that that type of scrutiny helps to develop better relationships between my Department and the farming community.

The Bill is the first that I have taken forward and the first to be scrutinised by the Committee for Agriculture and Rural Development during the current mandate. I want to formally thank the Chairperson, Deputy Chairperson and members of the Committee for their extensive consideration of the Bill and for the publication of two comprehensive reports. I am particularly grateful to the Chairperson and Deputy Chairperson for making themselves available to me on several occasions during the summer to discuss the Bill's provisions on biosecurity.

The Committee suggested a number of important amendments to provide greater transparency and reassurance about the way in which the Department conducts its business on the ground. I fully support the Bill's emphasis on openness, transparency and accountability. I was glad to accept the Committee's suggestions.

The former Committee Chairperson often said most emphatically that there can be no hiding place for those who would sacrifice the reputation of our industry for short-term gain. I am satisfied that the Bill has struck a balance between protection for the vast majority of conscientious law-abiding farmers and the need for measures to deal with those who would bring the industry to its knees for personal gain.

The Bill, as it stands to be voted on by the Assembly, shows how a Minister, Department and Committee can work together on legislation to achieve a positive outcome and can produce a robust and significant piece of legislation, which, I must say, is a somewhat different and much improved version of the Bill that was presented to me on my first day in office in 2007.

I look forward to continuing that productive work with the Committee during its consideration of the Forestry Bill and the two further Bills that I hope to

introduce to the Assembly next year on the welfare of animals and dog control.

11.15 am

I thank all the stakeholders who responded to the consultation on proposals for the Bill; their comments were helpful in determining its final shape. I pay tribute to the Ulster Farmers' Union for working with me and my officials on the Bill and for their constructive comments and advice. The role of the union in developing legislation such as the Diseases of Animals Bill is crucial to ensure that a fair balance is struck between the need for regulatory controls and the industry's ability to operate without unnecessary interference by government.

I thank officials in the Office of the First Minister and deputy First Minister, the Office of the Legislative Counsel, the Departmental Solicitor's Office and the Assembly Bill Office, which gave us much support and advice. I also thank the Committee Clerk and his staff for their support and commitment, and my departmental officials, including my permanent secretary, who worked hard on the Bill to achieve such a good outcome. I am grateful to all of them.

**The Chairperson of the Committee for Agriculture and Rural Development (Mr Paisley Jnr):** I will try to speak slowly and clearly so that the Minister and the Members opposite fully understand the import of what is said and how it is said.

The Bill passed from Second Stage to Committee Stage some 15 months ago. When it came before the Committee, members were told that the principles of the Bill covered three key areas: the enhancement of existing disease prevention, biosecurity and control measures, including the slaughter of animals and poultry with disease and the specification of Transmissible Spongiform Encephalopathies (TSEs); the creation of new offences and provision for enforcement of the law against them; and enabling the Department to prepare guidance on biosecurity.

Machiavelli has stated:

"It is necessary for him who lays out a state and arranges laws for it to presuppose that all men are evil and that they are always going to act according to the wickedness of their spirits whenever they have free scope."

I suppose it is with that in mind that the Minister said that there is a lack of trust between farmers and the Department.

A great deal has been learned in taking the Bill through to its concluding stages. When the Committee considered the Bill, members felt that it was important that the powers detailed in it not only provided the Department with the ability to enforce them but that, in doing so, the Department avoided presupposing that the industry was in some way at fault and that it

needed to be corrected. The Committee, therefore, sought to ensure that the Bill also provided protection to the industry, to the needs of the wider Northern Ireland economy, to individual businesses and to farm families from excessive use of the departmental powers prescribed in the Bill while ensuring that it brought the full effect and severity of the law on the minority of criminals who continue to place our industry in jeopardy. I believe that the Committee has achieved that objective, and it commends the Bill.

The Committee has agreed the enhancement of existing disease prevention, biosecurity and control measures that are relevant to TSEs. However, it is no secret that the Committee sought to have the Department enforce the eradication programme for TB. The Committee believes that sufficient evidence has been presented to demonstrate the failure of the current policy. The Department states that it has substantially reduced the disease from the high incidence levels that were identified in 2002, but we need to examine that claim. As a consequence of BSE, it became necessary for herds to be housed and not moved, which helped to create the environment and conditions for other diseases, in particular TB, to rise. Incidence levels are the same now as they were before BSE. Almost 10 years and £200 million later, there has been little progress on TB. That continues, and the Department has returned £0.5 million from the key departmental badger prevalence study in the December monitoring round because progress had been slower than anticipated.

The Committee has agreed the policy associated with the enhancement of control measures that are relevant to TSEs, but it cautions the Department about the need for control measures for all diseases to bring about real changes to real disease problems and to alleviate Northern Ireland's economy of the burden of spending £125 million over the next five years in pointless pursuit of the current TB maintenance policy. It is not an eradication policy.

I now draw Members' attention to the protection offered by the second principle of the Bill, namely the creation of new offences and the provision of enforcement. As with the previous point, there was initially a difference of opinion, with the Department proposing a level of punitive penalties that the Committee considered to be too lenient. However, to the great credit of the Department, disagreement on that point did not last too long. Indeed, the Committee commends the Department for pursuing the issue of greater punishments through the Minister of State. No doubt the Department will unite with the Committee in sending out a strong and clarion message to criminals who place the industry at risk that the full power of the law will be brought upon them at every given opportunity.



As stated, the Committee wanted to ensure that a high level of protection was afforded to the wider industry and individual businesses. The Committee was successful in ensuring that the painful lessons that were learned during the alpha-nortestosterone debacle do not reoccur by insisting that the powers of entry proposed by DARD include access, third-party aids and search liaison officers for farmers. There is now greater transparency than ever before in the exercise of those powers. I think that that will, as the Minister said, go some way to ensuring that trust is built between the farming community and the Department.

The Committee objected to the introduction of fixed penalties, and that has led to the removal of the relevant clause at Consideration Stage. There was too much scope for the misuse of that power, and the Committee heard about concerns that innocent farmers might accept a penalty as being a cheaper option than being pursued through the courts.

Finally, the Committee recommended that the Department should limit its proposal to reduce compensation where there is evidence of poor biosecurity — specifically, poor biosecurity for brucellosis. That proposal would have prevented the Department from potentially targeting other diseases, such as TB, and would have brought about cost-saving efficiencies rather than the eradication of the disease.

As the Minister said, the Committee has been very exacting in its scrutiny of the Bill. It has taken what was presented and honed that into a very good piece of legislation. The Bill provides the necessary but balanced powers that are required to enhance disease controls and the punitive powers to discourage criminals, while offering protection to the law-abiding majority of farm businesses. Furthermore, the Bill, in conjunction with the Department, no longer suggests that all men are evil.

Like the Minister, I commend her Department's team for its interaction with the Committee, my Committee team, the Office of the Legislative Counsel and the Bill Office. The Committee for Agriculture and Rural Development commends the Bill.

**Mr Savage:** The Diseases of Animals Bill is very important to the agriculture industry in Northern Ireland. I know that things had to be done to bring the industry up to speed for the twenty-first century. The Bill has been the subject of a lot of discussion in the Committee and at its various other legislative stages over the past number of months. I know that many Committee members did not always see eye to eye with the Minister about some of the things that had to be done. However, common sense prevailed. These things had to be done to bring Northern Ireland into line with the rest of the UK. I support everything that has been said.

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

**Development:** Go raibh maith agat, a Cheann Comhairle. I thank the Chairperson and the Member for their contributions to the debate. I will respond quickly to a couple of the issues that were raised. I again emphasise that the slower than anticipated progress on the issue of TB, which the Chairman mentioned, does not relate to the eradication of TB but to the tendering process, and I accept that there have been difficulties with that.

The Member raised the issue of penalties, and, again, we were keen to work with the Committee and take its recommendation on that. The Member also mentioned the alpha-nortestosterone incident. If such an incident were to happen again, I am hopeful that the Committee would agree that it would be handled in a very different way, because the recommendations from the Ruddock report, and others, have been implemented by my Department.

Clause 8 is not aimed at efficiency savings or cutting costs. The emphasis, and our entire focus, is on eradicating brucellosis, and clause 8 very much comes at it from that point of view. Although it will have the impact of cutting costs, the main purpose of clause 8 is to eradicate the disease and to remove one of the horrible difficulties that farmers have to contend with on a weekly basis.

In conclusion, I am confident that the powers in the Diseases of Animals Bill will help protect and improve our animal health status through effective disease prevention, improved biosecurity and robust enforcement measures. The availability of powers to deal quickly and effectively with a disease outbreak will also minimise the impact on the agrifood industry and will protect vital export markets. The agrifood industry can be reassured by the measures in what is an important Bill.

*Question put and agreed to.*

*Resolved:*

That the Diseases of Animal Bill [NIA 22/07] do now pass.

## **Pensions Regulator Tribunal (Transfer of Functions) Bill**

### **Accelerated Passage**

**The Minister for Social Development (Ms Ritchie):** I beg to move

That the Pensions Regulator Tribunal (Transfer of Functions) Bill proceed under the accelerated passage procedure.

The Pensions Regulator Tribunal is an independent appeal tribunal established to hear appeals against determinations of the Pensions Regulator for example, a decision to impose a financial penalty, the suspension or prohibition of a trustee, a contribution notice or a winding-up order. Tribunal members are required to have special experience of the financial regulatory environment and/or the operation of pension schemes.

Unlike the appeal bodies for social security, the Pensions Regulator body operates on a UK-wide basis. By way of a transfer Order, the Lord Chancellor proposes to transfer the functions and members of the Pensions Regulator Tribunal to the new Tribunals Service structure with effect from 6 April 2010. From that date, the existing Pensions Regulator Tribunal structure will cease to exist. However, the Lord Chancellor does not have the power to effect the transfer of the tribunals function in relation to Northern Ireland. The Bill is a purely technical measure to effect the transfer of functions of the Pensions Regulator Tribunal, in respect of Northern Ireland, to the new Tribunals Service structure. The Bill merely gives effect to the transfer of functions simultaneously with England, Scotland and Wales. Rights of appeal against a determination of the Pensions Regulator remain unchanged, and appeals against determinations of the Pensions Regulator will continue to be heard by an independent appeals tribunal under the new structure. In practical terms, the only difference for the end-user will be the name of the tribunal.

During Second Stage, I will explain the background to the Bill and outline its provisions in more detail. The provisions of the Bill ensure that, in transferring the functions of the Pensions Regulator Tribunal to the new Tribunals Service structure, the right to a fair and independent appeal is maintained for people in Northern Ireland. It is important that people here continue to have the right of appeal to an independent appeal tribunal in relation to determinations of the Pensions Regulator, not least to ensure compatibility with article 6 of the Convention for the Protection of Human Rights and Fundamental Freedoms.

If we were to use the normal Bill procedure, we could not be sure that the functions would transfer simultaneously in Britain and Northern Ireland. That could result in a person in Northern Ireland having no

right of appeal to an independent appeal tribunal against a determination of the Pensions Regulator. All Members will agree that the right of appeal is fundamental and that we cannot endorse a situation in which people in Northern Ireland are deprived of that. That would be wrong in principle. We must ensure that appeal rights remain fully compliant with the Convention for the Protection of Human Rights and Fundamental Freedoms. It would not be right to take the risk that is inherent in the normal Bill procedure, which would leave people in Northern Ireland without the right of appeal.

The use of accelerated passage will ensure that this technical Bill can effect the transfer of functions. It will also allow my Department to make the necessary subordinate legislation to ensure that people in Northern Ireland continue to have a right of appeal to an independent tribunal against determinations of the Pensions Regulator.

*11.30 am*

In summary, the provisions of the Bill merely give effect to the transfer of functions of the Pensions Regulator Tribunal to the new Tribunals Service structure to bring us in line with England, Scotland and Wales. The Bill's provisions are purely technical in nature to bring about that transfer. I am sure that Members will support the motion for accelerated passage to ensure that the right to a fair and independent appeal is maintained for people in Northern Ireland when the Pensions Regulator Tribunal is abolished. The granting of accelerated passage means that the Bill will not have a formal Committee Stage. There will be an opportunity for all Members to make their views known and for issues to be fully discussed at the Second, Consideration and Further Consideration Stages.

**The Chairperson of the Committee for Social Development (Mr Hamilton):** On 26 November 2009, the Minister attended a meeting of the Committee for Social Development to explain her reasons for requesting that the Pensions Regulator Tribunal (Transfer of Functions) Bill be subject to the accelerated passage procedure. As required by Standing Orders, the Minister also outlined the consequences of accelerated passage not being granted. The Committee listened very carefully to what the Minister said and considered further evidence from expert witnesses from the Pensions Advisory Service.

As the House knows, the Pensions Regulator provides the regulatory function for work-based pension schemes throughout the United Kingdom. The regulator undertakes an essential role, including the protection of pension scheme members' benefits and the promotion of good administration by work-based pension schemes. To achieve that, the Pensions Regulator has a number of tools at his disposal, including improvement notices and financial direction

statements. When a pension scheme operator disputes a determination by the Pensions Regulator, it may appeal to the Pensions Regulator Tribunal. The tribunal is an independent UK-wide body that can consider and overrule a determination by the Pensions Regulator.

As the House has just heard from the Minister, the Bill provides for the transfer of the functions of the Pensions Regulator Tribunal in Northern Ireland to the Tribunals Service with effect from 6 April 2010. As all Members will be well aware, the granting of accelerated passage would deprive the Social Development Committee of the opportunity to review the Bill in Committee. The Committee Stage of a Bill is a very important part of any Statutory Committee's work, so it was with great care and consideration that the Committee considered the proposal for accelerated passage for the Bill.

Given the assurances received from the Minister and the independent advice that it received from the Pensions Advisory Service, the Committee came to the view that it had no issues with the principles of the Bill. The Committee felt that the Bill would have a negligible impact on the services that are provided by the Pensions Regulator Tribunal. The Committee consequently accepted that further detailed scrutiny of the Bill would be unnecessary. The Social Development Committee agreed to support the accelerated passage procedure for the Pensions Regulator Tribunal (Transfer of Functions) Bill.

**Mr Brady:** Go raibh maith agat, a Cheann Comhairle. When any Minister brings legislation before the Assembly and asks for accelerated passage, that request has to be carefully looked at. As the Chairperson stated, the Committee was given assurances, and it looked carefully at the Bill. In this case, it seems that accelerated passage is appropriate.

Given the specialised nature of such tribunals, cohesion of appeals seems to be practical. As the Minister said, people to whom the legislation applies will have the right to a fair and independent tribunal. It is worth pointing out that, to date, none of those appeals has ever been heard in the North. Accelerated passage is appropriate in this case.

**Mrs M Bradley:** I welcome the fact that the Minister brought the motion to the House. I support accelerated passage; it is right that the people of Northern Ireland have the same opportunities as everyone else.

**Ms Lo:** We support the principles of the Bill and the granting of accelerated passage. It is important that people in Northern Ireland have rights that are in line with those that are provided under UK legislation.

**The Minister for Social Development:** I thank the Chairman of the Committee for Social Development, and I also thank Mr Brady, Mrs Bradley and Ms Lo for their remarks. I am pleased with the Committee's

approach to the issue and with its unanimous support for accelerated passage.

We all agree that the right of appeal is a fundamental right. The use of accelerated passage will ensure that this technical Bill can effect the transfer of functions and allow my Department to make the necessary subordinate legislation to ensure that the people of Northern Ireland continue to have a right of appeal to an independent tribunal against determinations of the Pensions Regulator.

Subject to the Assembly's approval of accelerated passage, I look forward to further discussion on the Bill at its Second Stage. I appreciate the support across the House for accelerated passage for this technical but important legislation. Given that we can use the accelerated passage procedure, it would be wrong to risk leaving people in Northern Ireland without a right of appeal against the determinations of the Pensions Regulator.

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

*Question put and agreed to.*

*Resolved (with cross-community support):*

That the Pensions Regulator Tribunal (Transfer of Functions) Bill [NIA 4/09] proceed under the accelerated passage procedure.



## **Pensions Regulator Tribunal (Transfer of Functions) Bill**

### **Second Stage**

**The Minister for Social Development (Ms Ritchie):** I beg to move

That the Second Stage of the Pensions Regulator Tribunal (Transfer of Functions) Bill [NIA 4/09] be agreed.

Given that the Bill's Second Stage immediately follows the motion to agree accelerated passage, Members will be familiar with some of my comments. However, I trust that Members will bear with me as I address the Bill's proposals in greater detail.

The Pensions Act 2004 established the Pensions Regulator on a GB and NI-wide basis. The Pensions Regulator's primary aims are to protect the benefits of members of work-based pension schemes, to reduce the risk of situations that may result in calls on the pension protection fund and to promote and improve understanding and good administration of work-based pension schemes.

The Pensions Regulator tries to prevent problems developing and, if potential problems are identified, provides support and advice to scheme trustees, administrators, employers and so on. In addition, the Pensions Regulator has a range of powers that allows it to carry out investigations, impose financial penalties and prohibit unfit people from acting as trustees of schemes. Moreover, it can instruct schemes, employers and so on to carry out certain actions to, for example, secure the proper running of the scheme and to ensure that adequate funding is in place.

The Pensions Regulator Tribunal is an independent appeal tribunal that was established to hear appeals against determinations of the Pensions Regulator. Tribunal members are required to have special experience of the financial regulatory environment and/or the operation of pension schemes. Unlike the appeal bodies for social security, the Pensions Regulator Tribunal operates on a GB and NI-wide basis, and its functions, as is the case with the Pensions Regulator, are conferred by GB and Northern Ireland legislation.

The Tribunals, Courts and Enforcement Act 2007 provides for a new, simplified statutory framework for tribunals and brings existing tribunal jurisdictions together. That Act provides for a new unified structure by creating two new tribunals — the First-tier Tribunal and the Upper Tribunal — and gives the Lord Chancellor the power to transfer the jurisdiction of existing tribunals to the new tribunals structure. The Lord Chancellor proposes to transfer the functions and members of the Pensions Regulator Tribunal to the Tribunals Service with effect from 6 April 2010. The

existing Pensions Regulator Tribunal structure will, therefore, cease to exist.

The Lord Chancellor, however, does not have the power to effect the transfer of the Pensions Regulator Tribunal's functions in relation to Northern Ireland. Given the specialised nature of the Pensions Regulator Tribunal's work and the small number of appeals UK-wide, it would not be practicable to establish a separate tribunal for Northern Ireland. To date, there have been no appeals in Northern Ireland.

The Bill is strictly a parity measure to effect the transfer of the Pensions Regulator Tribunal's functions in respect of Northern Ireland to the new Tribunals Service simultaneously with Britain. The Bill corresponds to the provisions of the transfer Order that applies to England, Scotland and Wales. It allows consequential amendments to be made to primary legislation and re-enacts existing provisions relating to offences; for example, when a person fails to present documents to the new tribunals. It includes provision to allow the Department to make corresponding amendments to subordinate legislation by way of an Order, subject to the confirmatory procedure. It also makes transitional provision to ensure a smooth transfer — for example, of cases that are already in process at the date of transfer — to the new structure.

The provisions of the Bill are purely technical in nature and will effect the transfer of functions so that people in Northern Ireland can continue to have rights of appeal to an independent tribunal. Rights of appeal against a determination of the Pensions Regulator remain unchanged. Appeals against determinations of the Pensions Regulator will continue to be heard by an independent appeal tribunal under the new Tribunals Service structure.

**The Chairperson of the Committee for Social Development (Mr Hamilton):** We are experiencing Pensions Regulator overload. Members cannot leave the House today saying that they do not know anything about the work of the Pensions Regulator.

At the risk of repeating what the Minister said word for word, I want to make some remarks on behalf of the Committee for Social Development. The Committee considered the principles that underpin the Pensions Regulator Tribunal (Transfer of Functions) Bill at a number of meetings in November 2009. As the Minister said, the Pensions Regulator Tribunal is an independent appeal tribunal, which was established under the Pensions Act 2004 and which hears appeals against determinations of the Pensions Regulator.

The Pensions Regulator's powers involve the collection of information on occupational pension schemes, actions to safeguard pension scheme members' rights, and the minimisation of risks to the pension protection fund through, for example, freezing orders,

the recovery of unpaid contributions, and the issuing of improvement notices, financial support directions and restoration orders. Everyone will agree that those are significant regulatory powers and that they are necessary to ensure confidence in the work-based pension schemes in all parts of the United Kingdom.

A good regulatory regime must ensure proportionality, consistency and accountability, and it must be targeted where regulation is most needed, but, most crucially, regulation must be transparent. The key guarantor of those better regulation principles is an independent appeal function, and, in the case of pensions, the Pensions Regulator Tribunal provides that important function.

Although there are many work-based pension schemes in the United Kingdom, the services of the Pensions Regulator Tribunal have not been used excessively since its inception in 2004. Indeed, in its evidence to the Committee for Social Development, the Pensions Advisory Service indicated that, of the eight appeals to the Pensions Regulator Tribunal that were made throughout the UK in the period, only one has proceeded to consideration by the tribunal itself, and it is understood, as the Minister said, that none of those eight cases was related to work-based pension schemes in Northern Ireland.

Despite the presence of the Pensions Regulator Tribunal and its remit in respect of the whole of the United Kingdom, it is an essential part of the regulatory regime that maintains confidence in our occupational pensions system. As Members will be aware, the Department for Social Development has introduced the Bill in order to effect the desired transfer of functions in Northern Ireland from the Pensions Regulator Tribunal to the First-tier Tribunal or the Upper Tribunal of the Tribunals Service.

11.45 am

The Department advises that the Bill will have a minimal impact on the services provided by the Pensions Regulator Tribunal in Northern Ireland. The Department has indicated that cases started in the Pensions Regulator Tribunal will simply be transferred to the Tribunals Service. It is understood that, in those instances, the same tribunal members will continue to hear the case.

The Department has also indicated that directions on orders made by the Pensions Regulator Tribunal before the transfer will continue to be enforced as if they were directions or orders of the Tribunals Service. The clarifications provided by the Department in that regard are most welcome and have served to assure the Committee that the Bill will, in principle, lead to no detriment to the people of Northern Ireland.

The Department has advised that the provisions of the Bill continue the long-standing principle of parity between Northern Ireland and the rest of the United

Kingdom in pension matters. The majority of Committee members accept that the maintenance of the parity principle in respect of pensions, social security and child maintenance is generally beneficial to the people of Northern Ireland. I am happy to advise the House that the Social Development Committee welcomes the principles embodied in the Bill.

**Mr Brady:** Go raibh maith agat, a Cheann Comhairle. The Minister has explained the technicalities of the Bill, and I am sure that I can rely on Mr Hamilton to advise me of my pension rights and my right to appeal in the future.

**The Chairperson of the Committee for Social Development:** I might even represent you.

**Mr Brady:** Thank you very much.

The Bill consolidates the appeals system and is practical. It also maintains the right to appeal to an independent tribunal against the decisions of the Pensions Regulator. I support the Bill.

**Mr Armstrong:** I support the Bill. It is my understanding that it transfers the functions of the Pensions Regulator Tribunal, insofar as they relate to Northern Ireland, to the new tribunal structure created by the Tribunals, Courts and Enforcement Act 2007. The 2007 Act amounted to the most important change in the tribunals system for almost 50 years. The modernisation of the system in the United Kingdom was necessary, as the number of cases being dealt with has increased significantly over recent decades. More cases are now heard at tribunals than in courts. There are 70 different administration tribunals in existence, and it is clear that a more co-ordinated approach was needed, with a common landscape of standards and performance accountability. To that end, I support the transfer of the Pensions Regulator Tribunal to the new system.

Pensions systems have undergone much upheaval in the past decade. I support the Bill, but there are a couple of areas of concern that the Minister may be able to clear up. What level of tribunal services will be available in Northern Ireland? Will there be a local first-tier tribunal located here and, if so, where? Also, where will the upper tribunal be situated? There is always a concern that in the co-ordination of these systems some local services might be lost. I seek confirmation from the Minister that these reforms are purely organisational and not location-driven.

**Mrs M Bradley:** The Minister and the Chairman of the Committee have explained everything clearly. The important thing is that we protect what we have for the people of Northern Ireland. I support the Bill.

**Ms Lo:** I support the Bill. People pay into occupational pension schemes for many years, and it is important that we have a fair and effective system to safeguard those schemes. It is also important that people in

Northern Ireland continue to have a right of appeal to an independent tribunal in relation to the determinations of the Pensions Regulator. However, will the Minister clarify whether there is just one tribunal, in England? If so, what happens if people in Northern Ireland want to make use of the system? Do they have to go to England, or will a tribunal be set up in Northern Ireland to deal with the issue?

**The Minister for Social Development:** I thank the Chairperson of the Committee for Social Development and the other Members — all of whom are Committee members — coincidentally, for their contributions. I listened carefully to all the points that Members made, and I will address the concerns that were raised by Mr Armstrong and Anna Lo.

Their concerns related essentially to Northern Ireland cases in which the Tribunals Service is required. Will the person involved have to go to England, or can a tribunal be established here to deal with the case in Northern Ireland? I advise both Members that, if a Northern Ireland case should arise, a tribunal will be convened locally; that is only right and proper. Why should people who may have other disadvantages or be unable to travel have to go to England? If we want to support the legislation, provision must be made for tribunals to be held locally.

It is interesting to note that there have been no appeals in Northern Ireland to date. However, it is important that people in Northern Ireland continue to have a right of appeal to the independent appeal tribunal in relation to determinations of the Pensions Regulator. The Bill ensures that the right to a fair and independent appeal is maintained in the transfer of the functions of the Pensions Regulator tribunal in Northern Ireland to the new Tribunals Service. I hope that I have addressed fully all the points that Members raised. Northern Ireland-specific cases will be dealt with here to provide an opportunity and some comfort for the people involved. I will read carefully the Hansard report of today's debate and write to any Member who raised a matter that I have failed to address.

*Question put and agreed to.*

*Resolved:*

That the Second Stage of the Pensions Regulator Tribunal (Transfer of Functions) Bill [NIA 4/09] be agreed.

**Mr Speaker:** We were due to move to the Second Stage of the Wildlife and Natural Environment Bill, but the Minister of the Environment is not in his place. Therefore, I propose, by leave of the Assembly, to suspend the sitting until 2.00 pm. The next item on the Order Paper is the motion on foster care.

*The sitting was suspended at 11.53 pm.*

*On resuming (Mr Speaker in the Chair) —  
2.00 pm*

## PRIVATE MEMBERS' BUSINESS

### Foster Care

**Mr 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 the motion and 10 minutes in which to make a winding-up speech. All other Members who are called to speak will have five minutes.

**Mr Shannon:** I beg to move

That this Assembly notes the fact that there are not enough foster carers, with 200 long-term carers currently being required and half of carers being of retirement age; further notes that those people who provide foster care do not receive enough support; and asks the Minister of Health, Social Services and Public Safety to initiate, as a matter of urgency, a new policy on foster care.

We tabled the motion some time ago, so it is good to have the opportunity to draw it to Members' attention. We seek support from the Members who are present and from the Assembly as a whole.

Some of the statistics give a cold idea of where we are. On any given day in the UK, 51,000 children live with 43,000 foster families. The shortage of foster carers means that local authorities and health and social care trusts in Northern Ireland are often forced to place children where there is a vacancy, rather than with the foster family that best meets the individual needs of the child. Not having enough foster carers means that children may be forced to change schools and move a long way from family and friends. Indeed, those are the experiences of some of the people whom I represent. Foster carers and children who experience a breakdown in a placement invariably suffer as a consequence. That is a side effect of what happens. Very little has been done in recent years to profile the foster care workforce, and that is something that we have to try to do here today.

Against that background, the Fostering Network contacted other Members and me to look at the age of current foster carers so that we could identify whether there are any immediate concerns about the future of foster care provision. In March 2009, the Fostering Network analysed a sample of 11,000 of its foster carer members. The results were quite illuminating. They showed that 94% of foster carers are aged 40 and over and that 65% are aged 50 and over. I am not ageist, especially given that I fit into that category, however, although there is, rightly, no upper age limit for fostering, the figures suggest that a huge proportion of the workforce



could choose to retire over the next 10 to 15 years. That is the crux of the matter, and it would be cause for concern in any sector. Therefore, it is crucial that more people of all ages come forward to foster.

The average age of foster carers is rising significantly. According to the most recent comparable study, in 2001 the average age of a female foster carer was 46. Today, it is 53. Fer tha men fowk forster carers tha everage age haes riss fae foarty seven tae fifty fivour iver tha saem peeryid. A mare resant study kerreed oot bi' tha fostrin Netwoark in Scotia fun that jist twal percent o' carers wur unner Foarty yeer's o' age an that jist a wheen o' yung forster carers wur bein takked oan. Tha new survey fun that oanly 6 percent o' that current foster care woark force is unner foarty. Over the same period, the average age of male foster carers has risen from 47 to 54. A more recent study that the Fostering Network in Scotland carried out found that only 12% of foster carers were under 40 years of age and that fewer younger foster carers were being recruited. That survey found that only 6% of the current foster care workforce is under 40 years of age. Unless the recruitment of new foster carers of all ages is stepped up sharply, there will be a far higher deficit of foster carers in the near future. It is vital that national and local governments put in place measures to ensure that the shortage of foster carers is not more severe in 10 or 15 years.

Most fostering services succeed in replacing the 10% of the workforce that ceases fostering every year. In that way, they maintain their pool of available foster carers on a year-on-year basis. However, local authorities are struggling to achieve an increase in that pool. Hence, they are not recruiting sufficient foster carers to cope with the potential rise in retirements, so a real problem looms on the horizon.

Some evidence shows that independent fostering providers have been more successful in increasing the supply of foster carers, but the overall shortage of foster carers continues. That situation is likely to get worse. There are also specific acute shortages that fostering services are attempting to address. Those include finding foster carers to care for teenagers, either on a short-term or long-term basis, caring for children with disabilities and finding foster carers from some ethnic minority communities.

Furthermore, although many people come to fostering with a range of relevant experiences, it can take several years to develop all the skills that are needed to foster. In the coming decade, as the most experienced foster carers retire, it will become increasingly difficult to find the right foster carers when and where they are needed for children coming into care. That is the crux of the matter, which is why we tabled the motion.

Although there are no age limits for people who apply to foster, all applicants must attend training courses and undergo a thorough assessment to ensure that they are capable of taking on that demanding job. I know a number of foster carers who do good work in my constituency, and they have a constructive attitude to building character in the children whom they foster.

Foster caring tends to attract mature individuals, many of whom have experience of working with children or of bringing up their own family. Sometimes, it is good to have that base, but it is not the only basis on which to become a foster parent. The breadth of experience that older foster carers can offer is welcome, and I recognise the value of their knowledge and skills. However, although it is essential that people who are aged 50 and over continue to come forward, fostering now also needs to appeal to the untapped pool of people with relevant skills, qualities and experience who are in their 20s, 30s and 40s, particularly given the increased trend towards long-term fostering, whereby a foster carer might look after the same child or sibling group for up to 15 years or more. Foster carers in their 20s, 30s and 40s are also generally the best-placed group to provide stability to children who need long-term care. Therefore, we must consider that group with respect to long- and short-term fostering.

Foster care placements can vary from a few days or months to 15 years or more, and we have all heard of such experiences. In 2000, the average placement was for seven years, which accounts for a critical part of any young person's life and helps to build his or her character for adulthood and his or her future place in society. The trend towards long-term fostering means that more foster carers are required to offer a home to children for as much as 15 years or more. In general, people in their 20s, 30s and 40s are best able to meet that need.

We need urgent action to prevent a crisis in foster care, and fostering services must aim to recruit more carers. I shall outline several ways in which that could happen. Fostering services should review their promotional activity and the age and type of people who are applying to foster, and they must identify any gaps in the recruitment of younger people and the factors that might motivate that group to foster in the future. In other words, how do we encourage people to take on fostering as a vocation? Fostering services must undertake a full audit of their workforces to assess the potential retirement ages of foster carers and put in place a strategy to replace their expertise before it is lost from the service. We do not want to lose that experience and ability. Fostering services must make use of foster carers to mentor new recruits and to help them to develop their skills and experience.

To recruit enough foster carers, fostering services must be adequately funded so that all foster carers

receive appropriate fees and allowances. People must be able to afford to foster, so an adequate financial package must be in place. The current package needs to be improved.

We must work with fostering services and awarding bodies to develop nationally accredited training courses that are accessible to all foster carers at times and in ways that fit in with and around their working lives. We must be more flexible about how we do that. A standardised and accredited framework for professional development is also required.

We must recognise foster carers as equal partners in the team that surrounds a child. Let us remark on their role and the job that they do. We must accord foster carers the status and authority that allows them to help children in their care to lead a normal life.

Workforce statistics must be made available annually and include a breakdown of demographics such as age, gender, ethnicity and religion as well as the type of foster care that individuals are approved to offer and the length of time that they have been fostering. All those matters are vital when it comes to doing better. Opportunities must be explored through social marketing and other methods to motivate a greater number of people of all ages to consider a career in fostering as well as other roles in the children's workforce.

Unlike in other parts of the UK, in Northern Ireland, fostering services remain unregulated. Indeed, there has been only one inspection of fostering services here since the inception of the NHS in 1948, and that was in the late 1990s. We need new legislation to allow the introduction of minimum standards and fostering regulations to monitor and to ensure consistency in service provision across all sectors, whether public, voluntary or private.

Consultation on the draft minimum standards took place at the end of 2004, but, to date, there has been no movement on it. The consultation on the draft regulations closed in November 2008, but there has been no outcome to that either. I know that the Minister will refer to that in his response, but I ask him to incorporate it in any review that he implements.

Many statistics were given, but I do not want to forget the main reason why we are debating the motion: to ensure that children who have had a rough time and who, for one reason or another, have been placed in care have the assistance of people who are equipped to help them and able to provide a stable and happy home life for them. That is important. Those vulnerable children need our help, and change must happen to enable that help to be provided. I ask the Minister to do just that.

**Mrs O'Neill:** Go raibh maith agat, a Cheann Comhairle. I thank the Members who tabled the motion, because foster carers do a fantastic job, often in difficult

and challenging circumstances, providing a stable home for the child or young person who requires it.

Fostering is often a temporary arrangement, and many foster children return to their own family. However, at any one time, there are approximately 2,500 children living with foster carers across the North. We must do all that we can to make certain that there is foster care to ensure that placement choice is improved and that, at any given time, there will be appropriate carers to allow children to be matched to the care that is most suited to their needs. When moving the motion, Jim Shannon said that children are often placed in vacant positions rather than in positions that best suit their needs.

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

In preparation for today's debate, I contacted a family in my constituency who are long-term foster carers. Frank and Susan Gervin have fostered almost 140 children since 1975, five of whom they adopted. I commend them for their commitment and dedication to looking after those children who have been most in need. When I asked Susan why she did it, she said that she was motivated by her love of working with children and by the knowledge that she was providing a stable environment for them.

The Gervins are voluntary carers who have witnessed many changes in how fostering has developed over the years. They recognise the need for more foster carers. Frank and Susan are in their 60s and should be retired, but they are so dedicated to the children that they will not stand down from their fostering role. They are afraid that, if they do, there will not be enough foster carers in the Southern Trust to provide the daily support that they offer.

The motion notes that there is not enough support for foster carers. One of the benefits received by a child who goes into foster rather than residential care is the opportunity that he or she gains to share in family life. However, there needs to be a cultural shift to ensure that that can happen. For instance, foster carers should have the authority to make everyday decisions on behalf of the child, and that has to be introduced without unnecessary delays or restrictions. Jim Shannon said that foster carers need to be equal partners in the decision-making process of the team that surrounds the child; they need to be valued as the experts, because it is they who care for and know the child, and their views should be given equal consideration. They are not being given equal consideration now. Foster carers should be recognised as part of the children's workforce, and they should be registered with an approved body.

Pay and remuneration for foster carers also need to be looked at. In this day and age, most households depend on two incomes for survival, and often those

who are interested in fostering cannot afford to do it. Unless there is reasonable pay to attract more foster carers, we will not be able to recruit the numbers that we need.

There have been improvements in foster care support over the years, but our message today is that we will not let down children or foster carers, and the Department must do all that it can to support foster carers in their role.

**Mr McCallister:** I thank the Members who tabled the motion. Although I support the motion and understand the reasons for it, we must be careful not to paint a negative picture of foster caring in Northern Ireland.

Fostering is a highly rewarding and worthwhile vocation that makes a real difference to the lives of thousands of young people in Northern Ireland each year. Foster parents make a meaningful contribution not only to the children whom they help but to society at large. Foster parents help to protect and support the most vulnerable in our society, and they should be commended highly for their work. They should be encouraged at every opportunity, and others should be encouraged to take up the role of foster parents.

2.15 pm

It is true that, over the next three years, we need to recruit a further 150 to 200 long-term foster carers in Northern Ireland. On any day, around 2,500 children and young people are living with foster carers. In order to provide those children with the highest standard of care, it is important that they are matched with foster carers who can meet their specific needs. It is not the case that any foster carer will do, and therein lie some of the problems. The overwhelming priority for the Department is the welfare of children, and to ensure that welfare we need more foster carers.

The need for improvement should not detract from the progress that has been made and the steps that the Minister is taking. The Minister has already met his public service agreement, which was to increase the number of foster carers across Northern Ireland by 300 from the 31 March 2006 baseline figure of just over 1,500. By December 2008, there were over 1,800 registered foster carers in Northern Ireland. That was achieved through the dedicated work of the Department and many other organisations. The Minister has taken many steps to recruit new foster carers and to improve the support for those who undertake that work.

The Minister has supported and launched recruitment schemes and has introduced a 24-hour, seven-days-a-week support service for foster carers. In November 2007, the regional fostering recruitment and training co-ordination service was set up to support the local trusts in the recruitment, assessment and training of foster carers. A television advertisement campaign and other measures have led to a significant increase in the

number of foster carers recruited over the past year. There has been an increase in foster care allowances, and there has been a concerted effort to improve the number of foster carers and the support that they receive. I hope that the Members who tabled the motion recognise that fact.

Although we must always take population size into consideration, the situation in Northern Ireland is comparable to that in the rest of the United Kingdom. There is the need for another 8,200 foster families to provide placement choices in England; Scotland needs another 1,700; Wales needs 750; and Northern Ireland needs almost 200. Therefore, we are not out of step with the rest of the United Kingdom. However, I accept, as does the Minister, that we need to continue to build on the progress that we have made.

Children in foster care are some of the most vulnerable in our society. Unfortunately, children in care often face significant hurdles in life, be it educational underachievement or a greater incidence of mental-health issues. There is also a far-reaching need to improve parenting skills and the ability of vulnerable people to look after their children. There is a need to increase the number of people who are willing and able to adopt to ensure that children get the permanent support that they need.

I support the motion, but I encourage those who proposed it to look at the positive steps that have been taken and to build on them by positively encouraging more people into foster care. Every Member knows that we are entering a period of great fiscal uncertainty and constraint, which will put further pressure on those services. It is of paramount importance that we get people to provide foster care and that we give them the support that they need. I am sure that, in his opening remarks, Mr Shannon referred to the need for financial support, and I have no doubt that he will encourage the Minister and others to provide that support.

**Mr D Bradley:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis na Comhaltaí a chuir an rún os comhair an Tí tráthnóna inniu. I thank Mr Shannon and Lord Morrow for tabling what is an important motion. It refers to one of the most vulnerable groups in our society: looked-after children.

I have had the good fortune to have been involved in fostering as a foster carer, and I know that others in the House have had the same experience. It is an enriching experience in many ways and is at least mutually beneficial to the foster carers and the children for whom they provide care. I pay tribute to those who are still involved in fostering. We owe them a huge debt.

Fostering is not easy, either for the children, who, through no fault of their own, need to be cared for, or for the carers. Both need all the support that we can give them to make the fostering experience as beneficial



as possible to the children. The policy direction is probably right, but Care Matters needs an implementation plan and to be monitored by the Assembly. We need sufficient foster carers to provide placement choice, thereby providing more stability for children in care. That, in turn, increases the chance of children having better educational outcomes, greater security and attachments to foster carers and better mental and physical health.

It would help if we had a single database of foster carers for all Northern Ireland against which the needs of young people coming into care could be matched. That would be a significant step forward. It would allow for an audit of the current fostering workforce to assess the potential impact of forthcoming requirements and would be helpful in reviewing recruitment activities to ensure that we are appealing to people of all ages. An annual audit of the profile of foster carers is required so that we are clear that a diverse pool of people is recruited to match the needs of children. That is particularly the case for children who require long-term care.

Considerable investment is needed to make the payment of fees to the majority of foster carers a reality. In 2007, Fostering Network estimated that an additional £8 million would be required to fund a payment scheme. There is a clear need for the regulation of fostering services by the implementation of minimum standards. Northern Ireland lags behind the rest of the UK when it comes to the regulation and inspection of foster care. Jim Shannon mentioned that we have had only one inspection of foster services since the inception of the Health Service in 1948. That is alarming; indeed, it is incredible.

I appreciate the advice that I received from Fostering Network, and the report of its Together for Change campaign outlines the elements of an effective and comprehensive support service. That would include good access to and communications with the child's social worker; regular meetings with the supervising social worker; the availability of peer support; a dedicated fostering-specific out-of-hours service; and other useful proposals. It also outlines a number of important recommendations: government should set standards for the availability of support and ensure that the Regulation and Quality Improvement Authority inspects those against standards; government should commission research to evaluate support programmes and ensure effective programmes are rolled out; we need to ensure that support for foster care associations and groups is strengthened and that services are inspected for their support for such groups; we need to set standards that define independent support and require that that service is made available to foster carers —

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

**Mr D Bradley:** In conclusion, foster carers make a huge contribution to the lives of the children whom they foster, and the least that we can do is provide every possible intervention, support and backup for them.

**Mr Easton:** In addressing the need for a new policy on foster care that is fit for the twenty-first century, we are addressing one of the most vital issues to society. I place on record my deep gratitude to the foster carers with whom I have worked in my constituency of North Down and throughout Northern Ireland. Their vocation, dedication and love have transformed lives that were vulnerable and needy and given children loving care with appropriate guidance, boundaries and stimulation, affording them the opportunity to fulfil their God-given potential.

The positive contribution that foster carers make to society cannot be overestimated. It is not hard to recognise them as unsung heroes. The ripple effect of dedicated fostering will be felt for years to come in the lives of children who grow up to be responsible adults. The difficulty is that 55% of foster carers are now in their 50s, 60s and 70s. I was disturbed to read that, in the past decade, the average age of foster carers has increased by four years.

I recognise the work that is undertaken by dedicated residential social workers in children's homes. Often, they are the first point of contact when children are brought into care in an emergency, and those staff address with professionalism the physical, sexual and emotional abuse and neglect that those children have had to endure. In May, some 1,480 children were in residential homes.

The benefits of a foster home for vulnerable children are seismic, and I use that word advisedly. The consistent care and love of a family home, the application of fair and consistent boundaries and the stimulation and love that are provided by dedicated people go a massive way to meeting the physical, psychological and emotional needs of young people. Given that Northern Ireland faces a staggering deficit of at least 200 foster placements, the Minister of Health should urgently apply himself to a new policy on foster care.

Having looked at the positive aspects of foster care, I will now focus on the negative impacts of the dearth of fostering placements on the lives of vulnerable children, as uncomfortable as that may be. First, a shortage of fostering places leads to children being moved from home to home, and we already understand the impact that multiple moves have on children. Secondly, many children will be separated from their brothers and sisters, and I do not need to underline the negative effect that that has on children. Thirdly, many children will subsequently have to live a long way from their family, friends, schools and church organisations.

Such children are already vulnerable and have multiple needs. I was shocked by the fact that children in foster care are 100 times more likely to be expelled from school than their counterparts. That highlights the needs of those children.

We would do well to pay due regard to the call for action in the Fostering Network's report, which demanded that measures be put in place to ensure that there is not an even greater shortage of foster carers in 10 to 15 years. We must strive to do more to promote fostering by people in their 20s and 30s, who can provide the long-term fostering placements which are so critical for the stability of children.

**Mr Shannon:** Will the Member agree that the role of foster parents is critical? The Member said that children who come from broken homes are vulnerable. I am aware of a foster couple from Newtownards who took two young boys from broken homes at an early stage. Today, one of those two young men is an excellent soldier in the British Army, and the other is an assistant manager in a shop. Given the right opportunity, those children do well.

**Mr Easton:** I totally agree. We must look to a policy that increases the number of registered foster carers in Northern Ireland, while paying tribute to the 1,812 foster carers who are currently registered. The positive benefits to the 1,376 children who are in foster care in Northern Ireland should be recognised, and more children need foster placements. For them, time is of the essence.

Let us recognise fully the skills and knowledge base of foster carers. I note with concern that many feel that their views are not given due regard; we must do all in our power to reverse that.

Let us increase the opportunities for training and skill development, allow foster parents access to appropriate respite, support the 24/7 out-of-hours helpline and develop the educational opportunities for children in care.

2.30 pm

**Ms S Ramsey:** Go raibh maith agat, a LeasCheann Comhairle. Like other Members who spoke, I thank the proposers of the motion — Jim or Jem, I do not know what the Member is today. Similar to yesterday's debate on people aged under 25 who are not in education, employment or training, it is important that in this last debate before the Christmas recess we are focusing on children, and vulnerable children at that. I also thank the Minister for attending the debate. That he has the space and freedom to take part in the debate indicates to me that we must be getting on top of the swine flu bug.

Like other Members, I acknowledge the time, effort and commitment that those people who have taken the step to become foster parents give to society. We are

all aware that a substantial number of young people would have gone on to have negative experiences had they not been fostered and brought into a loving family and home environment.

Other Members quoted statistics, and some of their comments were very relevant. However, I want to highlight a number of cases. I am aware of a 14-year-old who, since the age of three, has been subjected to more than 100 care moves, including fostering, trial homes and respite. That is over 100 moves in 11 years. That indicates to me that that child's case was not properly assessed at the outset. Whenever we hear of such cases, we must do all that is in our power to ensure that a proper care package is put in place.

Some issues that I raised in the debate that I secured yesterday about young people who are not in education, employment or training also relate to kids who are in the care system, including foster care. Is it any wonder, therefore, that some young people who have had 100 moves in 11 years sometimes find themselves in trouble with the justice system and the PSNI, and, as a result, do not achieve at school?

In saying that, however, we have moved on in recent years. In fairness to the Department of Health, Social Services and Public Safety and to those who have worked there in the past few years, there has been movement towards and a focus on children's services. We talk about the most vulnerable. However, we must make sure that we get it right whenever people find themselves, sometimes through no fault of their own, needing foster or other types of care. As a society, we have a duty to make sure that we get that right.

I agree with Jim Shannon and Michelle O'Neill when they said that individuals must be allowed to take on the role of foster parents. However, we need to take that a step further and allow them to become the corporate parents of the child in question.

**Ms Anderson:** Does the Member agree that the regulations that govern special guardianship, which were introduced in England and Wales in 2005, should be introduced here? Some foster carers, as has been said, are prevented from adopting because those regulations were not introduced here. In my constituency, I am dealing with a lady who has been fostering for more than 10 years. However, when she tried to adopt a child who was in placement with her for over two-and-a-half years, she was told, among other things, that she was overweight and, therefore, did not qualify to adopt.

**Ms S Ramsey:** That case raises a number of issues. It is OK for that person to be a foster parent for 10 years, yet when she wants to take that step to become fully committed to the child and the child's life, society says that she is OK in one sense, but not in another. We need to take that on board.

I am not keen to promote legislation and policies from other parts of the world. However, if legislation and policies in other parts of the world are right, I am keen that we lift them and adapt them to suit our needs.

We should not lose sight of the fact that some people, in fairness to them, actually take that step further, decide to give back to the community and become foster parents. What does society do in return? It throws that back in their faces. It makes them jump through hoops.

I would appreciate it if the Minister could look into another issue that struck me, and which was mentioned by my colleague Mickey Brady. It relates to the age limit for jobseeker's allowance. I know that that is a DSD matter, but will the Minister look into whether, if the youngest child of a lone foster parent who needs to claim jobseeker's allowance is 12 years old, the fact that that person continues to foster will impact on his or her benefits? If so, that will knock out of the system many people who are willing to become foster parents. It would be useful for the Assembly to find out from the Minister, through his DSD colleague, whether it will affect a person's benefits if he or she continues to foster a kid who is under 12 years of age.

I am aware that my time is almost up. I want to respond quickly to a comment that was made by John McCallister. I hope that he was not suggesting that the Assembly make further cuts in funding for children's services, particularly foster services, next year.

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

**Ms S Ramsey:** Dominic Bradley was given an extra 10 seconds. I propose, either in the spirit of Christmas goodwill or of "bah, humbug", that the Assembly cuts senior civil servants' and chief executives' pay. Maybe that will free up some money.

**Mr Deputy Speaker:** You got 11 seconds.

**Mrs D Kelly:** I, too, congratulate the Members who brought forward the motion, which I support.

A job of work needs to be done to dispel the myth of fostering. Many people do not fully appreciate why young people and children go into foster care. As some Members have said, it happens for a wide range of reasons. It can be due to ill health within a family or to personal circumstances. Statistics show that, more often than not, it is due to the breakdown of family relationships in the home.

We need a Minister at Executive level with sole responsibility to bring forward policies to support families, so that family units can stay together. I understand that the key criterion that is used by social services when they consider a child's needs is whether they can enable the child to remain in his or her family home. We should be looking at the range of policies that is being introduced

across government and score them on how well they support families of all shapes and sizes in the twenty-first century.

Far too many young people in the North are called "looked after children" because they are in care. Surely that says that something is wrong in society. It is my understanding that there are more children in care, per head of the population, in the North than in the Republic of Ireland or in England, Scotland or Wales. I see the Minister shaking his head. He might be able to get that one right.

**The Minister of Health, Social Services and Public Safety (Mr McGimpsey):** It is not true.

**Mrs D Kelly:** I am sorry. I was not sure whether that statistic was correct. I was told it long ago. I was not sure whether it still stacked up. That was my understanding of the statistics.

Thus far, there has been discussion about financial rewards to foster parents. Indeed, the motion calls for a new policy. Other Members talked about accreditation and greater support for foster parents. We all know that people who put themselves forward to become foster parents do not do so for financial reward; they do it to make a contribution to society and because they love children and young people.

We have all read in the media about parents who have abdicated their responsibilities. Undoubtedly, that also leads to some young people and children having to go into foster care. Far too many children, as we saw at the weekend in Derry, run the streets late at night, get involved in street violence, and take alcohol and drugs. A greater joined-up approach should be taken across government to encourage parents to fulfil their responsibilities.

There have been a number of debates on dog licensing. People need a licence to be a dog owner, but anyone can be a parent.

**Ms Anderson:** I agree with the Member about the incident in Derry. However, it is important that we take a balanced view: the vast majority of young people in Derry are decent young citizens, and I want that reflected in the record.

**Mrs D Kelly:** I accept that the vast majority of our young people are good citizens. I welcome the fact that the education curriculum now includes good citizenship. However, we should send some adults back to school to teach them how to be parents.

In Belfast, I met the Sisters of the Good Shepherd, who run a tremendous programme of outreach work to teach people how to run a home. It included the sort of thing that one's grandmother would have taught: how to bake, to cook and how to look after a house. Those life lessons are now missing, as people live increasingly



busy lives. We have lost what is important in life: the simple things.

It is ironic that, in a time of economic recession, we are seeing a return to community life. More people are choosing simpler lifestyles because they do not have as much money to spend. One has only to look at the sums that are spent on landfill. Those costs are diminishing because people do not dispose of as many things as they did a year ago. For some people, children are treated as a commodity and as though they were disposable. That should not be the case. I urge the Minister to work with his Executive colleagues to ensure greater support for families so that there is less need for children to go into foster care.

**Mrs McGill:** Go raibh maith agat, a LeasCheann Comhairle. I join others in welcoming the motion and commending those who tabled it. As has been said, it is an important motion because foster carers and foster families do invaluable work in society, in communities and for the young people who need them. The motion states that we need 200 long-term carers right away. If we do not get those 200 foster carers, many children and young people will not have the support of a fostering family.

A number of Members have told of the good work that is done in their constituencies. We can all do that; I can think of a couple of families in West Tyrone who do exceptional work. As other Members have said, they do not do it for money, but because they care about society, children who come from broken homes, and for those who, perhaps for just a short time, need support and help.

The issues caused by the dearth of foster families and foster carers, as described by Mr Easton, were flagged up by Barnardo's in January. Those issues were flagged up again by the Fostering Network last month in its campaign Together for Change. The Fostering Network commended the Department's policy as set out in the document 'Care Matters', but pointed out that the ambitions stated in it will not be realised unless something is done along the lines that other Members have articulated.

Mention has been made of the average age of foster carers. It is difficult for young people to see fostering as a career, but the Fostering Network, which provided us with a very good briefing paper, stated that we need to raise the profile of fostering, that it is good work, and that it should be remunerated.

The Fostering Network is of the view that we should recruit younger carers and retain, where possible, carers who have the experience and skills required; we need carers who have a breadth of skills. We also need those who will bring something fresh to fostering.

2.45 pm

The Fostering Network spoke about the need to register carers, set standards, inspect services, increase pay, and fund services. Were all that to happen, and we have the resources to do it, standards would be raised, consistency would be promoted across the service, the professional standing of carers would be raised, and society would acknowledge and appreciate the valuable work that carers do.

The Department of Health, Social Services and Public Safety is doing good work. Yesterday, we debated those who are not in employment, education or training. I commend the Department for its Fostering Achievement scheme. The Members' information pack included examples of young people who had participated in the scheme and who had gained confidence from the funding that they had received. Although the scheme is not perfect, I commend the Department of Health for its work on it. Go raibh maith agat, a LeasCheann Comhairle.

**Mr Gardiner:** As with most complex social problems, there is no quick fix for foster care shortage in Northern Ireland. However, the Department of Health, Social Services and Public Safety has already taken significant action to recruit more foster carers to address the shortage.

In May 2008, the Department of Health announced that of the £10 million funding to develop children's services for the next three years, £1.2 million was earmarked to increase the number of fee-paid service foster carers by 100. That immediately went some way towards addressing the assessed shortfall of 200 carers, which was identified in 2004 and confirmed by the Fostering Network in 2009, to enable a choice of fosterers to be offered to any child who needs to be fostered.

Indeed, over the past three years there has been an increase in foster care allowances; the launch of a 24-hour, seven-day-a-week support service for foster carers; the introduction of the Go the Extra Mile (GEM) scheme, which allows young people to remain with their foster carers after their eighteenth birthday; and an increase in the number of foster carers from just 1,178 in 2002 to 1,800 in 2008.

In 2002, 20% of all children who had been looked after for more than a year had changed placements at least once. That lack of stability in the lives of children can lead to low educational attainment, lack of self-esteem and to disruptive and challenging behaviour. Significant progress has been made since then, and this is literally a work in progress.

People should not conclude from today's motion that nothing has been done and that the Assembly is demanding action; nothing could be further from the truth. The motion rides on the back of extensive action that the Minister has already taken. The Care Matters

strategy provides a positive starting point for developing foster care policy. For example, it sets out ambitious goals, including reducing the number of children and young people in care by 20% from about 2,500 to 2,000 and increasing the proportion of care leavers who are in education, employment or training at the age of 19 to at least 80%.

It must be understood that every aspect of policy costs money and that we live in a time of financial constraints. The Minister has had to manage savage spending cuts of £700 million, which were imposed at the start of the present budgetary cycle. In addition, the Finance Minister is now demanding a further £370 million in cuts across all Departments. All that is being imposed before the efficiency savings demanded by Westminster come into force in 2011.

The Health Service is underfunded by £600 million when compared to that in England and Wales. Therefore, proposing undercost motions is the easy option. Perhaps the Members who tabled the motion should have asked the Finance Minister, who comes from their party, to give additional money to the Health Minister so that he can fund their proposals.

Having said that, I, in common with other Members, want to see an expansion in the number of carers, and I want to see proper funding for the carers network, with all the necessary backup services. We should not forget that, for many children, being in care remains a positive experience, and that foster carers, as well as staff in residential units, have shown real energy, dedication and devotion in their work.

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

**Mr Gardiner:** No, I am on my last line. We must all remember how important this issue is and that it needs to be handled sensitively.

**Mrs M Bradley:** Many children arrive in care through no fault of their own. That can be as a result of an illness, the death of a parent, or, worst of all, the abuse of the child, to name but a few. The one constant in the situation is that that child or young person will have been through a traumatic time and will need the help of a foster carer in the interim.

To be a foster carer takes remarkable commitment. It is not an easy pathway, and some children have emotional scars that do not make the job of a foster carer easy. Many people choose the longer-term option of adoption to give a child a good home in a loving and caring atmosphere, as that offers stability for the adoptive parents and the child. However, foster carers may have to open their homes to children for various lengths of time, and it can be heart-wrenching when a child has to return to his or her former home or move on.

The role that foster carers play for children must not be underestimated. They can teach the value of family,

be role models and provide much-needed solace for the children in their care. It must be a terrible and frightening ordeal for a child to be removed from his or her usual surroundings. Yet many young adults who were part of foster families have very strong ties to those families, and, even though they may have reached the age at which they can leave foster care behind, many still live with their foster families.

I know one young man, who is well into his thirties and who still, to this day, refers to his foster carers as his mother and father and still lives with them. That young man has included his foster carers in every milestone in his life. I am sure that other Members could tell many similar stories. That placement was certainly a success for the carer and the child.

It is only right that there is an adequate support network for foster carers, given the media coverage of many high-profile cases and given that the roles of social workers and foster carers have been thrust into the spotlight. Although it is only proper that problems are highlighted, the media attention can be off-putting for many people who have been, or who perhaps still are, contemplating a role in foster care.

All devolved Governments have recognised the need to update and reconsider their existing policies. I am sure that all Members have received the report from the Fostering Network. That report is quite clear on the issue of revision of existing practices and the necessity for a complete overhaul of what is expected from foster carers. The ultimate goal in any review has to be the betterment of the child.

As Members know, approximately half the existing foster carers in Northern Ireland are of retirement age or are approaching it. Recent advertisement campaigns have raised awareness of foster care and shown how it benefits the child and the birth parent.

However, we have a severe lack of foster homes. Many people still do not know that those who are single or unemployed can foster and that it is not a prerequisite for foster carers to have their own children. Foster carers do not have to own their own homes either.

Deciding to foster is a huge decision, because it is life-changing for the entire household. It is a challenge to say the least. For those who take on the role of foster carer, we need to see an improvement in training, more financial support and more practical support systems. To benefit the children, we need to see other child-centred professions working closely in partnership with foster carers.

Due to the growing incidence of depression, drug and alcohol abuse and child abuse in today's society, there is even more reason for concern that there will be lots more vulnerable children but fewer foster homes to take them in. Northern Ireland has a deficit of 200 long-term carers. Factoring in the number of children

who are likely to need care in the future, there is a recipe for disaster. I have no doubt that the Minister will take all of this on board. Credit is due to all people who foster children; every one of them does a good job. I support the motion.

**Mr Deputy Speaker:** As Question Time commences at 3.00 pm, I suggest that the House take its ease until that time. The debate will resume after Question Time, when I will call the Minister to respond.

3.00 pm

## Oral Answers to Questions

### FINANCE AND PERSONNEL

#### Government Property

1. **Mr McClarty** asked the Minister of Finance and Personnel what action he has taken in relation to the sale or use of government buildings or property as collateral for Treasury borrowing. (AQO 522/10)

**The Minister of Finance and Personnel (Mr S Wilson):** I thought that I was late. It seems that I was not; that is good.

The Northern Ireland Executive have the facility to borrow up to £200 million per annum under the reinvestment and reform initiative. That borrowing does not require any collateral. Under the terms of the statement of funding, any additional borrowing by the Executive will be offset by a reduction in the block grant from the Treasury and, therefore, would not lead to additional spending power.

**Mr McClarty:** I thank the Minister for his response. Does he agree that the introduction of new money through Treasury borrowing would help to offset some of the substantial savings that we will have to make? Furthermore, does he agree that the best way to provide collateral is through the asset value of government buildings, which could be upwardly revalued as the commercial property market recovers?

**The Minister of Finance and Personnel:** The Member will know that the consideration of an equity-release scheme was part of his party's proposals. Indeed, Mr McNarry raised that matter last year. We considered the option of handing over the value of our assets to the Treasury, which would offer favourable loans to the Executive on that basis. That idea was informally discussed with the Treasury, which outlined that it does not consider it acceptable for several reasons, such as the cost to the UK Exchequer — I noticed the Member's comments about the increasing value of the assets — the implied transfer of risk, and value for money on a UK level. Moreover, there were implications for other Whitehall Departments and devolved Administrations.

I assure the Member that I am open to any suggestions that enable us to increase our amount of borrowing or the amount of money that we receive for capital. We seriously considered that issue and discussed it with Treasury officials. However, for the reasons that I have



outlined, the Treasury does not consider it an acceptable method of finance.

**Mrs D Kelly:** After the collapse of Workplace 2010, what mechanisms have been examined to finance the upgrading of the government estate?

**The Minister of Finance and Personnel:** Members are well aware of the reasons for the collapse of Workplace 2010: the judicial reviews, and so on. We should not necessarily turn our backs on the whole project. We should, perhaps, consider the cases of individual buildings, and I want to discuss that possibility with officials. Although we may not be able to consider projects for the whole government estate, or for a large part of it, on the grandiose scale that we had envisaged through Workplace 2010, we could, perhaps, examine some principles behind Workplace 2010 to determine whether individual building needs could be explored. I am open to new ways of trying to bring finance into dealing with public expenditure matters and the upgrading of the estate. I hope that we can consider that matter and, perhaps, discuss it with the Committee for Finance and Personnel.

**Mr Shannon:** Infrastructure investment is one way to stimulate the economy and boost jobs. Can the Minister obtain additional funding for infrastructure investment?

**The Minister of Finance and Personnel:** We have borrowed money extensively through the reinvestment and reform initiative over the lifetime of this Assembly. We borrowed £209 million in 2006-07 and £104.6 million in 2007-08. We did not use the full amount in 2007-08, which meant that we were able to obtain a Treasury dispensation to borrow £260 million in 2008-09 to increase the amount of money that was available for capital. Where we can, we have used the borrowing powers that are at our disposal. That not only creates construction jobs but delivers infrastructure that can improve people's lives in the form of houses, schools, hospitals, roads and other projects.

**Mr Brady:** Go raibh maith agat, a LeasCheann Comhairle. Has the Minister had any discussions with the British Treasury about giving the Executive powers to borrow from organisations such as the credit unions?

**The Minister of Finance and Personnel:** There would be no difficulty with borrowing from the credit unions. Indeed, when I last answered questions in the House, I indicated that, for example, if housing associations wanted to borrow money from credit unions, there was no reason to stop them doing so. However, we must be careful not to structure that borrowing in a way that leads the Treasury to say that it is subject to departmental expenditure limits and, consequently, reduces our block grant. Any borrowing should be done on the basis that it does not affect some other income source. The most obvious example is that when we make

contributions to housing associations, they then have to find around 40% more of the capital that is required for housing developments. There is no reason why they cannot go to the market and ask for loans from credit unions.

## Departments: Reduction in Number

2. **Mr K Robinson** asked the Minister of Finance and Personnel whether he has made an assessment of the actual monetary savings that could be made by a reduction in the number of Departments. (AQO 523/10)

**The Minister of Finance and Personnel:** I refer the Member to the answer that I gave to the House on 6 October 2009 in response to a similar question, in which I stated:

“it is estimated that reducing the number of Departments ... would save tens of millions of pounds per annum on an ongoing basis.” — [Official Report, Vol 44, No 2, p65, col2].

The precise figure would depend on how many Departments remained and the extent to which they combined services in a common way. In addition to the monetary savings, however, there would be a general improvement in the effective delivery of public services and greater clarity for the public about which Department is responsible for delivering particular services. That was highlighted in the independent review of economic policy, which suggested that a Department of the economy, amalgamating the Department for Employment and Learning and the Department of Enterprise, Trade and Investment, would make it simpler for those who are engaged in economic activity in Northern Ireland to identify the responsible Department, Minister and officials.

**Mr K Robinson:** I thank the Minister for the clarity of his answer. Will he, however, accept that a reduction in the number of Departments, although it is politically popular and headline grabbing, will save only approximately £37 million out of the £370 million deficit that we already have? Will he acknowledge that the efficiency savings that were recently announced by the Government further dilute his ability to tackle the problem?

**The Minister of Finance and Personnel:** The Member has raised an important point. Sometimes, I get a wee bit tired of people saying that, when difficult decisions have to be made, we could soon get rid of the problems by reducing the number of Members and Departments or making efficiencies in the cross-border bodies. Such comments are made out of ignorance. There are good reasons for doing those things, but the Member made an important point when he said that they would not be sufficient. Members should not forget that the savings are required because of decisions that the Assembly made collectively on water charges, rate rebates and a range of other issues.

If we are to meet those savings targets, as well as the additional efficiency requirements that were announced this week, we will need to examine other aspects of public spending.

At least the Member's question has given me the opportunity to inject a wee bit of realism, and to get away from the "Nolanisation" of politics, whereby there is some easy answer and one would have only to click one's fingers to get rid of a few MLAs to save £370 million. If life were as easy as is made out by Stephen Nolan, the editorials of the 'Belfast Telegraph' and some of the other misinformed or uninformed messages that go out to the public, it would make my job a lot easier.

**Mr Deputy Speaker:** Minister, you will have to temper your language.

**Mr Hamilton:** That is a difficult act to follow.

**Mr Kennedy:** He is a Nolan regular.

**Mr Hamilton:** One of the uninformed. *[Laughter.]*

Perhaps, after his last answer, he will say no, but does the Minister agree that in facing tens of millions of pounds of savings as a result of decisions taken collectively and unanimously by our Executive, it would be a grave offence if we did not first look at making savings by reducing the duplication or triplication of administration in Departments? Does he agree that we should not target front line services particularly, and that we should, first and foremost, examine the duplication of administration costs?

**The Minister of Finance and Personnel:** I hope that I did not give the impression that I do not believe that cutting the number of Departments, reducing the size of the Assembly, or other measures, are not issues that we should actively pursue. I am on record as emphasising that issue at every Question Time.

There is considerable duplication in Departments. All Departments have their own private and press offices, permanent secretaries, business planning and monitoring teams, retained finance and budgeting teams, internal audit bodies, internal records management, retained IT support, equality units, and other retained personnel. That is replicated across 11 Departments. If we were to amalgamate Departments, a lot of that replication would be done away with. However, as Ken Robinson indicated, even if we were to reduce the number of Departments from 11 to six, the savings would total around £37 million. I put that figure into the public domain at my previous Question Time. I am not saying that that is not the right thing to do, but if we think that it is the end of the story, or that it is the answer to all our problems, we are kidding ourselves. However, of course we should do it.

If we say that we want greater efficiency, it should start here. It should start with decisions that we can

actively make. As I said, there would be other benefits in doing that, in so far as streamlining Departments would mean that there might not be three Departments involved in planning, two or three Departments that deal with the economy, and a range of Departments that deal with education.

**Mr O'Loan:** I welcome the realism that the Minister has brought to the matter. The fundamental question is how best to govern. Does he accept that there is an analogy in the form of the reduction in the number of district councils, whereby there will be costs of £118 million in the first instance, which will not be recouped for some 12 or 13 years? Does he also agree that upfront costs would be involved if there were a reduction in the number of Departments?

**The Minister of Finance and Personnel:** The Member makes a good point. His analogy of the local councils is a good one. That is one of the reasons why when we have been discussing next year's Budget, and the £370 million savings that we have to find, I have asked Departments to look at savings well beyond that figure, so that we can ask ourselves, as an Executive, whether we want to keep some money over and above that £370 million so that we can spend to save. In other words, if we were to opt for rationalisation and there were upfront costs, the money would be available to meet them. That would result in longer-term savings over a number of years. Those are the questions that the Executive and the Assembly will need to ask when discussing the Budget.

3.15 pm

The Member is right that there will be initial, upfront costs in making the savings that he talked about, if that is the route that we go down. It is another reason why I am sick and tired of the simplistic suggestions of uninformed people who write to newspapers and to me, asking why I cannot just cut the number of Departments, as if I could do that today and have made huge savings by Monday morning. Such measures will require planning. We will also be required to set aside resources to deal with the problem that the Member raised.

**Mr Kennedy:** I thought that that was your party policy.

**Mr Deputy Speaker:** I remind Members that —

**Lord Morrow:** Do you have a supplementary question, Mr Kennedy?

### National Asset Management Agency

3. **Mr Ross** asked the Minister of Finance and Personnel what discussions he has had with the Irish Government regarding the appointment of representatives to the National Asset Management Agency panel.  
(AQO 524/10)

**The Minister of Finance and Personnel:** Perhaps Mr Kennedy will rise to ask a question at some stage. I am always happy to answer his questions, which are usually entertaining and interesting.

My recent meeting with the Irish Finance Minister, Mr Brian Lenihan, was constructive in addressing Northern Ireland's concerns about the National Asset Management Agency (NAMA). I have since written to Minister Lenihan to put forward the names of individuals who might represent our interests on the NAMA advisory council. Furthermore, my officials recently had a meeting with their Dublin counterparts to discuss the practicalities of that engagement. Minister Lenihan and I agree that it is in no one's interests for Northern Ireland to be destabilised as a result of NAMA's actions. As I have said in debates and in answers to questions in the House, I intend to work closely with him to ensure the protection of Northern Ireland's interests. Indeed, I have demonstrated that intention already.

**Mr Ross:** Will the Minister advise the House how many representatives Northern Ireland will have on the advisory council, whether they will be from the Civil Service or the private sector, and when he will be able to tell us their names?

**The Minister of Finance and Personnel:** There will be about three Northern Ireland representatives. I have discussed the matter with Minister Lenihan, and I want one of them to be a departmental official. That will enable me to keep in constant contact with what is happening. The other representatives will be from the financial sector and the property market. We have already begun discussions with the Republic's Finance Minister and his officials. I hope to finalise the names and to get agreement with Minister Lenihan on those names. As soon as that happens, I will give the names to the Assembly.

**Mr McLaughlin:** Go raibh maith agat, a LeasCheann Comhairle. Sinn Féin has fundamental disagreements with the establishment of NAMA. Nevertheless, I applaud the fact that, as we heard in the Assembly, the Minister took the initiative on the matter and showed some get-up and go. Does he agree that that was an excellent example of the mutual benefits of all-Ireland co-operation?

**The Minister of Finance and Personnel:** The good news for the Member is that I have no difficulty in co-operating with my counterparts in the Irish Republic. I showed that when I was Minister of the Environment, when our co-operation resulted in the problem of illegal waste dumping across the border being dealt with.

As the Member points out, I took the initiative on the NAMA issue. I must say that the Republic's Finance Minister was very responsive, and, indeed, he indicated that we can talk about the matter at any time. I will

continue to do that; I have no embarrassment about such cross-border co-operation.

The bad news for the Member — I cannot let him away with good news only — is that the record shows that it is not necessary to have expensive, grandiose cross-border structures to carry out sensible co-operation. That is how we have conducted our business so far, and it will continue.

I hope that that at least reassures him that although I remain opposed to much of the North/South structures that the Belfast Agreement put in place, I will not bury my head in the sand and pretend that there are not problems that originate in the Republic that affect Northern Ireland, and vice versa.

**Mr McNarry:** It is only appropriate that I wish the Minister a happy Christmas and a prosperous new year. I thank him for the joy and goodwill that he has brought to his office. If you will indulge me, Mr Deputy Speaker, I was thinking that I could buy him a ray of light to see his way through deep, dark cavities, or a book on how to waffle, which he knows all about. I then thought that, for a man who has all the answers, be they right or wrong —

**Mr Deputy Speaker:** Order. Your indulgence is over. Please ask a question.

**Mr McNarry:** I wish him a happy Christmas. I am thinking of those who are not perhaps just so joyous at this time of year or in such good shape in relation to NAMA. Does the Minister have information on how many of the Northern Ireland asset-backed bad loans are in the 40% cash flow producing category, as estimated by his friend in the Irish Republic, Mr Lenihan, and will he say how many are in the 60% no-hope loan category?

**The Minister of Finance and Personnel:** That will not be possible until the process of taking loans into NAMA is finished, which is intended to be by July of next year; that is the target that has been set by the Government of the Irish Republic. I think that all the loans in the Irish Republic should be taken over by NAMA by Christmas, after which the rest will be worked through. There is not a final picture of the exact breakdown of which loans will produce assets and which will not.

### Civil Service Equal Pay

4. **Mr P Ramsey** asked the Minister of Finance and Personnel when he expects payments under the Civil Service equal pay settlement to start and finish; and to advise on the source of the £150 million to cover those payments. (AQO 525/10)

10. **Lord Morrow** asked the Minister of Finance and Personnel if people who were previously employed



in the Civil Service during the disputed period for equal pay will qualify for any payment. (AQO 531/10)

**The Minister of Finance and Personnel:** With your permission, Mr Deputy Speaker, I will answer questions 4 and 10 together.

NIPSA is consulting its members on the proposed settlement. Should the offer be acceptable to staff, a detailed and lengthy process will be followed before payments can be made because each individual has to be interviewed and their case looked at.

The precise details of the process and the timescale are being developed. However, we did not wait until we reached agreement with NIPSA before we started to put that in place. Some preparatory work has already started because I want to get this issue dealt with as quickly as possible. It is my intention that it should take no longer than is absolutely necessary.

As I have advised previously, access to £100 million was secured by my predecessor in negotiations with the Prime Minister to address a range of cost pressures that the Executive will face, one of which will be equal pay. I will discuss with my Executive colleagues how best to cover the cost of the settlement. With regards to former Northern Ireland Civil Service (NICS) employees, only those who left or retired from one of the affected grades on or after 1 August 2008 with at least two years' recognisable service in NICS will be eligible for a payment.

**Mr P Ramsey:** I thank the Minister for his initiative; it is a welcome relief to the many thousands of people across Northern Ireland who will avail themselves of equality in their pay scales. Will the Minister comment on the tensions in the Northern Ireland Civil Service, particularly regarding EO2 salary scales? Those people now find themselves either on a decreased salary or on a differential. Will the Minister also comment on equality for Northern Ireland Office staff and the PSNI? What is his opinion on ensuring that they have equality of pay also?

**The Minister of Finance and Personnel:** I understand the difficulties that face EO2 staff. However, the agreement with NIPSA was about all staff who were affected. It was always our position that EO2 grades were not eligible and were not included in the claim, although we recognised that there would be difficulties. As a result, we took three actions: we made a one-off payment; there has been an uplift of their grade; and there will be a review of their pay in the future consideration of payment structures.

Northern Ireland Office and PSNI staff are outwith the Northern Ireland Civil Service pay agreement, so NIPSA will have to deal with those employers separately.

**Lord Morrow:** I listened to what the Minister said. Can he assure the House today that all those who were

employed in the Civil Service during what was deemed to be the disputed period — 1 February 2003 until 14 October 2007 — will qualify under the scheme, irrespective of whether they moved from one Civil Service Department to another?

**The Minister of Finance and Personnel:** People who stayed in the Northern Ireland Civil Service during the qualifying period are covered by the scheme. People who retired before the cut-off date — 1 August 2008 — will not qualify. There has been some confusion about that point. However, I did not make the decision. It came about as a result of the equal pay legislation, which makes it clear that people who were employed for up to six months before the date of a claim are eligible, providing that a claim is lodged on their behalf.

**Ms J McCann:** Go raibh maith agat, a LeasCheann Comhairle. Will the Minister consider establishing an adjudication panel to mediate claims that are disputed under the proposals of the Civil Service equal pay settlement?

**The Minister of Finance and Personnel:** The agreement that NIPSA is putting to its members is an all or nothing agreement, and it includes terms for AOs, AAs, EO2s, people who have left the Civil Service and those who are not union members. The only one-to-one negotiations will be with those individuals who are eligible under the agreement. It would be nonsensical to reopen negotiations, given that that a conclusion has been reached. NIPSA's executive has agreed that the conclusion that we reached is reasonable and that it came about as a result of what it knows and of its engagement in the pay negotiations. NIPSA is putting the agreement to its members, so it would be pointless for me to say that we are putting it to members and that, by the way, it is still open to negotiation. It is an agreed settlement that people still have to vote on, and it is an all or nothing offer.

**Ms Lo:** Pat Ramsey more or less asked my question, which is whether the regrading exercise will cause conflict between staff, whereby AO grade staff members' earnings will be higher than their EO2 grade managers'. Will the Minister be looking to resolve those difficulties?

**The Minister of Finance and Personnel:** We sought to resolve that matter in the settlement. Although there was clear legal advice that EO2s did not have a valid pay claim, we did three things. First, we offered a one-off payment to EO2s. Secondly, we increased EO2 pay from, in effect, 1 February 2009. Thirdly, we said that EO2 pay and grading will be examined in the context of the Northern Ireland Civil Service pay and grading structures.

I emphasise to Members that no EO2 grade member of staff has lost any money as a result of the settlement. Indeed, we have taken the actions that we have in respect of EO2s to resolve some of those anomalies.

That is why I believe that the settlement is fair and why NIPSA is recommending it to its members.

3.30 pm

**Mr Kennedy:** Peace and goodwill to all men. Given that the indications are that the settlement is likely to be in the range of £150 million, will the Minister inform the House how he proposes to find the shortfall? Is he prepared to give an undertaking that it will not affect the front line services of any of his departmental colleagues?

**Mr Deputy Speaker:** Please be brief, Minister.

**The Minister of Finance and Personnel:** With a question such as that, the Member must expect Christmas to come early.

The settlement will cost the Northern Ireland Budget between £125 million and £140 million in back pay, and the uplift in pay will mean that there will be an ongoing cost of £26 million for most Departments in the coming years. That will not be without its pain. Money does not grow on trees and we cannot manufacture it. If we are spending money on one issue, it has to come from somewhere else. The one-off cost that Departments could not have expected will be borne centrally by the Executive, but the ongoing costs will be borne by Departments. I hope that it will not affect front line services. However, I was accused of blackmail when, in the Chamber, I warned that a number of the AAs and AOs work for Departments in other parts of the United Kingdom and that the cost of that work will rise, but it remains to be seen what the impact of that will be.

## PRIVATE MEMBERS' BUSINESS

### Foster Care

#### *Debate resumed on motion:*

That this Assembly notes the fact that there are not enough foster carers, with 200 long-term carers currently being required, and half of carers being of retirement age; further notes that those people who provide foster care do not receive enough support; and asks the Minister of Health, Social Services and Public Safety to initiate, as a matter of urgency, a new policy on foster care. — [Mr Shannon.]

**The Minister of Health, Social Services and Public Safety (Mr McGimpsey):** I pay tribute to foster carers for the invaluable service that they provide to some of the most vulnerable children and young people in our society. Foster carers are often the first people to whom social workers and care workers turn when refuge is sought for vulnerable children. Foster care is a service that can provide anything from short-term respite breaks through to a long-term permanent home. Finding a foster placement is the preferred option for most looked-after children. Two thirds of the 2,500 children in care at any time live with a foster carer. That is around 1,600 children, and not 2,500, as many Members said. There are 600 care leavers at any one point in time. Around 400 of those care leavers will have been in fostering placements, and half of them will have stayed with their foster carers until they were aged 21, which is another point that some Members did not properly appreciate.

I do not agree that we need another strategy for foster carers. Instead, we should continue to focus on delivering the aims of the 2007 Care Matters strategy to ensure that we continue to develop services for children in care and foster carers. Jim Shannon said that we do not have a strategy; that is not true. We have the 2007 Care Matters strategy. Mrs Kelly said that it should be a cross-departmental strategy, but that is exactly what it is. We have spent the past two years seeking cross-departmental support for the strategy and sign-off by the Executive, and that was finally achieved in September of this year. Therefore, we have a cross-departmental strategy that was signed off by the Executive only two months ago. It is a wee bit premature to be running for another strategy.

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

**The Minister of Health, Social Service and Public Safety:** I will give way to Mr Shannon shortly, but I want to get further into my speech. I am one minute and 59 seconds into my speech, and he is on his feet. He had a lot of fun earlier. I will give him an opportunity to speak in a moment.

Today's motion states that 200 long-term carers are needed. However, between March 2006 and September 2009, the number of foster carers in Northern Ireland increased from 1,528 to 1,910. That is an increase of

382. It is true that many of those foster carers provide short-term respite care for children in care, and we have recognised for some time that we need many more long-term foster carers. We are working hard to increase the numbers.

Around three years ago, the Fostering Network said that we needed 300 long-term foster carers. That number has now fallen to 200. There is no doubt that we are successfully recruiting such carers, although I am not satisfied that recruitment is happening as quickly as it should, and we are looking to increase the recruitment rate. However, we are recruiting more carers than we are losing.

Today's motion also states that more than half of all foster carers are of retirement age. Apart from the motion's basic ageism and its message that people of retirement age should not apply to be a foster carer, the figure that it presents is incorrect. The vast majority of foster carers in Northern Ireland are in their 40s and 50s, and about 15% — not 50% — are aged 60 or over. Although it is important to monitor the age profile of foster carers, it is entirely appropriate for some to be over the age of 60. A significant part of our efforts has been aimed at recruiting children's extended families as foster carers so that they can foster them. People are also more willing to foster when their own children have grown up. The major advantage for children is that it makes it easier for them to remain within the family circle and to maintain links with their birth family and local community.

Typically, it is a grandfather and grandmother who foster a child when mum and dad are unable to maintain the family support. The fact that many family foster carers are grandparents makes the children's experience much more positive, so it is wrong to condemn the recruitment of over 60s as foster carers as some sort of retrograde step. It is wrong to suggest that someone in their 60s is unable to look after a child in care. That ageist attitude serves only to prevent a child in care from experiencing the stability and familiarity of staying within the family circle.

At the moment, more than one in four of our foster carers have a pre-existing family relationship with the foster child. I want that figure to rise. My Department is working with the Fostering Network, the boards and the trusts to implement a separate approval process for family foster carers who are related to the child in care. In support of those arrangements, a number of trusts have now established dedicated family foster carer teams.

The motion also claims that foster carers do not receive enough support. I will be able to set out the support that is available. Members such as Mr Shannon claimed that nothing was being done. I would be happy to arrange for Mr Shannon to visit the South Eastern Health and

Social Care Trust, where he can see for himself the actions that are being taken.

Most children in Northern Ireland do not leave home until they are aged 23. In the past, the normal age for children to leave care and live independently was around 18. In Northern Ireland, unlike in the rest of the UK, we fund children to stay with their foster carers until they are aged 21 — or older, if they are in education. That initiative is called Go the Extra Mile (GEM) and was named by a young person in foster care. Nearly 200 young people, aged mainly 18 to 21, or around one third of care-leavers, now avail themselves of that opportunity. Similar initiatives are being piloted in other parts of the UK. It is my intention to bring forward proposals to place GEM on a statutory footing and to extend all the support that is available to carers until the child in their care turns 21.

Most children have much better outcomes if they are brought up in a family situation rather than in residential care. Alex Easton suggested that 1,400 children were placed in residential care. In fact, there are only 381 such places. Again, that is another statistic that seems to have gone awry.

Foster carers carry out valuable work in caring for some of the most vulnerable children and young people in society. That is why it is so important that the necessary support mechanisms are in place.

**Mr Shannon:** I thank the Minister for giving way. In proposing the motion, we seek support from all Members, and we seek to support the Minister when we try to move matters forward. The motion clearly mentions 200 long-term carers and states that 50% of long-term carers are of retirement age. The proposal that is being put forward is very clear, the Minister can check the Hansard report. I recognise the input and the contribution of foster carers in the upper age bracket. It is a matter of trying to address the issue of long-term carers. Perhaps the Minister can respond in the nice way in which I made my comments; perhaps we can ask for the same in return.

**The Minister of Health, Social Services and Public Safety:** I do not agree that Mr Shannon made his comments in a nice way. I also make the point that 50% of carers are not past retirement age, and I have already set out how we are going forward with the recruitment of long-term carers. More than 1,900 carers look after approximately 1,600 children. We have a cushion, but it is not adequate.

Support for foster care is available through a wide range of schemes and initiatives. Trusts have received funding to develop their fostering services on a consistent basis so that resources can be shared and marketed as a single service across Northern Ireland. Further support for foster carers has been made available through a £6 million investment over the past three years and that



money is recurrent. It allows us to increase foster care allowances by an average of 20% to the recommended national rates. The funding also enabled us to set up the regional fostering recruitment and training co-ordination service in 2007, which helps trusts with the recruitment and training of foster carers. Once a foster carer has been approved, each has the support of a supervising link worker who visits regularly to offer advice and support. Far from being unregulated, foster carers get regular support.

Mr Bradley and Mr Shannon said that there was no regulation. That is not the case. We operate under the 1999 UK national standards for foster care. One of the key points of the Care Matters strategy is that we will upgrade those care standards, and we are working on that. We are regulated under the Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003. It is completely untrue to suggest that foster carers are not regulated. Foster carers receive a maintenance allowance to cover the daily cost of looking after a child, as well as extra payments for other essential items.

In recent years, my Department has funded initiatives to support foster carers and children in care. The Fostering Achievement scheme is one of our most successful schemes delivered through Fostering Network, which we fund annually to the tune of £1.25 million. Under that scheme, we have installed more than 800 computers in foster homes, provided 400 educational packs, helped dozens of children in care to learn to drive, and provided intensive GCSE tutoring to 60 children each year. We fund one-to-one tuition to nearly 300 looked-after children as part of our £10 million funding for children's services. Over the next three years, £1.2 million is earmarked to increase the number of fee-paid foster carers by 100. At present, one in three foster carers is fee-paid. If we are to recruit more foster carers, we will need to move towards a salaried care workforce, and the price tag for that is about £20 million at today's costs. I cannot do anything about that without extra funding.

Sue Ramsey said that she hoped that we would not see cuts in children's services. I sincerely hope that too. However, unlike Sinn Féin, my party did not vote for cuts to health services. The entire workforce in the Health Service knows exactly who voted for cuts to health services and who did not.

Our overall target has been to have at least 15% more foster care places available than there are foster children. We have achieved that target but are still working to increase the number of long-term carers. I repeat my offer to Jim Shannon to take him through his local trust, the South Eastern Trust, to let him see the activity that he believes is not happening.

The regional fostering recruitment and training co-ordination service has created initiatives, including a free 24/7 regional helpline for foster carers; the development of a regional marketing recruitment strategy that will run until 2013; the production of a fostering television advertisement campaign; and the establishment of a health and social care website. Last Friday, my Department released statistics on its care leavers population for 2008-09, and I am pleased to say that those figures show improvements in economic activity. However, more needs to be done.

We have already taken decisions to bolster services, but other Departments need to play their part in taking forward preventative measures. More than half our children in care who are eligible to sit GCSEs this year came into care when they were 11 years of age or older.

Many of them are struggling with basic numeracy and literacy when they enter care. Urgent action must be taken in the education system to reduce the number of children who leave primary school struggling with numeracy and literacy.

3.45 pm

Under Care Matters we are moving ahead of the rest of the UK to give foster carers more autonomy over day-to-day decision-making for children in care. That will mean many foster carers having the ability to deal with day-to-day issues, such as agreeing to children taking part in school trips, and to basic medical treatment, without referring to a social worker. Other parts of the UK are now following our lead.

Linked to that, I have a draft paper on taking forward an adoption and children's Bill with the Executive awaiting a decision. That paper, which includes a proposal to establish special guardianships, as mentioned earlier, as an alternative to care, has been held up at the Executive since June. When Lord Morrow responds, perhaps he will tell me why his party has blocked the release of that paper at the Executive.

Since June a paper on adoption and children has been sitting with the Executive. I also recall the length of time that the young people's drinking action plan sat with the Executive earlier in the year. It is unfortunate that papers such as that, which will make major improvements to services to vulnerable groups, get lost within the Executive. How am I supposed to make a difference to children's services when papers are delayed for months at a time? It is not even as if there have been queries about it that I have had a chance to respond to.

Delays in decision-making are further compounded by years of underinvestment in children's services in Northern Ireland. Services to families and children have been under-resourced by some 30% compared to other parts of the UK. Sinn Féin wants to cut health funding further, yet demand for our services continues to grow.

**Mr Deputy Speaker:** Minister, draw your remarks to a close, please.

**The Minister of Health, Social Services and Public Safety:** I am finishing now. Over the past five years, the number of children referred to social services has increased by 24%. We are currently dealing with many more children and young people in care who have high levels of need. Our children in care deserve support. They need to be prioritised, and we need to have investment in them, rather than some of the hypocrisy I have heard here today of demanding extra services and, on other days and on other motions, voting for efficiencies and cuts to the Health Service.

**Lord Morrow:** First of all, I would like to thank all those who have contributed in a positive manner to the debate. Regrettably, there are those who did not find that they could contribute in a positive way, but then we always have those sorts of Assembly Members. Their attitude is negative and they have to live with that, and we have to live with them here in the Assembly.

I also noticed that the Minister got very animated today. That is no bad thing, because he is difficult to get. We should not only appreciate the fact that he has got a bit worked up. The fact that we got him into the Assembly was an achievement in itself. If there is one Minister who has ducked and dodged coming to the Assembly to answer anything, it is the Minister of Health, Social Services and Public Safety. He is too busy. He has demonstrated in the past quite clearly —

**The Minister of Health, Social Services and Public Safety:** On a point of order, Mr Deputy Speaker. I have appeared in the House to speak in private members' debates and other debates more often than any other Minister in the House, and more often than many of the Ministers put together. I ask Lord Morrow to withdraw those remarks.

**Mr Deputy Speaker:** That was not a point of order. The point is that we should discuss fostering.

**Lord Morrow:** The Minister also made the point that he has had a paper sitting with the Executive since June, and he wants me to address that. What the Minister is actually saying is that everybody under the sun is to blame for his failings. He has failed as a Minister and he wants everybody else in the Assembly — every member of the Executive — to bail him out.

I am sorry, Minister, but you are well paid for doing your job, and you should get on with it as everyone else has to do. If you feel that you are inadequate in the Executive, you should stand up and say that or resign your position and give your place to someone who can do it better than you.

**The Minister of Health, Social Services and Public Safety:** You could have picked the seat.

**Mr Deputy Speaker:** It appears that I have disappeared completely. All remarks must be made through the Chair. Remember the spirit of Christmas in the last debate of the year.

**Lord Morrow:** It is just a pity that not everyone thought about that.

The one aspect of the debate from which I have taken encouragement is the fact that it has united the House. Most Members who spoke said that the motion was worthy of support, and, therefore, irrespective of what others said, the House has got the mood of the motion and is happy to support it.

It is proper and right to pay tribute to all those who are involved in fostering. They make a worthwhile contribution to society. It was also said in the debate that, whatever we do for the protection of children and their future, we must get it right. Those who say that are spot on. If some Members got a bit agitated about the motion, they should get over it and get on with it. Vulnerable children are what we say they are: vulnerable. When all Members settle down again, they will see the importance of ensuring that those children have a future, and the people who are involved in foster caring provide that.

Some Members have tried to get replies from the Minister of Health, Social Services and Public Safety on the issue. On 23 October 2009, I asked how many applications had been made to take children in Fermanagh and South Tyrone into care and how many children that involved. The Department was unable to answer that. On 20 April 2009, I asked how many emergency referrals had been handled by social workers outside normal hours, and the Department was unable to answer that. On 20 March 2009, I asked how many children were on the at-risk register. For reasons best known to the Department, it was unable to answer that.

I note the generous offer that the Minister made to Mr Shannon to go and see how well things are being done in the South Eastern Health and Social Care Trust. I have no doubt that many things are being done well, but, before we clap ourselves too hard on the back and say that we are getting everything right, I wish to draw Members' attention to some things that should be done a wee bit better. Those of us who believe that we are perfect can sometimes come down with a bump. In the best Christmas spirit, I ask the Minister to take that on board and to show that he is listening. I know that I was a bit belligerent at the start of my speech, but I have no doubt that he is listening.

On 31 March 2008, 2,071 children were on the child protection register in Northern Ireland, which was an increase of 15% from 2007. Of the children on the register, 52% were boys and 48% were girls. I ask the Minister to give some cognisance to those figures when he ponders today's debate. Perhaps he will say

that, no matter how good he has told us that he has been, there is room for improvement. I hope that he will do that.

Between 2003 and 2008, the number of children on the child protection register increased by 29%, from 1,608 children to 2,071 children. I note that the Minister acknowledges that. That is good. We ask him to take a look at those figures and, perhaps, he will come back to the Assembly and tell us that he has considered them, and that there are new ways and means to deal with the matter. I believe that the motion will gain unanimous support, and I trust that the Minister will have listened to what Members said and will decide that there are areas on which he can improve. I ask him to keep in mind the increasing numbers on the child protection register between 2003 and 2008, because that issue needs to be addressed.

The Minister can be sure of the Assembly's support today, because it is acknowledged that his Department is doing some very good work in foster care. We are not naysayers, although some Members from his party adopted that tone by suggesting that it would be better if the Minister got more money. Every Department would say that it would do wonderful things if it got more money. However, it is a matter of priorities, and each Department must prioritise its needs. The motion asks simply that the Minister take cognisance of that fact.

None of us should be beyond criticism. However, rather than the Minister and his party seeing the motion as criticising them, perhaps he will see it as constructive, not destructive, criticism. I hope that, when he reflects on everything that was said during the debate, he will come to that conclusion and tell us that it was useful, that it brought issues to his attention, and that he feels that his Department, with all its perfections, may be able to become even more perfect.

This has been a useful and good debate, although it became a wee bit irrational at times. However, I think that rational thinking will prevail. I look forward to the motion receiving the unanimous support of the House, and I wish the Minister a very happy Christmas.

**Mr Deputy Speaker:** On that very happy note, I shall put the Question.

*Question put and agreed to.*

*Resolved:*

That this Assembly notes the fact that there are not enough foster carers, with 200 long-term carers currently being required, and half of carers being of retirement age; further notes that those people who provide foster care do not receive enough support; and asks the Minister of Health, Social Services and Public Safety to initiate, as a matter of urgency, a new policy on foster care.

**Mr Deputy Speaker:** I wish everyone a very happy Christmas.

*Adjourned at 3.58 pm.*



# **Written Ministerial Statement**

The content of this written ministerial statement is as received at the time from the Minister. It has not been subject to the official reporting (Hansard) process.



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# Written Ministerial Statement

**The content of this written ministerial statement is as received at the time from the Ministers. It has not been subject to the official reporting (Hansard) process.**

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

### **Strategy for Victims and Survivors**

**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 8 December of the Strategy for Victims and Survivors.

The main aim of the strategy is to secure a measurable improvement in the well being of victims and survivors. The overarching principles are that the strategy will be victim and survivor centred and address the needs of victims and survivors in a coordinated manner. The key elements underpinning the strategy are the Commission for Victims and Survivors, the recently established Forum and the proposed Victims and Survivors Service.

The publication of this strategy places the needs of victims and survivors at its centre and marks a step change in the way that we will provide support to victims and survivors. Two of the main strands of the strategy are in place, the Commission for Victims and Survivors and the recently established Forum. We are currently analysing all of the responses from our recent consultation on the proposed Victims and Survivors Service which will become the funding and delivery body responsible for providing support to victims.

Once this strategy is fully implemented and its structures bedded in, all those involved in the victims and survivors sector will see a more focussed, coordinated and needs led approach to how we provide support to victims and survivors.

Copies of the Strategy for Victims and Survivors are available from the Victims Unit in hard copy. It has also been published on the OFMDFM website: [www.ofmdfmi.gov.uk/victims](http://www.ofmdfmi.gov.uk/victims).





# **Committee Stages**



# NORTHERN IRELAND ASSEMBLY

## COMMITTEE FOR REGIONAL DEVELOPMENT

9 December 2009

### WATER AND SEWERAGE SERVICES (AMENDMENT) BILL (NIA 3/09)

#### Members present for all or part of the proceedings:

Mr Fred Cobain (Chairperson)  
Miss Michelle McIlveen (Deputy Chairperson)  
Mr Allan Bresland  
Mr Willie Clarke  
Mr Tommy Gallagher  
Mr Danny Kinahan  
Mr Ian McCrea  
Mr George Robinson  
Mr Brian Wilson

**The Chairperson (Mr Cobain):** Good morning, members. We come to our clause-by-clause scrutiny of the Water and Sewerage Services (Amendment) Bill, after which we will deal with the Committee report.

#### **Clause 1 (Grants to water and sewerage undertakers: extension of initial period)**

**The Chairperson:** Clause 1 deals with the extension from three to six years of the initial period for which the Department for Regional Development is required to make grants to Northern Ireland Water equal to the amount of discounts provided to customers in the initial period. Do members agree clause 1?

*Question, That the Committee is content with the clause, put and agreed to.*

*Clause 1 agreed to.*

#### **Clause 2 (Short title)**

**The Chairperson:** Clause 2 is the short title of the Bill. Do members agree clause 2?

*Question, That the Committee is content with the clause, put and agreed to.*

*Clause 2 agreed to.*

*The meeting was suspended.*

*On resuming (The Chairperson [Mr Cobain] in the Chair) —*

**The Chairperson:** Our second item of business is the Committee Report on the Water and Sewerage Services (Amendment) Bill. I will ask members whether they agree the paragraphs as we go through them.

#### **Introduction**

*Paragraphs 1 and 2 agreed to.*

#### **The Committee's Approach**

*Paragraphs 3 to 11 agreed to.*

#### **Consideration of the Provisions in the Bill**

**The Chairperson:** Paragraphs 13 and 14 deal with clause 1, to which the Committee agreed earlier. Do members agree paragraphs 13 and 14?

*Paragraphs 13 and 14 agreed to.*

**The Chairperson:** Paragraph 15 deals with clause 2, to which the Committee agreed earlier. Do members agree paragraph 15?

*Paragraph 15 agreed to.*

**The Chairperson:** Do members agree paragraph 16?

*Paragraph 16 agreed to.*

*Other issues*

*Paragraphs 17 to 31 agreed to.*

**The Chairperson:** Are members content that the changes discussed at today's meeting be made and that a revised report and the associated appendices be included in members' papers for 6 January 2010 for final consideration and approval?

*Members indicated assent.*





# 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 27 November 2009

### Written Answers to Questions

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

##### **Executive Ministers: Refusal to attend Functions in Religious Buildings**

**Mr P J Bradley** asked the First Minister and deputy First Minister for their assessment of the refusal of Executive Ministers to attend functions in buildings owned by religious communities, citing religious or political reasons. (AQW 1121/10)

**First Minister and deputy First Minister (Mr P Robinson and Mr M McGuinness):** We have made no such assessment.

##### **Presbyterian Mutual Society**

**Mr A Easton** asked the First Minister and deputy First Minister for an update on resolving the Presbyterian Mutual Society financial situation. (AQW 2473/10)

**First Minister and deputy First Minister:** We are taking a very active and close interest in the work which is ongoing to find a solution to the difficulties of the Presbyterian Mutual Society (PMS). We know that this is a matter which is of great concern to the members of PMS and the wider community.

We met with the Chief Secretary to the Treasury on the 14th of October to discuss progress on PMS matters. We are now awaiting the full report on final considerations and options from officials.

The financial and commercial sensitivities surrounding this matter are such that we need to preserve a certain level of confidentiality around the details of options until a viable resolution has been identified and agreed. However, we can assure you that we are working to secure the best outcome we can for PMS savers.

##### **MPs' Hotline**

**Ms A Lo** asked the First Minister and deputy First Minister if they are aware of recent changes to Home Office policy which states that Members of any other legislative assembly cannot avail of the MP's hotline; and what action will they take on this matter. (AQW 2548/10)

**First Minister and deputy First Minister:** We are aware that the UK Border Agency has recently clarified its stance on the handling of enquiries from Members of the devolved administrations, which is that enquiries on individual cases should be made by MPs given that immigration is an excepted matter.

However, we have written to the Home Secretary to ask him to consider alternative ways in which Members of the Legislative Assembly might be enabled to make representations on behalf of individual constituents, in recognition of their position as elected representatives.



### Commissioner for Older People: Appointment

**Mr A McQuillan** asked the First Minister and deputy First Minister why they are not holding a meeting in the Coleraine area to canvas public opinion on the appointment of a Commissioner for Older People. (AQW 2609/10)

**First Minister and deputy First Minister:** The proposals to establish a Commissioner for Older People are a priority for the Executive, given its commitment to provide a “strong independent voice for older people”. We want the consultation process to be as inclusive as possible.

As part of the consultation process, which continues until 7 January 2010, there will be nine public meetings, facilitated by the Older People’s Advocate, Dame Joan Harbison, in the weeks commencing 16 and 23 November. The locations were chosen based on advice from Dame Joan and following consultation with the Age Sector Platform and Age Concern/Help the Aged. In line with this advice there will be at least one event in each county and two in Belfast. As far as possible, events are located within a 30-mile radius of main towns/cities. In identifying suitable locations, consideration was given to geographical spread, age profile and accessibility.

Although Coleraine has not been included in the programme of public meetings, it is hoped that people in the area will contribute to the consultation by attending their nearest event in Ballymena or any other location or by submitting a response in writing, by e-mail, telephone or textphone.

We should advise that the Department intends to reimburse attendees for reasonable travel costs incurred, including, where appropriate, bus or coach hire for groups.

### Executive Sub-committee on Poverty and Social Exclusion

**Mrs M Bradley** asked the First Minister and deputy First Minister how many times the Executive sub-committee on Poverty and Social Exclusion has met in the last year; and to outline the workplan of the sub-committee. (AQW 2705/10)

**First Minister and deputy First Minister:** In agreeing, on 20th November 2008, to formally adopt the broad architecture and principles of Lifetime Opportunities as the basis of its strategy to tackle poverty and social exclusion and patterns of deprivation based on social need, the Executive further agreed to the establishment of an Executive Sub-Committee on poverty and social inclusion.

This Executive Sub-Committee is responsible for agreeing, the priorities and key Executive actions for tackling poverty and social inclusion here and also agreeing the monitoring and reporting mechanisms associated with the ‘Lifetime Opportunities’ anti-poverty strategy.

To date the Executive Sub-Committee has met on two occasions, the most recent meeting taking place on 21 May 2009.

During the course of its first two meetings the Sub-Committee has;

- agreed its Terms of Reference;
- been informed as to the extent of poverty in Northern Ireland;
- agreed that work should be undertaken to identify the key co-ordinated priority actions that are needed to benefit those areas, groups and individuals and particularly those families and children in greatest objective need;
- considered and agreed initial proposals in respect of a monitoring and reporting framework for the ‘Lifetime Opportunities’ Strategy ; and
- agreed to an early re-establishment of the Ministerial-led Poverty and Social Inclusion Stakeholder Forum.

The third meeting of the Executive Sub-Committee is scheduled to take place on 2nd December 2009. At this meeting, Ministers will consider further proposals with regard to priority action areas and the monitoring and reporting framework for ‘Lifetime Opportunities’. As a follow on to this meeting it is then our intention to convene, very early next year, the first meeting of the re-established Ministerial-led Poverty and Social Inclusion Stakeholder Forum.

The Executive Sub-Committee has already agreed the terms of reference, under which the Stakeholder Forum was originally constituted in March 2007, when it met for the first and to date only occasion.

## Lifetime Opportunities Strategy

**Mrs M Bradley** asked the First Minister and deputy First Minister for an update on the implementation of the Lifetime Opportunities strategy. (AQW 2706/10)

**First Minister and deputy First Minister:** In agreeing, on 20th November 2008, to formally adopt the broad architecture and principles of Lifetime Opportunities as the basis of its strategy to tackle poverty and social exclusion and patterns of deprivation based on social need, the Executive further agreed to the establishment of an Executive Sub-Committee on poverty and social inclusion.

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The Executive Sub-Committee has already agreed the terms of reference, under which the Stakeholder Forum was originally constituted in March 2007, when it met for the first and to date only occasion.

## Poverty and Social Inclusion Stakeholder Forum: Establishment

**Mrs M Bradley** asked the First Minister and deputy First Minister for an update on the establishment of the poverty and social inclusion stakeholder forum; and the development of its terms of reference. (AQW 2708/10)

**First Minister and deputy First Minister:** In agreeing, on 20th November 2008, to formally adopt the broad architecture and principles of Lifetime Opportunities as the basis of its strategy to tackle poverty and social exclusion and patterns of deprivation based on social need, the Executive further agreed to the establishment of an Executive Sub-Committee on poverty and social inclusion.

This Executive Sub-Committee is responsible for agreeing, the priorities and key Executive actions for tackling poverty and social inclusion here and also agreeing the monitoring and reporting mechanisms associated with the 'Lifetime Opportunities' anti-poverty strategy.

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The Executive Sub-Committee has already agreed the terms of reference, under which the Stakeholder Forum was originally constituted in March 2007, when it met for the first and to date only occasion.

### Financial Inclusion Strategy

**Mr J Dallat** asked the First Minister and deputy First Minister what plans she has to introduce a financial inclusion strategy to help people gain skills in financial management and give them access to affordable financial products. (AQW 2759/10)

**First Minister and deputy First Minister:** Financial Inclusion is a key aspect of the work of the Executive in tackling poverty and social exclusion and underpins much of the work that is ongoing around vulnerable groups such as Low Income Families, Children in Poverty, Lone Parents, people with disabilities etc. In all of this work, affording people the knowledge and financial skills relevant to their particular circumstances, and access to appropriate, affordable financial products is vital. In times of economic stringencies such as we are currently experiencing, this is even more important.

Work on financial capability in Northern Ireland is being driven forward by the NI Financial Capability Partnership headed up jointly by the General Consumer Council for NI (GCC) and the Financial Services Agency (FSA). The Financial Capability Partnership is a strategic coalition of organisations who are committed to financial capability in Northern Ireland and brings together representatives from the public, private and voluntary sectors to act as a strategic focus for financial capability work being undertaken.

A key element of the work of the NI Financial Capability Partnership is ‘mapping’ existing provision across Government and “together creating more financially capable people in Northern Ireland.” Further information on the work of the Partnership can be found at the web address below.

<http://www.consumercouncil.org.uk/education/financial-capability/ni-financial-capability-partnership/>

### OFMDFM: Staff Employed in

**Mr T Elliott** asked the First Minister and deputy First Minister how many staff were employed in their Department on (i) 1 November 2002; (ii) 1 November 2007; and (iii) 1 November 2009. (AQW 2810/10)

**First Minister and deputy First Minister:** We do not have detailed staffing information for November 2002; however at 1 September 2002 there were 417 staff employed in the Department. At 1 November 2007 there were 407 staff and at 1 November 2009, there were 394 staff.

## DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT

### ICAS

**Mr J Shannon** asked the Minister of Agriculture and Rural Development what steps she is taking to address the problems faced by farmers who were checked for ICAS and now find they owe money, following advice from DARD officials to include all their land acreage on the original application forms. (AQW 2530/10)

**Minister of Agriculture and Rural Development (Ms M Gildernew):** In 2005 farmers were provided with pre-printed information, reflecting field areas as shown on the Geographical Information Systems (GIS) map, to

assist them when completing their applications for Single Farm Payment (SFP). The guidance booklet advised farmers that, for each field entered, they had to decide whether they wanted to use it to establish Entitlements. They were also advised that areas used to establish Entitlements would be classified as eligible land for the purposes of the SFP scheme and that areas of non-agricultural use, such as ponds, footpaths and wide field margins, must be deducted.

The Guidance on this issue was clear. The onus was on the farmer to decide what land he entered for SFP purposes and to make sure that this was correct. If we now find that a farmer has claimed an incorrect area or ineligible land, we have to adjust his claim for the current claim year and in many cases for previous years. My Department has no choice but to make these adjustments.

### **Newry: Flooding in**

**Mr P J Bradley** asked the Minister of Agriculture and Rural Development what plans she has to address the flooding problems in farmlands adjoining Derrylecka Bog, Newry that have occurred since it was designated as an Area of Special Scientific Interest. (AQW 2618/10)

**Minister of Agriculture and Rural Development:** As the Derryleckagh Bog has been designated as an Area of Special Scientific Interest there are a number of environmental considerations that must be taken into account when planning possible works on the outlet of the bog, known as the Derryleckagh-Ballyholland Drain, to reduce the risk of flooding to adjoining lands. DARD Rivers Agency have held a number of meetings with local residents, elected representatives and other interested parties on this matter and are continuing discussions with the NI Environment Agency to consider the best way to proceed. At the present time the plans in place are those minor works that can be carried out with the minimal disruption to the protected area.

### **Forests or Parklands: Grants for**

**Mr W Clarke** asked the Minister of Agriculture and Rural Development what grants are available to local councils to develop or create forests or parklands on land under their control. (AQW 2698/10)

**Minister of Agriculture and Rural Development:** The Forest Service (an agency of the Department of Agriculture and Rural Development) offers advice and grant assistance up to £1850 per hectare under the Woodland Grant Scheme, for the creation of new woodland. In addition the Community Woodland Supplement, currently £1000 per hectare is also available to contribute towards the creation of woodland close to towns and villages especially designed for public access.

Forest Service also offers Forest Environments grants to develop existing woodland, currently up to 50% of agreed cost, or a maximum of £3000 for projects which contribute towards the management and maintenance of existing woodland for biodiversity or public access objectives.

All of these forestry grants are currently available to councils.

In relation to parkland, if a local council has a farm business identification number, the organisation may be eligible to apply for the Countryside Management Scheme (CMS). There is an option in the CMS which provides funding for the maintenance or restoration of lost or degraded parkland.

### **Forests or Parklands: Grants for**

**Mr W Clarke** asked the Minister of Agriculture and Rural Development what grants are available to (i) schools; (ii) hospitals; and (iii) community groups to develop, or create, forests or parklands on land under their control. (AQW 2699/10)

**Minister of Agriculture and Rural Development:** The Forest Service (an agency of the Department of Agriculture and Rural Development) offers advice and grant assistance up to £1850 per hectare under the Woodland Grant Scheme, for the creation of new woodland. In addition the Community Woodland Supplement, currently £1000 per hectare is also available to contribute towards the creation of woodland close to towns and villages especially designed for public access.



Forest Service also offers Forest Environments grants to develop existing woodland, currently up to 50% of agreed cost, or a maximum of £3000 for projects which contribute towards the management and maintenance of existing woodland for biodiversity or public access objectives.

All of these forestry grants are currently available to schools, hospitals and community groups.

In relation to parkland, if a school, hospital or community group has a farm business identification number, the organisation may be eligible to apply for the Countryside Management Scheme (CMS). There is an option in the CMS which provides funding for the maintenance or restoration of lost or degraded parkland.

### Woodland Grant Scheme

**Mr W Clarke** asked the Minister of Agriculture and Rural Development if she will widen the scope of the current Woodland Grant scheme. (AQW 2701/10)

**Minister of Agriculture and Rural Development:** The Woodland Grant Scheme is already available to a wide range of landowners and has already been taken up by full, part-time and retired farmers, private non-farming landowners, local councils and community groups, local businesses, NGOs, schools, health trusts, charitable and voluntary organisations, churches and sports clubs. The objectives of these landowners can also be wide-ranging and include woodland for timber production, biodiversity or recreation.

As well as offering grant aid for the establishment of new woodland, the scheme encompasses grants for the effective management of existing woodland and the re-establishment of woodland cover in existing woodland areas.

Given the current breadth and coverage of the Woodland Grant Scheme, I do not see any need for its scope to be widened further.

### Dairy Farming

**Mr G Savage** asked the Minister of Agriculture and Rural Development if the EU considers Northern Ireland to be a 'sensitive region' in the context of dairy farming. (AQW 2818/10)

**Minister of Agriculture and Rural Development:** I understand that the reference to a sensitive region was in connection with the possibility to use additional compulsory modulation monies generated by the CAP Health Check to assist dairy farmers via rural development programmes. There is no legal definition of sensitive regions as such. This phraseology was used in an explanation of the CAP Health Check outcome and the reference to sensitive regions was to illustrate in what type of regions Member States were likely to use these funds to assist dairy farmers.

In relation to the north of Ireland, the outcome of the CAP Health Check saw no change in our total modulation rate. As EU compulsory modulation increases, our voluntary modulation rate is being reduced accordingly. Consequently there are no additional modulation funds arising from the CAP Health Check outcome.

### Slurry Tanks

**Mr P J Bradley** asked the Minister of Agriculture and Rural Development what contingency measures are in place to allow farmers and livestock owners to empty slurry tanks that overflow with rain water during the closed season. (AQW 2940/10)

**Minister of Agriculture and Rural Development:** Under the Nitrates Action Programme (NI) Regulations 2006 organic manures, excluding farmyard manure and dirty water, must not be applied between 16 October and 31 January (inclusive). Under certain exceptional circumstances, beyond the control and not foreseeable by the farmer, a defence can be made for non-compliance with the Regulations.

Rainfall entering slurry tanks would not normally satisfy the criteria for exceptional circumstances since farmers must take account of rainwater that enters into slurry tanks when providing the minimum livestock storage capacity of 26 weeks for pig and poultry enterprises and 22 weeks for all other livestock.

In the Code of Good Agricultural Practice for the Prevention of Pollution of Water, Air and Soil, DARD provides advice to farmers on steps that can be taken to prevent dirty water and rainwater from entering slurry storage systems to maximise storage capacity.

Inspection and enforcement of these Regulations is carried out by NI Environment Agency, an agency of the Department of the Environment.

### A5 Dual Carriageway

**Mr S Gardiner** asked the Minister of Agriculture and Rural Development what discussions she has had with the Minister for Regional Development about the impact that new road schemes, in particular the proposed A5 route, will have on the farming and wider rural communities. (AQO 428/10)

**Minister of Agriculture and Rural Development:** I have had discussions with the Minister for Regional Development on the A5 scheme in the margins of a meeting in Fermanagh on the 28th July 09.

In October 2007 I wrote to Conor Murphy and to the then Finance Minister Peter Robinson, regarding the A6 Dualling from Randalstown to Toome in which I raised a number of concerns that had been voiced to me by farmers and landowners during a visit to the area. These included the need for open and clear communication with those affected, the provision of appropriate levels of compensation and the need for Rural Proofing.

In his response Mr Murphy confirmed that the Department of Regional Development are required to carry out impact assessments and widespread public consultation as part of their appraisal process and that this would address the concerns raised. He assured me that there was regular communication with the land owners involved and that the information provided to them would be in a form that could be easily understood.

Both Mr Murphy and Mr Robinson in their responses confirmed the process for land valuation and compensation. Mr Robinson highlighted the factors taken into account in calculating compensation such as severance, depreciation of other owned land and the impact on the business itself. And that the payment of compensation is governed by legislation and case law.

Following our recent discussions in Fermanagh where I raised the concerns of farmers I am reassured that those concerns are being satisfactorily dealt with as part of the process.

### Renewable Energy

**Mr P Butler** asked the Minister of Agriculture and Rural Development what opportunities exist for farmers as a result of the increased demand for renewable energy. (AQO 430/10)

**Minister of Agriculture and Rural Development:** In 2007 my department published a Departmental Renewable Energy Action Plan. This Plan acknowledged the opportunities presented by the sustainable development of renewable energy for the agri-food and forestry sectors and wider rural economy.

In 2008 I established the Agricultural Stakeholder Forum on Renewable Energy to review the Action Plan to ensure that my department's activities remain appropriate given the dynamic nature of the operating environment and advances in technology. The Forum submitted its report to me last month and I am considering the recommendations. A new Action Plan will be developed by early next year.

I am keen to ensure that the land based sector can exploit the opportunities presented by the generation of renewable energy, such as biomass feedstock to produce heat and anaerobic digestion of agricultural materials.

Departmental activities to support this exploitation include:-

Secured funding to establish the excellent research and demonstration facilities commissioned at AFBI Hillsborough at the Environment and Renewable Energy Centre of Excellence along with a dedicated programme of research.

Additionally my Department has developed and commissioned a technology transfer programme delivered at the College of Agriculture Food and Rural Enterprise. This programme has successfully raised awareness and delivered training on renewable energy and energy efficiency to over 1500 members of the farming community.

- The NI Rural Development Plan (2007-2013) also contains a number of measures to support the generation of renewable energy in the land based sector particularly funding the establishment of SRC Willow.

My Department also works closely with other departments, particularly DETI to ensure the interests of the farming community are represented and opportunities realised in relation to the increased demand for renewable energy and to support the achievement of renewable energy targets.

## Davagh Forest Park

**Mr I McCrea** asked the Minister of Agriculture and Rural Development to provide an update on discussions between her Department and Cookstown District Council regarding the Memorandum of Understanding in relation to Davagh Forest Park. (AQO 431/10)

**Minister of Agriculture and Rural Development:** My officials have met officials from Cookstown District Council to assess their outline plans and initial project proposals for recreational developments on Forest Service land within the Cookstown District Council geographical area.

Both sides are now working to develop a management agreement which would permit any such projects to progress. The first step is to clarify roles and responsibilities at a strategic level by setting down the key principles of any partnership arrangements in terms of a Memorandum of Understanding (MOU).

To maximise the value of this type of arrangement, we have asked Cookstown District Council to consider and send us the key criteria, objectives and requirements they would like to see emanating from such an agreement. When these are received my officials in Forest Service will formulate our requirements prior to moving to the next step which will obviously require input from our respective legal advisers in working up a final partnership arrangement.

## DEPARTMENT OF CULTURE, ARTS AND LEISURE

### National Museum

**Ms A Lo** asked the Minister of Culture, Arts and Leisure what assessment he has made of the impact on public accessibility and staff morale of the decision to close National Museum sites on Mondays. (AQW 2582/10)

**Minister of Culture, Arts and Leisure (Mr N McCausland):** National Museums Northern Ireland's decision to close its sites on Mondays (with the exception of Bank and Public holidays) to facilitate longer opening hours at the weekend was taken following extensive visitor research and consultation with all relevant bodies and NMNI employees. Public accessibility was one of the key factors in deciding to extend our weekend opening hours as only 3% of visitors interviewed said they would visit a museum on a Monday whilst over 70% of people interviewed preferred to visit a museum on a Saturday or a Sunday. The decision to offer extended opening hours at the weekend has been welcomed by the Northern Ireland Tourist Board. The changes to opening hours has also meant that, for the first time ever, the Ulster American Folk Park is open at weekends across the autumn and winter months, while weekend opening hours at the Ulster Museum have doubled as a result of this decision.

Furthermore, in October 2009, National Museums Northern Ireland saw visitor numbers to its museums increase by 43% compared to visitor figures in October 2005 – a clear indication that more people than ever are accessing National Museums Northern Ireland's sites.

Employees and their representatives were consulted at length before any decisions were reached on Monday closure. It is worth noting that staff have been particularly encouraged by the overwhelmingly positive feedback from the public since the Ulster Museum's recent reopening.

### EU Directives

**Mr A Ross** asked the Minister of Culture, Arts and Leisure how many EU Directives his Department received and implemented in each of the last three years. (AQW 2616/10)

**Minister of Culture, Arts and Leisure:** My Department has not received or implemented any EU Directives in the last three years.

### Sport Governing Bodies

**Mr B McElduff** asked the Minister of Culture, Arts and Leisure to list all sport governing bodies currently operating on an all Ireland basis. (AQW 2617/10)

**Minister of Culture, Arts and Leisure:** The following is a list of all Sport Northern Ireland (SNI) recognised sports governing bodies that currently operate on an all-Ireland basis:

| Sport                      | Governing Body                                |
|----------------------------|---|
| Angling (Coarse)           | National Coarse Fishing Federation of Ireland |
| Angling (Sea)              | Irish Federation of Sea Anglers               |
| Badminton                  | Badminton Union Of Ireland                    |
| Basketball                 | Basketball Ireland                            |
| Bowling (Indoors – Women)  | Irish Women’s Indoor Bowling Association      |
| Bowling (Outdoors – Men)   | Irish Bowling Association                     |
| Bowling (Outdoors – Women) | Irish Women’s Bowling Association             |
| Bowling (Short mat)        | Irish Indoor Bowling Association              |
| Boxing                     | Irish Amateur Boxing Association              |
| Camogie                    | Camogie Council of Ireland                    |
| Caving                     | Speleological Union of Ireland                |
| Cricket                    | Cricket Ireland                               |
| Cycling                    | Cycling Ireland                               |
| Equestrian                 | The Show Jumping Association of Ireland       |
| Equestrian                 | Carriage Driving Ireland                      |
| Equestrian                 | Irish Long Distance Riding Association        |
| Equestrian                 | Irish Pony Society                            |
| Equestrian                 | Eventing Ireland                              |
| Equestrian                 | Dressage Ireland                              |
| Gaelic Games               | Gaelic Athletic Association                   |
| Golf                       | Irish Ladies Golf Union                       |
| Golf                       | Golfing Union of Ireland                      |
| Hockey                     | Irish Hockey Union                            |
| Motor Sports               | Motor Cycle Union of Ireland Ltd              |
| Motor Sports               | Motorcycle Racing Association                 |
| Mountaineering             | Mountaineering Council of Ireland             |
| Racquetball                | Racquetball Association of Ireland            |
| Rowing                     | Irish Amateur Rowing Union                    |
| Rugby Union                | Irish Rugby Football Union                    |
| Squash                     | Irish Squash                                  |
| Surfing                    | Irish Surfing Association                     |
| Swimming                   | Swim Ireland                                  |
| Table Tennis               | Irish Table Tennis Association                |
| Tennis                     | Tennis Ireland                                |
| Triathlon                  | Triathlon Ireland                             |
| Water Polo                 | Swim Ireland                                  |
| Water Skiing               | Irish Water Skiing Federation                 |



### **Third Periodic Report of the Committee of Experts into the European Charter for Regional and Minority Languages**

**Mr D Bradley** asked the Minister of Culture, Arts and Leisure why his Department did not consult with the Northern Ireland Human Rights Commission in preparation for the Third Periodic Report of the Committee of Experts into the European Charter for Regional and Minority Languages. (AQW 2626/10)

**Minister of Culture, Arts and Leisure:** In compiling the Northern Ireland input to the UK's Third Periodical Report on the Charter, DCAL, through the Interdepartmental Charter Implementation Group, sought input from other Departments and their Arms Length Bodies. Input was not sought from Non-Governmental Organisations, including the NI Human Rights Commission (NIHRC).

Having reviewed the process the Department now considers that the NIHRC should have been consulted during the process.

My predecessor wrote to the Chief Commissioner on 30 March 2009 confirming that the NIHRC will be afforded the opportunity to input to the Northern Ireland Report at an early stage in the next reporting cycle.

### **Third Periodic Report of the Committee of Experts into the European Charter for Regional and Minority Languages**

**Mr D Bradley** asked the Minister of Culture, Arts and Leisure why information on the Irish language was not included in the Third Periodic Report of the Committee of Experts into the European Charter for Regional and Minority Languages. (AQW 2627/10)

**Minister of Culture, Arts and Leisure:** The Northern Ireland input to the UK's Third Periodical Report on Regional or Minority Languages has not yet been agreed. It is being considered by the Deputy First Minister and the input cannot proceed to an Executive Meeting until agreement is in place.

Departmental officials and I met with representatives from the Council of Europe's Committee of Experts (Comex) during their visit to Northern Ireland on 21 and 22 September 2009 to discuss the current position of Ulster-Scots and Irish.

These meetings were positive and constructive. Comex will now produce a report on their findings, which is expected to be published in December 2009 or January 2010.

### **Third Periodic Report of the Committee of Experts into the European Charter for Regional and Minority Languages**

**Mr D Bradley** asked the Minister of Culture, Arts and Leisure when his Department will provide the Northern Ireland Human Rights Commission with the necessary information to complete the supplementary report to the Third Periodic Report of the Committee of Experts into the European Charter for Regional and Minority Languages. (AQW 2628/10)

**Minister of Culture, Arts and Leisure:** The Northern Ireland input to the UK's Third Periodical Report on Regional or Minority Languages has not yet been agreed. It is being considered by the Deputy First Minister and the input cannot proceed to an Executive Meeting until agreement is in place.

My Department intends to provide the Northern Ireland Human Rights Commission with a copy of the Northern Ireland input to the UK's Third Periodical Report on the Charter once it has been agreed and cleared the Executive process.

### **Future Department of Justice**

**Dr S Farry** asked the Minister of Culture, Arts and Leisure (i) what steps his Department intends to take to engage with a future devolved Department of Justice on cross-cutting matters; and (ii) what contribution his Department can make to cross-cutting justice and community safety issues such as reducing levels of offending. (AQW 2696/10)

**Minister of Culture, Arts and Leisure:**

- (i) Post devolution, my Department will collaborate with the Department of Justice on relevant cross-cutting issues. For example:
- DCAL is currently assisting the Northern Ireland Office (NIO) to develop legislation governing spectator behaviour at sports grounds in order to complement my Department's safety at Sports Grounds initiative; and
  - DCAL is also, at the NIO's request, arranging to undertake a consultation with sports bodies on the extension of trust provisions, set out under the Sexual Offences (Northern Ireland) Order 2008, to sports coaches.
- (ii) In June of this year Minister of State Paul Goggins MP launched a new Community Fund for Northern Ireland which will direct assets seized from criminality back to communities most affected by organised crime. The funding will be provided to the Department of Culture, Arts and Leisure and the Department of Social Development.

My Department will distribute its portion of the Fund, initially £87,500, through its associated arms length bodies in areas and communities most affected by crime or where there is a clear need for crime reduction.

**Ulster-Scots and Irish-Language Events**

**Mr P Butler** asked the Minister of Culture, Arts and Leisure (i) how many invitations he has received to attend (a) Ulster Scots events; and (b) Irish language events; and (ii) how many (a) Ulster Scots events; and (b) Irish language events, he has attended, since he came to office. (AQW 2716/10)

**Minister of Culture, Arts and Leisure:** Since taking up office on 1st July I have received 9 invitations to attend Ulster-Scots related events and 5 invitations to attend Irish Language events.

I have attended 2 Ulster-Scots language events, 5 Ulster-Scots cultural events and 1 Irish language event.

**Funding of Bands**

**Mr P Butler** asked the Minister of Culture, Arts and Leisure to detail the bands that have received funding through (i) the Ulster-Scots Agency; and (ii) the Arts Council, since May 2007. (AQW 2717/10)

**Minister of Culture, Arts and Leisure:** I have detailed in Annex A (attached) the list of all bands and the amount of funding awarded to them for musical tuition by the Ulster-Scots Agency over the last five years. Details of Ulster-Scots Agency's grants are available on their website at [www.ulsterscotsagency.com/community-projects/](http://www.ulsterscotsagency.com/community-projects/)

Arts Council funding for bands from May 2007 to date is summarised in Annex B (attached). Individual awards are also listed in the attached document. Details of Arts Council's grants are available on their website at [www.artscouncil-ni.org/funding](http://www.artscouncil-ni.org/funding).

**ANNEX A****FUNDING FOR BANDS FROM ULSTER-SCOTS AGENCY**

| <b>2007</b>   |           |
|---|-----------|
| Millar Memorial Flute Band                          | £250.00   |
| Belvoir Parish Drum Majors                          | £250.00   |
| East Antrim (Killyglen) Accordion Band              | £2,422.50 |
| Dunloy Accordion Band                               | £2,250.00 |
| Dunloy Accordion Band                               | £7,200.00 |
| Dunloy Accordion Band                               | £1,190.00 |
| Dunloy Accordion Band                               | £2,250.00 |
| Seymour Hill, Conway Network & Queensway Flute Band | £250.00   |
| Sir George White Memorial Flute Band                | £1,800.00 |

|  |           |
|--|-----------|
| <b>2007</b>                                |           |
| Killycoogan Accordion Band                 | £2,250.00 |
| East Antrim Elementary Accordion Orchestra | £562.50   |
| Tamlaght O'Crilly Pipe Band                | £2,400.00 |
| Maghera Sons of William Flute Band         | £1,400.00 |
| Ballymoughan Flute Band                    | £1,600.00 |
| Knockloughrim Accordion Band               | £1,800.00 |
| Moneymore Accordion Band                   | £1,800.00 |
| Cowan Memorial Flute Band                  | £1,800.00 |
| Salterstown Flute Band                     | £900.00   |
| Salterstown Flute Band                     | £900.00   |
| Curlough Accordion Band                    | £1,725.00 |
| Drumquin Pipe Band                         | £1,305.00 |
| Drumquin Pipe Band                         | £2,662.50 |
| Ardress Accordion Band                     | £1,672.50 |
| Tamlaght Pipe Band                         | £2,400.00 |
| Lisnaskea Accordion Band                   | £1,600.00 |
| Magheraboy Flute Band                      | £1,800.00 |
| Aughintober Pipe Band                      | £1,725.00 |
| Aughintober Pipe Band                      | £2,925.00 |
| Anktel Moutray Memorial Pipe Band          | £1,800.00 |
| Battlehill Pipe Band                       | £1,827.00 |
| Donemana Pipe Band                         | £1,800.00 |
| Carnagh Accordion Band                     | £1,312.50 |
| Kilcluney Volunteers Flute Band            | £825.00   |
| Markethill Pipe Band                       | £937.50   |
| Markethill Pipe Band                       | £1,875.00 |
| Grallagh Part Flute Band                   | £1,912.50 |
| Banbridge Pipe Band                        | £3,075.00 |
| Schomberg Folk Orchestra                   | £2,025.00 |
| Schomberg Folk Orchestra                   | £250.00   |
| Upper Crossgar Pipe Band                   | £3,000.00 |
| Upper Crossgar Pipe Band                   | £3,500.00 |
| Upper Crossgar Pipe Band                   | £3,000.00 |
| Corbet Accordion Band                      | £2,400.00 |
| Mourne Young Defenders Flute Band          | £1,200.00 |
| Doohat Accordion Band                      | £250.00   |
| Mourne Young Defenders                     | £3,500.00 |
| Cullybackey Pipe Band                      | £3,500.00 |
| Waringsford Pipe Band                      | £2,550.00 |

| <b>2007</b>                      |            |
|----------------------------------|------------|
| Ballymartin Pipe Band            | £2,325.00  |
| Carryduff & District Drum Majors | £1,087.50  |
| O'Neill Pipe Band                | £3,225.00  |
| Closkelt Pipe Band               | £1,800.00  |
| Inver Flute Band                 | £1,830.00  |
| Ballydonaghy Pipe Band           | £2,400.00  |
| Drum Accordion Band              | 880 Euros  |
| Derryogue Flute Band             | £2,850.00  |
| Crossgar Young Defenders         | £2,955.00  |
| Lisbeg Pipe Band                 | £1,320.00  |
| Goldsprings TBFB                 | £2,100.00  |
| Lisnaskea Accordion Band         | £3,060.00  |
| Bellanaleck Pipe Band            | £1,200.00  |
| Brookeborough Flute Band         | £2,100.00  |
| Roden Accordion Band             | £2,100.00  |
| Benburb Memorial Pipe Band       | £2,365.00  |
| Tullywhisker Pipe Band           | £2,100.00  |
| Ballindarragh Accordion Band     | £750.00    |
| Trillick Pipe Band               | £1,065.00  |
| Newtownbutler Flute Band         | £1,100.00  |
| Omagh True Blues                 | £1,575.00  |
| Kilcluney Volunteers Flute Band  | £825.00    |
| Drum Accordion Band              | 1400 Euros |

| <b>2008</b>                         |           |
|-------------------------------------|-----------|
| Cullybackey Pipe Band               | £300.00   |
| Aghavilly Accordion Band            | £1,312.50 |
| Aughintober Pipe Band               | £2,925.00 |
| Ballinacross Accordion Band         | £1,200.00 |
| Ballinamallard Accordion Band       | £0.00     |
| Ballydonaghy Pipe Band              | £2,400.00 |
| Ballydonaghy Pipe Band              | £1,600.00 |
| Ballymartin Pipe Band               | £2,325.00 |
| Ballymoughan Flute Band             | £1,200.00 |
| Ballyrea Boyne Defenders Flute Band | £800.00   |
| Benwarden Flute Band                | £1,350.00 |
| Bready Ulster Scots Pipe Band       | £1,800.00 |
| Brunswick Accordion Band            | £2,100.00 |
| Churchill Flute Band                | £1,500.00 |
| Clabby Pipe Band                    | £2,520.00 |



| <b>2008</b>                               |           |
|---|-----------|
| Co Armagh Drum Majors Group               | £2,475.00 |
| Craiganeer Accordion Band                 | £1,125.00 |
| Craiganeer Accordion Band                 | £250.00   |
| Craiganeer Accordion Band                 | £1,237.50 |
| Crossgar Young Defenders                  | £2,955.00 |
| Crossgar Young Defenders                  | £3,037.50 |
| Cullybackey Pipe Band                     | £1,000.00 |
| Cullybackey Pipe Band                     | £2,160.00 |
| Cullybackey Pipe Band                     | £3,710.00 |
| Curran Flute Band                         | £1,600.00 |
| Desertmartin Accordion Band               | £1,200.00 |
| Desertmartin Accordion Band               | £1,200.00 |
| Dollingstown Star of the North Flute Band | £3,030.00 |
| Drum Accordion Band                       | 880 Euros |
| Drumderg Flute Band                       | £2,850.00 |
| Drumquin Pipe Band                        | £2,665.00 |
| Drumquin Pipe Band                        | £1,512.00 |
| Dunaghy Flute Band                        | £1,920.00 |
| Eden Accordion Band                       | £1,600.00 |
| Eden Accordion Band                       | £1,600.00 |
| George A Dummigan Memorial Accordion Band | £1,200.00 |
| Hounds of Ulster                          | £2,700.00 |
| Hunter Memorial Flute Band                | £3,750.00 |
| Killyglen Accordion Band                  | £2,722.50 |
| Kilrea Pipe Band                          | £1,098.00 |
| Lack Pipe Band                            | £1,500.00 |
| Legananny Accordion Band                  | £2,175.00 |
| Lisbeg Pipe Band                          | £1,320.00 |
| Lisburn Fusiliers Flute Band              | £1,692.00 |
| Lisnamulligan Pipe Band                   | £3,022.50 |
| Lisnaskea Accordion Band                  | £1,875.00 |
| Lower Woodstock Ulster Scots Flute Band   | £2,100.00 |
| Maghera Sons of William Flute Band        | £1,200.00 |
| Magheraboy Flute Band                     | £1,200.00 |
| Magheragall Pipe Band                     | £2,250.00 |
| Markethill Pipe Band                      | £1,875.00 |
| Marlaco Pipe Band                         | £2,540.00 |
| Mourne Young Defenders FB                 | 2400      |
| Movilla Young Conquerors                  | £0.00     |

| <b>2008</b>  |           |
|--|-----------|
| Mulnahorn Pipe Band                                    | £1,080.00 |
| Pioneer Flute Band                                     | £1,800.00 |
| Portaferry Accordion Band                              | £2,100.00 |
| Pride of Lagan Valley Flute Band                       | £2,100.00 |
| Raphoe Pipe Band                                       | 220 Euros |
| Riada Concert Group                                    | £2,280.63 |
| Roden Accordion Band                                   | £2,100.00 |
| Roden Accordion Band                                   | 250       |
| Salterstown Flute Band                                 | £1,800.00 |
| Sandholes Accordion Band                               | £1,672.50 |
| Schomberg Fife & Drum                                  | £1,275.00 |
| Schomberg Fife & Drum                                  | £700.00   |
| Schomberg Fife & Drum                                  | £850.00   |
| Sir George White Memorial Flute Band                   | £2,250.00 |
| Tobermore Loyal Flute Band                             | £1,400.00 |
| Upper Crossgare Pipe Band                              | £2,830.00 |
| Upper Crossgare Pipe Band                              | £3,500.00 |
| Upper Crossgare Pipe Band                              | £250.00   |
| William Kerr Memorial Pipe Band                        | £1,500.00 |
| William Savage Memorial Flute Band                     | £2,100.00 |
| William Beattie Memorial Accordion Band                | £412.50   |
| William Strain & William Lightbody Memorial Flute Band | £2,100.00 |

| <b>2009</b>                               |           |
|---|-----------|
| Aughafatten Coronation Accordion Band     | £2,250.00 |
| Aughlisnafin Accordion Band               | £2,512.50 |
| Ballyhalbert Flute Band                   | £2,475.00 |
| Ballykeel Loyal Sons of Ulster Flute Band | £1,600.00 |
| Ballylone Concert Flute Band              | £2,080.00 |
| Ballywillan Flute Band                    | £2,250.00 |
| Burnside Accordion Band                   | £1,800.00 |
| Burnside Accordion Band                   | £2,355.00 |
| Cahard Flute Band                         | £3,220.00 |
| Cahard Flute Band                         | £1,787.50 |
| Castlegore Amateur Flute Band             | £2,100.00 |
| Clontibret Pipe Band                      | £3,000.00 |
| Commons Silver Band                       | £1,425.00 |
| Craiganeer Accordion Band                 | £693.00   |
| Crown Defenders Flute Band                | £720.00   |
| Curlough Accordion Band                   | £2,025.00 |

| <b>2009</b>                                 |           |
|---|-----------|
| Donaghadee Flute Band                       | £2,100.00 |
| Donaghmore Accordion Band                   | £1,950.00 |
| Drum Accordion Band                         | £1,080.00 |
| Drumlough Pipe Band                         | £2,202.75 |
| Drumlough Pipe Band                         | £3,855.00 |
| Dungiven Flute Band                         | £2,100.00 |
| Dunloy Accordion Band                       | £2,250.00 |
| Dunloy Accordion Band                       | £2,390.00 |
| East Antrim (killyglen) Accordion Orchestra | £2,722.00 |
| Flutes of Mourne                            | £2,175.00 |
| Freeman Flute Band                          | £3,600.00 |
| Garryduff Flute Band                        | £1,200.00 |
| Gertrude Star Flute Band                    | £3,600.00 |
| Girtaclare Pipe Band                        | £400.00   |
| Howard Memorial Pipe Band                   | £2,625.00 |
| Hunter Moore Memorial Flute Band            | £4,050.00 |
| John Hunter Accordion Band                  | £1,440.00 |
| Kilkeel Silver Band                         | £1,800.00 |
| Killyfargue Pipe Band                       | £3,000.00 |
| Lisburn Fusiliers Flute Band                | £2,496.20 |
| Lisnagaver Flute Band                       | £1,252.00 |
| Lord Londonderrys own CLB Flute Band        | £2,100.00 |
| Magheraboy Flute Band                       | £1,125.00 |
| Magheragall Pipe Band                       | £2,400.00 |
| Magheragall Pipe Band                       | £2,250.00 |
| Marlaco Pipe Band                           | £2,940.00 |
| Mourne Young Defenders Flute Band           | £3,840.00 |
| Mullabrack Accordion Band                   | £405.00   |
| Newtownards Melody Flute Band               | £2,100.00 |
| Pride of Ballinran Flute Band               | £2,080.00 |
| Pride of the Park Flute Band                | £1,200.00 |
| Queensway Flute Band                        | £1,575.00 |
| SeaPatrick Flute Band                       | £1,063.36 |
| Sir Edward Carson True Blues Flute Band     | £3,000.00 |
| Sir Edward Carson True Blues Flute Band     | £1,080.00 |
| Sir George White Memorial Flute Band        | £2,250.00 |
| Sir George White Memorial Flute Band        | £2,250.00 |
| Skeogh Flute Band                           | £2,400.00 |
| Skeogh Flute Band                           | £2,600.00 |

| <b>2009</b>                      |           |
|----------------------------------|-----------|
| South Down Defenders Flute Band  | £1,650.00 |
| South Down Defenders Flute Band  | £3,590.00 |
| Star of The Roe Flute Band       | £1,575.00 |
| The Geoghegan Memorial Pipe Band | £3,632.25 |
| Thiepval Memorial Pipe Band      | £720.00   |
| Tullyvallen Silver Band          | £1,120.00 |
| Tyrone's Ditches Pipe Band       | £2,850.00 |
| Upper Crossgare Pipe Band        | £3,078.60 |
| Vow Accordion Band               | £1,800.00 |

**ANNEX B****ARTS COUNCIL FUNDING FOR BANDS**

| <b>2009-2010 to Date</b>                       | <b>Grant</b> |
|--|--------------|
| Pride of the Orange and Blue Flute Band        | 10,000       |
| Armagh Old Boys Silver Band                    | 4,000        |
| Upper Crossgare Pipe Band                      | 2,250        |
| Upper Falls Protestant Boys                    | 2,500        |
| Schomberg Fife and Drum Band                   | 2,741        |
| Closkelt Highland Pipe Band                    | 3,663        |
| Ulster Grenadiers Flute Band                   | 4,266        |
| Garvary Flute Band                             | 5,000        |
| Tobermore Loyal Flute Band                     | 3,735        |
| South Down Defenders Flute Band                | 5,000        |
| Megargy Accordion Band                         | 4,866        |
| Ballykeel Conservative Flute Band              | 4,845        |
| Upper Falls Protestant Boys                    | 4,658        |
| Fifes and Drums Historical and Musical Society | 4,878        |
| Omagh Protestant Boys (Melody) Flute Band      | 5,000        |
| Blackhill Flute Band                           | 2,477        |
| Crossmaglen Youth Band                         | 5,000        |
| Ulster Volunteer Flute Band                    | 4,583        |
| Ballylesson Old Boys' Flute Band               | 4,889        |
| Upper Crossgare Pipe Band                      | 5,000        |
| Magheraglass Flute Band                        | 4,557        |
| Loughinsholin Cultural Music Group             | 4,984        |
| Lisbellaw Accordion Band                       | 5,000        |
| Eden Accordion Band & Concert Music Society    | 5,000        |
| Wattlebridge Accordion Band                    | 5,000        |
| Glenavy Accordion Band                         | 4,680        |
| Castlegore Amateur Flute Band                  | 5,000        |



|  |       |
|--|-------|
| <b>2008-2009</b>   |       |
| Ballinacross Accordion Band                              | 4,995 |
| Ballymartin Pipe Band                                    | 4,999 |
| Ballymena and Harryville Young Conqueror                 | 5,000 |
| Ballyreagh Silver Band                                   | 4,923 |
| Benburb Memorial Pipe Band                               | 3,472 |
| Cappagh Pipe Band  | 5,000 |
| Castlerock Pipe Band                                     | 5,000 |
| Clogher Youth & Music Club                               | 3,750 |
| Coleraine Fife & Drum Band                               | 4,492 |
| Drumaheagles Young Defenders Flute Band                  | 5,000 |
| First Old Boys Association Silver Band                   | 4,900 |
| Killymuck Accordion Band                                 | 5,000 |
| Kilnaslee Pipe Band                                      | 3,789 |
| Lisnaskea Accordion Band                                 | 5,000 |
| Montober Flute Band                                      | 4,958 |
| Moybrone Pipe Band                                       | 4,657 |
| Moygashel Sons of Ulster                                 | 4,183 |
| Mullinagoagh Pipe Band                                   | 4,999 |
| Mulnagore Coronation Accordion Band                      | 4,862 |
| Murley Concert Band ( Junior band of Murley Silver Band) | 5,000 |
| Pomeroy Flute Band                                       | 4,736 |
| Pride of the Derg Flute Band                             | 4,713 |
| Raffrey Pipe Band  | 4,999 |
| Roses Lane Ends Temperance Flute Band                    | 3,750 |
| Sgt White Memorial Flute Band                            | 4,255 |
| Skeogh Flute Band  | 5,000 |
| Tamlaght Pipe Band                                       | 5,000 |
| Tamlaghtmore Flute Band                                  | 4,005 |
| Tempo Accordion Band                                     | 4,191 |
| Tubrid Pipe Band   | 4,688 |
| W.J. Armstrong Memorial Pipe Band                        | 4,995 |
| William Strain William Lightbody Memorial Flute Band     | 5,000 |
| The Hamilton Flute Band                                  | 800   |
| Letterbreen Silver Band                                  | 4,000 |
| Ballindarragh Accordion Band                             | 1,850 |
| Trillick Pipe Band                                       | 3,650 |
| Magheraboy Flute Band                                    | 3,520 |
| Holy Cross Accordion Band Atticall                       | 2,200 |

|                                       |       |
|---------------------------------------|-------|
| <b>2007 -2008</b>                     |       |
| Ballymacall True Blues Flute Band     | 4,300 |
| Ballymaconnelly Sons of Conquerors    | 4,525 |
| Ballymoughan Flute Band               | 2,280 |
| Blaris Accordion Band                 | 4,688 |
| Burntollet Sons of Ulster             | 5,000 |
| Carnagh Accordion Band                | 2,295 |
| Coalisland Jubilee Accordion Band     | 4,688 |
| Crumlin Young Loyalist Flute Band     | 3,963 |
| Cullybackey Pipe Band                 | 5,000 |
| Curran Flute Band                     | 5,000 |
| Dromara Highland Pipe Band            | 5,000 |
| Drumconvis Young Defenders Flute Band | 3,795 |
| Drumnaglough Flute Band               | 3,775 |
| Dyan Pipe Band                        | 4,594 |
| George A Dummigan Accordion Band      | 4,000 |
| Gilnahirk Pipe Band                   | 3,438 |
| Gortagilly Musical Society            | 5,000 |
| Grallagh Unionist Flute Band          | 5,000 |
| Hounds of Ulster                      | 5,000 |
| Killycoogan Accordion Band            | 5,000 |
| Kilrea Pipe Band                      | 4,999 |
| Knockloughrim Accordion Band          | 5,000 |
| Lisnaskea Silver Band                 | 5,000 |
| Maghera Sons of William               | 2,730 |
| Magheraboy Flute Band                 | 3,723 |
| Muckamore Cultural Music Society      | 5,000 |
| Newmills Silver Band                  | 5,000 |
| Pride of Ardoyne                      | 4,605 |
| Pride of the Maine                    | 3,690 |
| Pride of The Park Flute Band Armoy    | 4,013 |
| Saint Patrick's Pipe Band, Drumquin   | 4,901 |
| St Eugene's Band Omagh                | 5,000 |
| Tullywhisker Pipe Band                | 5,000 |
| Tyrone Ditches Pipe Band              | 5,000 |
| Moneymore Accordion Band              | 2,880 |
| Letterbreen Silver Band               | 5,795 |
| Magheraboy Flute Band                 | 3,600 |
| Upper Crossgare Pipe Band             | 5,000 |
| Bawn Silver Band                      | 5,500 |

| 2007-2008                 |       |
|---------------------------|-------|
| Ardboe Central Youth Band | 5,000 |
| Aghavilly Accordion Band  | 500   |
| Ballycoan Pipe Band       | 5,970 |

### Motor Sports Project

**Mr J Shannon** asked the Minister of Culture, Arts and Leisure for an update on the £2 million motor sports project; and to outline where this money will be spent. (AQW 2754/10)

**Minister of Culture, Arts and Leisure:** Earlier this year, my Department earmarked up to £2 million over the next two years to help motorsport improve health and safety at motorsport venues across Northern Ireland. Sport Northern Ireland together with the umbrella body for motorsports here, the 2&4 Wheel Motorsport Steering Group Limited, are working together on the development of a business case for this funding which they hope to submit to DCAL before the end of December.

It is currently envisaged that the funding will be used to make health and safety improvements at a large number of circuits across all motorsport disciplines.

### Sports Grounds

**Mr P Butler** asked the Minister of Culture, Arts and Leisure to list for each of the last three years (i) sports grounds that have been used to hold commemorative events; (ii) political parties that have used sports grounds to hold events; (iii) Orange Order Lodges that have used sports grounds to hold events; and (iv) republican and loyalist organisations that have used sports grounds to hold events. (AQW 2773/10)

**Minister of Culture, Arts and Leisure:** Neither my Department nor Sport Northern Ireland retains information on these matters.

### Soccer Clubs: Financial Problems

**Mr P Butler** asked the Minister of Culture, Arts and Leisure to detail (i) the number of Irish League premiership soccer clubs that have had financial difficulties; (ii) the number of soccer clubs in the Irish League first division that have had financial difficulties; and (iii) what steps his Department took to address the financial problems of soccer clubs in both divisions, in each of the last five years. (AQW 2775/10)

**Minister of Culture, Arts and Leisure:** Responsibility for assessing the financial position of Irish League premiership soccer clubs, and addressing any financial problems they may have, rests with the clubs themselves. The Department of Culture, Arts and Leisure (DCAL) does not therefore routinely gather or hold information on the financial position of such clubs. However, Sport Northern Ireland (SNI), which is responsible for the development of sport including the distribution of funding, applies, under its Stadia Safety Programme, financial solvency criteria to help it assess public investment risks. Over the past 5 financial years, SNI deemed two Irish Premier League soccer clubs to be ineligible for grant under the Stadia Safety Programme based on their annual accounts/balance sheets. To assist these clubs SNI provided recommendations to improve their financial policies and procedures.

### **BBC Radio Foyle: Future of**

**Mr D McClarty** asked the Minister of Culture, Arts and Leisure what discussions his Department has had with the BBC regarding the future of BBC Radio Foyle and the BBC studio in Coleraine. (AQW 2794/10)

**Minister of Culture, Arts and Leisure:** My Department has not been in discussions with the BBC regarding the future of BBC Radio Foyle and the BBC studio in Coleraine.

I am aware that BBC Northern Ireland is considering efficiency savings and reinvestment proposals for 2010/11, however, DCAL has no involvement at this time.

### **Derry City FC: Funding for**

**Mr D McClarty** asked the Minister of Culture, Arts and Leisure how much funding Derry City FC has received from his Department or any associated body, such as Sports NI, in each of the last five years. (AQW 2795/10)

**Minister of Culture, Arts and Leisure:** Sport Northern Ireland (SNI) is responsible for the development of sport in Northern Ireland including the distribution of funding. During the last five financial years Derry City FC has made one application to SNI for exchequer funding. In August 2004, the club received £1,360 from SNI through its Safety Management programme.

### **Eels**

**Mr T Elliott** asked the Minister of Culture, Arts and Leisure to detail (i) the number of eels captured and transported to date, around the hydro station in Ballyshannon from the Erne catchment area; (ii) the number of fishermen involved in this process; and (iii) the estimated cost of the programme during its first year of operation. (AQW 2809/10)

**Minister of Culture, Arts and Leisure:** The objective of the trap and truck operation is to catch an estimated 22.5 tonnes of eels during 2009. Approximately 6 tonnes of eels have been caught and transported to date.

There are currently four fishermen involved in the process of catching and transporting the eels around the hydro power station.

The hydro station at Ballyshannon is operated by the Electricity Supply Board (ESB) and all costs relating to the capture and transportation of eels around the power station are borne by ESB. ESB Fisheries are working in conjunction with the Northern Regional Fisheries Board and DCAL to implement their responsibilities as set out in the transboundary North West, Eel Management Plan (EMP). The costs incurred by DCAL relate only to monitoring and fishery protection duties, which the Department is responsible for under the 1966 Fisheries Act.

### **Sporting and Cultural Projects: Capital Spend on**

**Mr J Shannon** asked the Minister of Culture, Arts and Leisure to detail the projected total capital spend by his Department on (i) sporting projects; and (ii) cultural projects for the 2010/11 financial year. (AQW 2831/10)

**Minister of Culture, Arts and Leisure:** The total projected capital spend for the financial year 2010/11 on Sporting and Cultural Projects is £78,336k, this can be broken down into:

- (i) Sporting Projects – £36,294k
- (ii) Cultural Projects – £42,042k

The department also intends to spend £3,054k on Inland Waterways and Inland Fisheries projects. This amount is not included above.



## Sporting and Cultural Projects: Capital Spend on

**Mr J Shannon** asked the Minister of Culture, Arts and Leisure to detail the total capital spend by his Department on (i) sporting projects; and (ii) cultural projects for this financial year, broken down by constituency. (AQW 2833/10)

**Minister of Culture, Arts and Leisure:** The forecast capital spend for the current financial year on Sporting and Cultural Projects is £64,543k. This can be broken down into:

(iii) Sporting Projects - £23,382k

(iv) Cultural Projects - £41,161k

The department also intends to spend £1,850k on Inland Waterways and Inland Fisheries projects.

An analysis of this proposed spend across constituencies is tabled as Annex 1.

You will note that certain amounts have been described as unallocated. There are a number of reasons for this: funds may not yet have been allocated to specific recipients; successful applications may not yet have been announced; and spend or proposed spend may cover a number of constituencies or be in the nature of central administration cost (eg IT equipment) and be impossible to allocate between them.

I would caution that while these forecasts have been carefully prepared, they are subject to a range of factors and are therefore subject to change.

### ANNEX 1

#### DEPARTMENT OF ARTS, CULTURE AND LEISURE FORECAST CAPITAL SPEND IN 2009/10 ANALYSED BY CONSTITUENCY

| Capital Spend for 2009/10 by Constituency            |                    |                  |                |                 |
|--|--------------------|------------------|----------------|-----------------|
| Constituency   | Cultural<br>£000's | Sports<br>£000's | IWIF<br>£000's | Total<br>£000's |
| North Down   | 2,324              | 1,545            | 27             | 3,896           |
| Strangford   | 19                 | 796              | 12             | 827             |
| Lagan Valley   | 8                  | 1,248            |                | 1,256           |
| North Antrim   | 14                 | 1,449            | 283            | 1,746           |
| South Antrim   | 1,663              | 1,514            | 18             | 3,195           |
| East Antrim  | 394                | 1,222            | 12             | 1,628           |
| Upper Bann   | 0                  | 1,409            | 32             | 1,441           |
| East Londonderry                                     | 782                | 783              | 44             | 1,609           |
| Belfast North  | 1,527              | 1,080            | 10             | 2,617           |
| Belfast East   | 16,689             | 100              | 12             | 16,801          |
| Belfast West   | 67                 | 28               | 25             | 120             |
| Belfast South  | 7,907              | 615              | 8              | 8,530           |
| Foyle  | 781                | 1,166            |                | 1,947           |
| South Down   | 23                 | 963              | 522            | 1,508           |
| Fermanagh, South Tyrone                              | 2,940              | 793              | 748            | 4,481           |
| Mid Ulster   | 16                 | 972              | 27             | 1,015           |
| West Tyrone  | 304                | 202              | 10             | 516             |
| Newry and Armagh                                     | 410                | 5,980            | 18             | 6,408           |
| Unable to allocate                                   | 5,293              | 1,517            | 42             | 6,852           |
| <b>Total (Based On December proposed monitoring)</b> | <b>41,161</b>      | <b>23,382</b>    | <b>1,850</b>   | <b>66,393</b>   |

### Sport NI: Travel Expenses for Board Members

**Mr J Craig** asked the Minister of Culture, Arts and Leisure to detail the cost of travel expenses for (i) the Chairman; (ii) the Vice-chairman; and (iii) board members of Sport NI for each of the last three years. (AQW 2837/10)

**Minister of Culture, Arts and Leisure:** For the last three financial years the cost of travel expenses for the Chairman, Vice-chairman and board members of Sport NI are as shown in the table below:

|               | 2006/07    | 2007/08   | 2008/09   |
|---------------|------------|-----------|-----------|
| Chairman      | £15,533.73 | £9,742.11 | £6,948.00 |
| Vice-Chairman | £261.00    | £374.00   | nil       |
| Board Members | £3,689.00  | £2,942.75 | £3,929.00 |

### Places for Sport Programme

**Mr P J Bradley** asked the Minister of Culture, Arts and Leisure how many GAA clubs applied for funding under the Places for Sport programme; and how many clubs, which met the criteria, were denied funding. (AQW 3036/10)

**Minister of Culture, Arts and Leisure:** The Places for Sport Programme was developed and is administered by Sport Northern Ireland (SNI) which is responsible for the development of sport in Northern Ireland including the distribution of funding. To date, SNI has run two phases of the Places for Sport Programme. A total of 59 applications were received from GAA clubs and venue operators across the two phases. SNI applied a scoring procedure to enable it to assess and prioritise applications received. The number of applications received by SNI for both phases of the Places for Sport Programme exceeded the quantum of monies available. Consequently, 12 GAA applications, which met the criteria, were turned down by SNI for this reason using its scoring procedure.

### Belvoir Players Amateur Dramatic Society

**Mr J Spratt** asked the Minister of Culture, Arts and Leisure if he will acknowledge the contribution made by the Belvoir Players Amateur Dramatic Society to the local community. (AQO 437/10)

**Minister of Culture, Arts and Leisure:** I would, of course, be pleased to acknowledge the contribution which Belvoir Players Amateur Dramatic Society has made to the local community.

The Society, which has a junior academy membership of 160 and an adult membership of 70, provides a range of valuable arts activities for all sections of the local community to enjoy. These activities include: adult drama groups, a youth academy, summer schools, special needs creative arts, older people's creative arts and education programmes.

Belvoir Players is a key strategic partner in assisting the Arts Council to increase attendance and participation levels in the arts, particularly in areas of social and economic deprivation.

The Society's ticket pricing policy provides access to the arts for low income families when affordability at other venues would be a deterrent.

It plays a vital role in the development of creative skills for members of its local and surrounding communities and is widely regarded by the amateur dramatic sector, and indeed professional drama sector, as being a leading force in community drama provision in Northern Ireland.

### Maritime Heritage

**Mr S Neeson** asked the Minister of Culture, Arts and Leisure what his Department is doing to develop maritime heritage. (AQO 438/10)

**Minister of Culture, Arts and Leisure:** The Report of the Assembly's Culture, Arts and Leisure Committee Inquiry into the need for a Museums Policy for Northern Ireland included a recommendation that the policy address the issue of how the maritime museum sector can be developed.

We are currently developing a policy which will address the Committee's recommendations including consideration of the development of the maritime sector. I expect the draft policy to be with me by December for agreement and for further consultation with the CAL Committee early in the New Year.

The Department will continue dialogue with National Museums on options for the future of the maritime and industrial heritage collections.

### Re-imaging Communities

**Mr D O'Loan** asked the Minister of Culture, Arts and Leisure for his assessment of the Re-Imaging Communities Initiative; and what further steps he intends to take regarding the removal of paramilitary murals. (AQO 441/10)

**Minister of Culture, Arts and Leisure:** An independent interim evaluation of the Re-Imaging Communities programme was completed in December 2008 and the findings indicate that the programme has been a success. A survey of 2,000 participants in 10 areas, in which projects have been completed, showed that the majority believed that the project had been of high-quality, had improved the appearance of the areas and had been generally beneficial.

Current funding for the Re-Imaging Communities programme will finish at the end of March 2010. I am aware that the Arts Council is working with various stakeholders to explore potential funding streams in order to extend the programme.

Given the success of the programme to date and the continued demand from communities, as evidenced by the significant number of project proposals at various stages of development, I am supportive in principle of the continuation of the programme. The Re-Imaging Communities programme has a proven track record of dealing with the sensitivities of replacing displays of paramilitary symbolism and I consider it is best placed to continue this process.

### Bands: Funding

**Mr T Burns** asked the Minister of Culture, Arts and Leisure to outline the eligibility criteria for bands seeking financial assistance from bodies supported by his Department. (AQO 442/10)

**Minister of Culture, Arts and Leisure:** All this information is available on the Ulster-Scots Agency and the Arts Council of Northern Ireland websites.

The website addresses are: [www.ulsterscotsagency.org](http://www.ulsterscotsagency.org) and [www.artscouncil-ni.org](http://www.artscouncil-ni.org).

### Sport and Physical Recreation: Strategy for

**Mr T Clarke** asked the Minister of Culture, Arts and Leisure for an update on the 'Strategy for Sport and Physical Recreation in Northern Ireland 2007-2017'. (AQO 443/10)

**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. I have been pressing and will continue to press for this to be considered and agreed by the Executive as soon as possible.

### Lyric Theatre

**Ms A Lo** asked the Minister of Culture, Arts and Leisure if his Department has considered the impact that the new Lyric Theatre will have on parking and traffic congestion in the surrounding area. (AQO 444/10)

**Minister of Culture, Arts and Leisure:** Full consultations were undertaken with statutory bodies and local residents through the planning process. Conditions associated with planning permission require the Lyric to provide certain facilities to encourage travel by alternative means to private car. This includes the provision of facilities for cyclists, a staff travel scheme to encourage the use of public transport and information on bus and taxi services in the area for patrons.

In addition, the new theatre will have a second entrance leading directly to an existing walkway on Stranmillis Embankment and nearby car park on Stranmillis Road. Belfast City Council has confirmed that this car park will be available for use by Lyric patrons.

### **Third Periodic Report of the Committee of Experts on the European Charter for Regional or Minority Languages**

**Mr D Bradley** asked the Minister of Culture, Arts and Leisure what input his Department had into the Third Periodic Report of the Committee of Experts on the European Charter for Regional or Minority Languages.

(AQO 445/10)

**Minister of Culture, Arts and Leisure:** In compiling the Northern Ireland input to the UK's Third Periodical Report on the Charter, DCAL, through the Interdepartmental Charter Implementation Group, sought input from other Departments and their Arms Length Bodies to add to its contribution on progress made with Ulster-Scots and Irish.

This composite Northern Ireland input to the UK's Third Periodical Report on Regional or Minority Languages has not yet been agreed. It is being considered by the Deputy First Minister and the input cannot proceed to an Executive Meeting until agreement is in place.

I met with representatives from the Council of Europe's Committee of Experts (Comex) during their visit to Northern Ireland on 21 and 22 September 2009 to discuss the current position of Ulster-Scots and Irish.

These meetings were positive and constructive. Comex will now produce a report on their findings, which is expected to be published in December 2009 or January 2010.

### **Chess**

**Mr B Wilson** asked the Minister of Culture, Arts and Leisure what support his Department has given to the promotion of chess.

(AQO 446/10)

**Minister of Culture, Arts and Leisure:** Sport Northern Ireland (SNI) is responsible for the development of sport in Northern Ireland including the distribution of funding. Chess is not currently recognised by SNI as a sporting activity and is not therefore eligible for financial assistance from SNI.

## **DEPARTMENT OF EDUCATION**

### **Viability Criteria**

**Mr M Storey** asked the Minister of Education what is the viability criteria for the establishment of (i) a post-primary Irish medium school; and (ii) a post-primary grant aided school.

(AQW 2194/10)

**Minister of Education (Ms C Ruane):** The department of education is obliged to encourage and facilitate Irish medium education.

I recognise that there are gaps in provision of post primary education in the Irish medium sector.

Recommendation 9 of the Irish Medium Review sets out that 'New post-primary provision, which can be delivered through a range of school structures, should be developed at the optimal geographical location within local Area-Based Plans to draw on feeder primaries and integrate with other services, such as transport. Development should be preceded by a protocol setting out how the provision will operate, including how it will relate to other Irish-medium provision.'



Leagtar amach sa Pholasáí do Scoileanna Inbhuanaithe, a foilsíodh i mí Eanáir 2009, na sé chritéar a úsáidtear le hinmharthanacht scoileanna a athbhreithniú mar a leanas:-

- Eispéireas Oideachasúil d'Ardchaighdeán
- Treochtaí Seasta Rollaithe
- Staid Airgeadais Fhónta
- Ceannaireacht agus Bainistíocht Láidir
- Inrochtaineacht
- Naisc Láidre leis an Phobal.

The Sustainable Schools Policy, published in January 2009, sets out six criteria for use in assessing the educational viability of schools, as follows:-

- Quality Educational Experience
- Stable Enrolment Trends
- Sound Financial Position
- Strong Leadership and Management
- Accessibility
- Strong Links with the Community

Other relevant factors from both policies will form part of the consideration in the development proposal process.

For newly established schools, the minimum intake to qualify initially for recurrent funding is 50, increasing to 80 and 100 in the second and third years.

These criteria apply to the establishment of all grant-aided post-primary schools, including Irish-medium, but Irish-medium post-primary education can also develop through units or streams. In such cases, units would be expected to achieve a minimum intake of 12 pupils in year 8 but the combined Irish-medium and host school enrolment should be 100 per year group for an 11-16 school, and 100 for a sixth form.

### **Every School A Good School: The Way Forward for Special Educational Needs and Inclusion**

**Mrs C Hanna** asked the Minister of Education if parents will have a right to request a statutory assessment of their child's needs under the proposals outlined in her Department's consultation document 'Every School A Good School: The Way Forward for Special Educational Needs (SEN) and Inclusion'. (AQW 2347/10)

**Minister of Education:** Rinne an Roinn Oideachais athbhreithniú polasaí ar Riachtanais Speisialta Oideachais agus Chuimsiú, agus d'eisigh sí doiciméad, le haghaidh comhairlithe, i mí Lúnasa 2009 a leag amach ardleibhéal moltaí le haghaidh breathnaithe poiblí. Mairfidh an tréimhse comhairlithe fhoirmiúil go dtí 30 Samhain 2009 agus, i ndiaidh an dáta seo, déanfaidh an Roinn breithniú iomlán ar na freagairtí atá faighte.

The Department of Education has undertaken a policy review of Special Educational Needs (SEN) and inclusion and issued for consultation, in August 2009, a document setting out high level proposals for public consideration. The formal consultation period will run to 30 November 2009, after which the Department will fully consider the responses received. One of a range of proposals is to introduce a Coordinated Support Plan for children and young people with complex or multiple needs and a Personal Learning Plan for all other SEN children to focus on setting and monitoring outcomes for children, a process which it is considered is not adequately captured in the current system. After all responses to the policy proposals have been fully considered and decisions made on the proposals that are to be taken forward, the necessary lower level detail of the policy will be developed. One option that will be fully explored in the development of the detailed outworkings is the level of statutory assessment, by the Education and Skills Authority, that may be required.

Parents of children and young people with SEN will continued to be able to request a statutory assessment of need, within the existing SEN framework, until any new policy is implemented.

### Department of Education: Posts

**Mr B McElduff** asked the Minister of Education to detail the number, the location, the grade and the posts (i) within her Department; and (ii) within the Western Education and Library Board, currently located in (a) the Omagh District; and (b) the Strabane District; and to outline her Department's plans to retain and increase the number of such posts in West Tyrone. (AQW 2439/10)

**Minister of Education:** Níl aon phoist ag mo Roinn i limistéir na hÓmaí agus an tSratha Báin. Thug Príomhfheidhmeannach Bhord Oideachais agus Leabharlainne an Iarthair eolas dom ar an líon, ar shuíomh, ar ghrád agus ar na poist atá suite i limistéir na hÓmaí agus an tSratha Báin agus shocraigh mé an t-eolas seo a chur i Leabharlann an Tionóil.

My Department has no posts in the Omagh and Strabane Districts. I have been advised by the Chief Executive of the Western Education & Library Board of the number, location, grade and posts, currently located in the Omagh and Strabane districts and have arranged for this information to be placed in the Assembly Library.

I fully appreciate the contribution which public-service jobs can make to the economic and social development of local communities. The retention or increase of WELB posts however in West Tyrone is a matter for the Board at this time. As part of the establishment of ESA, decisions on location will be subject to equality screening, and an Equality Impact Assessment and consultation where appropriate. Decisions will be taken in line with the guiding principles for RPA location. This process will allow Ministers to look at all the location decisions on the many sectors affected by the RPA at one time.

### Department of Education: Capital Works

**Mr P Weir** asked the Minister of Education when any new capital works scheduled for the North Down area are due to commence. (AQW 2441/10)

**Minister of Education:** It is critically important that investment in the education estate is consistent with and supportive of the policy framework I am putting in place. At the heart of this is Every School a Good School, Sustainable Schools, the Revised Curriculum and the Entitlement Framework. As area based planning develops, these policies will drive the reshaping of our estate and the consequential investment plans.

As Minister for Education, I need to ensure that the substantial resources we are now investing produce the best outcomes for children and value for the taxpayer. On 15 October 2009, I announced that I have commissioned a review of current projects to validate that all are consistent with the policy framework and hence will be viable and sustainable in the long term.

Minor works are still progressing. The following table details minor works schemes currently being progressed for the North Down area.

| School           | Details of Project                   | Estimated Start Date    |
|------------------|--------------------------------------|-------------------------|
| Sullivan Upper   | Disabled Access                      | Work commenced 26/10/09 |
| Sullivan Upper   | Fire Risk Assessment work            | Work commenced 26/10/09 |
| Rathmore PS      | Improvements to toilets              | December 2009           |
| Crawfordsburn PS | Staff and pupil toilet refurbishment | December 2009           |

### Every School A Good School: The Way Forward for Special Educational Needs and Inclusion

**Ms A Lo** asked the Minister of Education whether additional staff will be employed in schools to meet the greater responsibility for special educational needs as outlined in her Department's consultation document 'Every School A Good School: The Way Forward for Special Educational Needs and Inclusion'. (AQW 2491/10)

**Minister of Education:** Maidir le trí cheist scríofa seo an Tionóil, dhíreoinn aird an Chomhalta ar na freagraí a thug mé do Chomhalta Bhéal Feirste Theas, Carmel Hanna, agus a foilsíodh sa Tuairisc Oifigiúil ar 13 Samhain 2009, ar cheisteanna (AQW 2491) AQW 2349/10; (AQW 2493) AQW 2346/10 and (AQW 2494) AQW 2348/10.

With regard to the three Assembly Written Questions, I would refer the Member to my replies respectively (AQW 2491) AQW 2349/10; (AQW 2493) AQW 2346/10 and (AQW 2494) AQW 2348/10 tabled by the Member for Belfast South, Carmel Hanna and published in the Official Report on 13th November 2009.

### **Every School A Good School: The Way Forward for Special Educational Needs and Inclusion**

**Ms A Lo** asked the Minister of Education whether parents will have a right to request a statutory assessment of their children's needs under the proposals outlined in her Department's consultation document 'Every School A Good School: The Way Forward for Special Educational Needs and Inclusion'. (AQW 2492/10)

**Minister of Education:** Rinne an Roinn Oideachais athbhreithniú polasaí ar Riachtanais Speisialta Oideachais agus Chuimsiú, agus d'eisigh sí doiciméad, le haghaidh comhairlithe, i mí Lúnasa 2009 a leag amach ardleibhéal moltaí le haghaidh breathnaithe poiblí. Mairfidh an tréimhse comhairlithe fhoirmiúil go dtí 30 Samhain 2009 agus, i ndiaidh an dáta seo, déanfaidh an Roinn breithniú iomlán ar na freagairtí atá faighte.

The Department of Education has undertaken a policy review of Special Educational Needs (SEN) and inclusion and issued for consultation, in August 2009, a document setting out high level proposals for public consideration. The formal consultation period will run to 30 November 2009, after which the Department will fully consider the responses received. One of a range of proposals is to introduce a Coordinated Support Plan for children and young people with complex or multiple needs and a Personal Learning Plan for all other SEN children to focus on setting and monitoring outcomes for children, a process which it is considered is not adequately captured in the current system. After all responses to the policy proposals have been fully considered and decisions made on the proposals that are to be taken forward, the necessary lower level detail of the policy will be developed. One option that will be fully explored in the development of the detailed outworking is the level of statutory assessment, by the Education and Skills Authority, which may be required.

Parents of children and young people with SEN will continued to be able to request a statutory assessment of need, within the existing SEN framework, until any new policy is implemented.

### **Every School A Good School: The Way Forward for Special Educational Needs and Inclusion**

**Ms A Lo** asked the Minister of Education whether fewer classroom assistants will be employed in schools under the proposals outlined in her Department's consultation document 'Every School A Good School: The Way Forward for Special Educational Needs and Inclusion'. (AQW 2493/10)

**Minister of Education:** Maidir le trí cheist scríofa seo an Tionóil, dhíreoinn aird an Chomhalta ar na freagraí a thug mé do Chomhalta Bhéal Feirste Theas, Carmel Hanna, agus a foilsíodh sa Tuairisc Oifigiúil ar 13 Samhain 2009, ar cheisteanna (AQW 2491) AQW 2349/10; (AQW 2493) AQW 2346/10 and (AQW 2494) AQW 2348/10.

With regard to the three Assembly Written Questions, I would refer the Member to my replies respectively (AQW 2491) AQW 2349/10; (AQW 2493) AQW 2346/10 and (AQW 2494) AQW 2348/10 tabled by the Member for Belfast South, Carmel Hanna and published in the Official Report on 13th November 2009.

### **Every School A Good School: The Way Forward for Special Educational Needs and Inclusion**

**Ms A Lo** asked the Minister of Education what assurance can be given that a higher level of multi-disciplinary support will be provided by health professionals under the proposals outlined in her Department's consultation document 'Every School A Good School: The Way Forward for Special Educational Needs and Inclusion'. (AQW 2494/10)

**Minister of Education:** Maidir le trí cheist scríofa seo an Tionóil, dhíreoinn aird an Chomhalta ar na freagraí a thug mé do Chomhalta Bhéal Feirste Theas, Carmel Hanna, agus a foilsíodh sa Tuairisc Oifigiúil ar 13 Samhain 2009, ar cheisteanna (AQW 2491) AQW 2349/10; (AQW 2493) AQW 2346/10 and (AQW 2494) AQW 2348/10.

With regard to the three Assembly Written Questions, I would refer the Member to my replies respectively (AQW 2491) AQW 2349/10; (AQW 2493) AQW 2346/10 and (AQW 2494) AQW 2348/10 tabled by the Member for Belfast South, Carmel Hanna and published in the Official Report on 13th November 2009.

### Ministerial Sub-committee on Children and Young People

**Miss M McIlveen** asked the Minister of Education to detail her contribution, to date, to the Ministerial Sub Committee on Children and Young People. (AQW 2517/10)

**Minister of Education:** Tháinig an Fochoiste le chéile ar 7 ócáid go dtí seo. D'fhreastal mé ar 6 cruinniú. Tá mo Roinn i gceannas ar an obair a dhéanann 2 foghrúpa de na sé fhoghrúpaí a bhunaigh an Coiste, eadhon "Luathbhlianta" agus "Soláthar do Pháistí le Riachtanais Speisialta Oideachais".

The Sub Committee has met on 7 occasions to date. I have attended 6 meetings.

My Department leads on the work of 2 of the six sub-groups established by the Committee, namely "Early Years" and "Provision for Children with Special Educational Needs".

### Pupils Deemed to be 'gifted and talented'

**Ms A Lo** asked the Minister of Education if her Department has a policy on pupils who have abilities which are deemed to be 'gifted and talented', and if not, are there any plans to introduce such a policy. (AQW 2544/10)

**Minister of Education:** Ba mhaith liom a chinntiú go bhfuil teacht ag gach páiste ar sholáthar oideachais ar chaidhdeán ard a bhaineann a riachtanais, a suimeanna agus a mianaidhmeanna amach, agus a chumasaíonn dóibh a gcumas iomlán a bhaint amach. Chun an fhís seo a bhaint amach, tá mé ag tabhairt réimse beartas idircheangáilte isteach atá tacaíthe ag an infheistiú san eastát oideachais, mar Gach Scoil ina Scoil Mhaith, an creat teidlíochta, an t-athbhreithniú ar riachtanais speisialta oideachais agus chuimsiú, agus an curaclam athbhreithnithe.

I want to ensure that every child has access to high quality provision that meets their needs, interests and aspirations and enables them to fulfil their potential. To achieve this vision, I am introducing a range of interconnected policies, such as Every School a Good School, the entitlement framework, the special educational needs and inclusion review and the revised curriculum, all supported by investment in the educational estate.

The revised curriculum provides greater flexibility for teachers to tailor provision to best suit the needs of their pupils. The Council for the Curriculum, Examinations and Assessment (CCEA) and the National Council for Curriculum and Assessment have developed guidelines for the education of gifted and talented learners. In order to draw upon the most recent research and good practice in this area, a comprehensive literature review was compiled in 2006 and is available on the CCEA website and known as "Gifted and talented children in (and out of) the classroom". Guidelines for teachers were produced in 2007 and are also available on the CCEA website.

The Department's review of special education needs and inclusion has considered the broader range of reasons which create barriers to learning including those experienced by gifted or talented children. Consultation on the policy proposals which emerged from the review is currently open and will run until 30 November 2009. The aim of the proposals is to put in place a more robust and accountable support framework which will identify and support the needs of all children and young people who face barriers to learning.

### Department of Education: Funding Audits

**Mr S Hamilton** asked the Minister of Education how many funding related audits of (i) charities; (ii) community groups; and (iii) voluntary groups have been carried out by (a) her Department; and (b) its Agencies in each of the last 5 years; and how many times an audit was carried out on more than one occasion by different sections of her Department or its Agencies relating to the same funding. (AQW 2579/10)

**Minister of Education:** In accordance with EU Regulations, the Department conducts Article 4 and Article 10 checks on the eligibility of all EU expenditure, including that incurred by community groups and voluntary groups funded through the EU programme. No EU funding has been provided by the Department to charities. An Article 4 check is carried out on each project while an Article 10 check is carried out on approximately 5% of each year's expenditure. Therefore any project on which an Article 10 check was conducted will have had 2 financial verification visits conducted during the life of the project (both an Article 4 and an Article 10). The table below summarises the Article 4 and Article 10 checks conducted on EU expenditure in each of the last 5 calendar years.



| Type of Check | 2005 | 2006 | 2007 | 2008 | 2009 (to date) |
|---------------|------|------|------|------|----------------|
| EU Article 4  | 5    | 2    | 0    | 0    | 0              |
| EU Article 10 | 5    | 0    | 0    | 0    | 0              |

Soláthraíonn an Roinn cistiú deontais do roinnt grúpaí deonacha, grúpaí pobail agus carthanachtaí atá faoi réir iniúchóireacht fíoraithe airgeadais. Achoimríonn an tábla thíos na hiniúchóireachtaí a seoladh de réir earnála i ngach bliain de na cúid bliana airgeadais a chuaigh thart. Seoltar na hiniúchóireachtaí ar bhonn bhliantúil nó go tráthrialta agus ní sheoltar gach eagraíocht ach ag rannóg amháin den Roinn.

The Department also provides grant funding to a number of voluntary groups, community groups and charities which are subject to financial verification audit. The table below summarises the audits conducted by sector in each of the last 5 financial years. The audits are conducted either annually or periodically and each organisation is audited by only one section of the Department. Where periodic audits are carried out, different periods of expenditure are examined during each audit.

| Type of Organisation | 2005/06 | 2006/07 | 2007/08 | 2008/09 | 2009/10 (to date) |
|----------------------|---------|---------|---------|---------|-------------------|
| Voluntary Groups     | 4       | 5       | 53      | 53      | 26                |
| Community Groups     | 0       | 0       | 4       | 4       | 2                 |
| Charities            | 114     | 137     | 62      | 61      | 26                |

The Department does not have any Executive Agencies.

### Teaching Induction Year

**Mr A Ross** asked the Minister of Education if she will introduce a teaching induction year for newly qualified teachers, as agreed in an Assembly motion two years ago, to ensure that they can gain the necessary experience to enable them to apply for a permanent, full-time teaching post. (AQW 2615/10)

**Minister of Education:** The costs associated with the introduction of a guaranteed induction year for newly qualified teachers here are substantial. It is estimated that a guarantee to students graduating after 2009 would cost over £12 million in the first year and over £20 million in subsequent years. The Department does not currently have the available resources to take this forward.

However, the Department has exhorted employers to give preference to newly qualified teachers (NQTs) and experienced non-retired teachers when vacancies in teaching posts arise. The Department has also advised employers that retired teachers should only be re-employed to provide short-term cover where NQTs or experienced non-retired teachers are unavailable.

Ina theannta sin, tá uasteorannú na leibhéal lár-aisíocaíochta ar chostais a bhaineann le clúdach ionadaithe ina spreagadh do scoileanna chun múinteoirí nua-cháilithe a fhostú mar ionadaithe.

In addition the capping of the levels of the central reimbursement of the costs of substitute cover also provides an incentive for schools to employ NQTs as substitutes.

### Educational Underachievement

**Mr D Simpson** asked the Minister of Education, pursuant to AQW 1575/10, to list the main factors she associates with educational underachievement; and how these factors impact on Protestant working class areas. (AQW 2643/10)

**Minister of Education:** Liostaigh mé na príomhthosca a bhaineann le tearcghnóthachtáil oideachais mar fhreagra ar AQW 1575/10, dar liom (Tuairisc Oifigiúil, 23 Deireadh Fómhair 2009). Luaigh mé, fosta, go bhfuil sé mar aidhm agam caighdeán ar ardú do gach duine agus dul i ngleic le tearcghnóthachtáil oideachais beag beann ar an áit ina bhfuil sí.

I listed the factors I associate with educational underachievement in response to AQW 1575/10 (Official Report, 23 October 2009). I also stated that my focus is on raising standards for all and tackling educational underachievement wherever it exists.

I recognise that the challenge is greater for those schools serving disadvantaged communities, and in communities where the value placed on education may not be as high as it might be. However, disadvantage, poverty of aspiration, or any other barrier to learning must not be allowed to affect the achievement of our young people.

There is evidence that the right combination of support, of leadership, of aspirations and expectations, can and does help our schools to improve. These are key elements of 'Every School a Good School – a policy for school improvement', my flagship policy for tackling underachievement and raising standards for all our young people.

### Future Department of Justice

**Dr S Farry** asked the Minister of Education (i) what steps her Department intends to take to engage with a future devolved Department of Justice on cross-cutting matters; and (ii) what contribution can her Department make to address cross-cutting justice and community safety issues, such as reducing levels of offending.

(AQW 2680/10)

**Minister of Education:** My Department has a long standing practice of working co-operatively with other Departments on matters which affect the interests of children and young people or where the expertise of the education sector has a contribution to make to policy or service development. This co-operative working can be with a single Department or with several depending on the matter in hand. I envisage no change in this approach when there is a devolved Department of Justice.

Maidir le saincheisteanna a bheadh faoi chúram na Roinne déabhlóidithe Dlí agus Cirt, tá socruithe oibre comhoibriúchá i bhfeidhm cheana féin i réimsí amhail an Scéim nua um Ghrinnfhiosrúchán agus Urchosca agus Socruithe Cosanta Poiblí.

With regard to matters which may come within the remit of a devolved Department of Justice, co-operative working arrangements are already in place in areas such as the new Vetting and Barring Scheme and Public Protection Arrangements.

My Department is represented on the NIO led Community Safety Forum and has contributed to the development of the Community Safety Strategy and its Action Plan. My Department also participated fully in the Intra-Departmental Knife Awareness Working Group and contributed to the Knife Awareness Media Campaign and the PSNI's Knife Amnesty by funding an education programme to raise awareness of this issue in 11-18 year olds.

My Department is represented on the NIO led Learning and Skills Forum which is exploring ways of improving prisoners' educational attainments as part of the broader 'Reducing Offending' agenda.

### Relationships and Sexuality Education

**Mr A Bresland** asked the Minister of Education what material the Council for the Curriculum, Examinations and Assessment has available for (i) primary; and (ii) post-primary schools for use in teaching Relationships and Sexuality Education.

(AQW 2714/10)

**Minister of Education:** Tá sé tugtha le fios dom ag an Chomhairle don Churaclam, Scrúduithe agus Measúnacht go bhfuil na hábhair seo a leanas le fáil:

I am advised by the Council for the Curriculum, Examinations and Assessment (CCEA) that the following materials are available:

#### Primary Schools

- The NI Curriculum: Primary (2007). The relevant key stage sections on Personal Development and Mutual Understanding (PDMU) set out the statutory requirements and additional guidance which relate to Relationships and Sexuality Education (RSE).
- Relationships and Sexuality Education: Guidance for Primary Schools (2001).
- Personal Development and Mutual Understanding for Key Stages 1&2 (2007) provides guidance for Principals, Senior Managers, teaching staff and Governors.
- The Living Learning Together series for Years 1-7 includes a range of activities which address the statutory requirements for RSE within the PDMU programme.

**Post-Primary Schools**

- Learning for Life and Work for Key Stage 3 (2007).
- Personal Development at Key Stage 3: Guidance for Principals, Senior Managers and Governors.
- Personal Development: Key Stage 3 Non Statutory Guidance (2007).
- Personal Development: Guidance for Key Stage 4.
- The Insync series for Years 8-10 - includes RSE resources.
- Knowing and Growing - A Learning for Life and Work Thematic Unit- has been developed for post-primary age pupils with Severe Learning Difficulties.
- Love Matters - a CD-ROM produced for schools in 2005.

**Mid-Ulster constituency: Schools**

**Mr I McCrea** asked the Minister of Education to list the schools she has visited in the Mid-Ulster constituency since taking up office. (AQW 2761/10)

**Minister of Education:** Thug mé cuairt ar 6 scoil i dtoghcheantar Lár Uladh ó ceapadh mar Aire Oideachais mé. Féach an liosta thíos, le do thoil.

I have visited 6 schools in the Mid-Ulster constituency since taking up office, please see list below.

- Anahorish Primary School
- Gaelscoil Uí Neill
- New Row Primary School
- Primate Dixon Primary School
- St Colm's High School
- St John Bosco Primary School

**Balmoral High School Private Finance Initiative / Public Private Partnership Project**

**Mr P Butler** asked the Minister of Education to provide an update on the Post Project Evaluation Report into the Balmoral High School Private Finance Initiative / Public Private Partnership Project. (AQW 2771/10)

**Minister of Education:** Níor cuireadh an obair mheasúnaithe ar an tionscadal seo i gcrích go fóill. D'iarr mé go gcríochnófar é roimh dheireadh na bliana airgeadais seo.

The evaluation work on this project has yet to be completed. I have asked that it be completed before the end of this financial year.

**Pupil Absentee Rate**

**Mr A Ross** asked the Minister of Education to detail the pupil absentee rate in primary schools in the East Antrim constituency in each of the last five years. (AQW 2781/10)

**Minister of Education:** The Department does not hold all of the information sought.

Since September 2006, a new standardised system of recording absences has been used in schools, following an update of the attendance module of the Classroom 2000 (C2K) system. This enables schools to record pupils' absences, the reasons for the absence and whether the absence is authorised or unauthorised.

Bailíodh sonraí do na scoilbhlianta 2006/07 agus 2007/08 mar chuid de chleachtadh daonáirimh scoile i mí Dheireadh Fómhair 2008 agus tá ráta neamhláithreachta na ndaltaí i mbunscoileanna de chuid thoghcheantar Oirthear Aontroma sna dá bhliain seo ar fáil sa tábla thíos.

Data for the 2006/07 and 2007/08 school years was collected as part of the school census exercise in October 2008 and the pupil absentee rate in primary schools in the East Antrim constituency for these two school years is shown in the table below.

**OVERALL ABSENCE RATES FOR PRIMARY SCHOOLS IN THE EAST ANTRIM CONSTITUENCY**

| School ref no | School Name              | Overall absence rate 2006/07 | Overall absence rate 2007/08 |
|---------------|--------------------------|------------------------------|------------------------------|
| 3010470       | Carnalbanagh PS          | 3.4                          | 3.0                          |
| 3010486       | Larne And Inver PS       | 4.2                          | 4.1                          |
| 3010553       | Carrickfergus Model PS   | 4.4                          | 4.8                          |
| 3010646       | Olderfleet PS            | 2.9                          | 3.2                          |
| 3010696       | Woodburn PS              | 4.5                          | 3.9                          |
| 3010760       | Mullaghduh PS            | 5.2                          | 7.4                          |
| 3010785       | Eden PS                  | 4.6                          | 4.2                          |
| 3010808       | Glynn PS                 | 3.8                          | 4.1                          |
| 3010809       | Ballycarry PS            | 5.7                          | 4.8                          |
| 3010817       | Greenisland PS           | 3.3                          | 3.0                          |
| 3010841       | Carrickfergus Central PS | 7.0                          | 7.1                          |
| 3010846       | Whiteabbey PS            | 3.6                          | 3.5                          |
| 3010850       | Upper Ballyboley PS      | 2.7                          | 2.9                          |
| 3010860       | Sunnylands PS            | 6.0                          | 7.2                          |
| 3010870       | Moyle PS                 | 5.9                          | 5.9                          |
| 3010874       | Whitehead PS             | 5.4                          | 4.5                          |
| 3010880       | King's Park PS           | 4.4                          | 5.3                          |
| 3010883       | Linn PS                  | 4.4                          | 4.7                          |
| 3013330       | Victoria PS              | 4.4                          | 4.1                          |
| 3013332       | Toreagh PS               | 2.7                          | 2.7                          |
| 3016005       | Silverstream PS          | 6.3                          | 7.2                          |
| 3016038       | Hollybank PS             | 5.5                          | 6.2                          |
| 3016225       | Woodlawn PS              | 5.7                          | 6.1                          |
| 3016257       | Oakfield PS              | 6.2                          | 5.2                          |
| 3016269       | Cairncastle PS           | 3.7                          | 3.5                          |
| 3030899       | Seaview PS               | 3.8                          | 4.1                          |
| 3030900       | St Anthony's PS          | 4.8                          | 4.3                          |
| 3033317       | St John's PS             | 4.6                          | 4.7                          |
| 3036093       | Lourdes PS               | 3.6                          | 3.8                          |
| 3036100       | St James' Ps             | 3.7                          | 5.7                          |
| 3036563       | St Nicholas' PS          | 7.5                          | 5.4                          |
| 3036575       | St Macnissi's PS         | 5.1                          | 5.2                          |
| 3040451       | Kilcoan PS               | 3.6                          | 3.6                          |
| 3050519       | Carnlough Integrated PS  | 7.0                          | 5.9                          |
| 3066561       | Corran Integrated PS     | 4.1                          | 5.4                          |
| 3066568       | Acorn Integrated PS      | 4.5                          | 4.0                          |

**Notes:**

1. Data includes pupils in Year 1-7 only.
2. In 2006/07, attendance information was not available for 49 primary schools, which accounts for 5.5% of the total primary schools and 1.9% of all primary school pupils in Years 1 to 7 in 2006/07. Of the 49 schools, 17 closed just prior to the information being collected and the remaining 32 either did not have access to the electronic schools management information system or did not yet use it to record pupil attendance.
3. In 2007/08, attendance information was not available for 32 primary schools, which accounts for 3.6% of the total primary schools and 1.0% of all primary school pupils in Years 1 to 7 in 2007/08. Of the 32 schools, 17 closed just prior to the information being collected and the remaining 15 either did not have access to the electronic schools management information system or did not yet use it to record pupil attendance.

Detailed information on pupil attendance for the 2008/09 school year was collected from schools as part of the recent school census exercise in October. These detailed statistics are undergoing analysis and will be published in the new year.



## Pupil Absentee Rate

**Mr A Ross** asked the Minister of Education to detail the pupil absentee rate in post-primary schools in the East Antrim constituency in each of the last five years. (AQW 2782/10)

**Minister of Education:** The Department does not hold all of the information sought.

Since September 2006, a new standardised system of recording absences has been used in schools, following an update of the attendance module of the Classroom 2000 (C2K) system. This enables schools to record pupils' absences, the reasons for the absence and whether the absence is authorised or unauthorised.

Bailíodh sonraí do na scoilbhlianta 2006/07 agus 2007/08 mar chuid de chleachtadh daonáirimh scoile i mí Dheireadh Fómhair 2008 agus tá ráta neamhláithreachta na ndaltaí in iarbhunscoileanna de chuid thoghcheantar Oirthear Aontroma sna dá bhliain seo ar fáil sa tábla thíos.

Data for the 2006/07 and 2007/08 school years was collected as part of the school census exercise in October 2008 and the pupil absentee rate in post-primary schools in the East Antrim constituency for these two school years is shown in the table below.

### OVERALL ABSENCE RATES FOR POST-PRIMARY SCHOOLS IN THE EAST ANTRIM CONSTITUENCY

| School ref no | School name                | Overall absence rate 2006/07 | Overall absence rate 2007/08 |
|---------------|----------------------------|------------------------------|------------------------------|
| 3210038       | Larne high school          | 12.4                         | 12.1                         |
| 3210091       | Carrickfergus college      | 9.8                          | 10.0                         |
| 3210200       | Monkstown community school | 10.6                         | 12.9                         |
| 3210232       | Downshire school           | 9.2                          | 9.4                          |
| 3230066       | St comgall's high school   | 9.0                          | 8.2                          |
| 3260299       | Ulidia intergrated college | 6.7                          | 6.4                          |
| 3410098       | Carrickfergus GS           | 4.8                          | 4.8                          |
| 3420046       | Larne GS                   | 4.9                          | 4.7                          |
| 3420077       | Belfast high school        | 4.7                          | 4.8                          |
| 3420094       | St macnissi's college      | 5.4                          | 5.6                          |

#### Notes:

1. Data includes pupils in Year 8-12 only.
2. It was not possible to include attendance data for 2006/07 for six post-primary schools which closed prior to the data being collected. This equates to 2.6% of all schools and 0.7% of all Year 8 to 12 pupils in 2006/07.
3. It was not possible to include attendance data for 2007/08 for four post-primary schools which closed prior to the data being collected in 2008/09. This equates to 1.8% of all post-primary schools and 0.4% of all Year 8 to 12 pupils in 2007/08.

Detailed information on pupil attendance for the 2008/09 school year was collected from schools as part of the recent school census exercise in October. These detailed statistics are undergoing analysis and will be published in the new year.

## Teacher Sickness Rates

**Mr A Ross** asked the Minister of Education to detail teacher sickness rates in primary schools in the East Antrim constituency in each of the last five years. (AQW 2783/10)

**Minister of Education:** Léiríonn an tábla thíos rátaí tinnis na múinteoirí i mbunscoileanna agus iarbhunscoileanna i dtoghcheantar Oirthear Aontroma i ngach bliain de na cúig bliana a chuaigh thart.

The table below details teacher sickness rates in primary and post primary schools in the East Antrim constituency in each of the last five years.

|           |              | Number of sick days | Number of teachers in Post | Average |
|-----------|--------------|---------------------|----------------------------|---------|
| 2004/2005 | Primary      | 2576                | 357                        | 7.22    |
|           | Post primary | 1785                | 316                        | 5.65    |
| 2005/2006 | Primary      | 3178                | 343                        | 9.27    |
|           | Post Primary | 1964                | 305                        | 6.44    |
| 2006/2007 | Primary      | 2561                | 343                        | 7.47    |
|           | Post Primary | 2249                | 305                        | 7.37    |
| 2007/2008 | Primary      | 2971                | 352                        | 8.44    |
|           | Post Primary | 2072                | 319                        | 6.50    |
| 2008/2009 | Primary      | 2853                | 358                        | 7.97    |
|           | Post Primary | 2121                | 322                        | 6.59    |

**Notes:**

1. Information is based on full time and pro rata teachers.
2. Post primary school information excludes voluntary grammar schools.
3. Figures are from April to March each year, working days only.

### Teacher Sickness Rates

**Mr A Ross** asked the Minister of Education to detail teacher sickness rates in post-primary schools in the East Antrim constituency in each of the last five years. (AQW 2784/10)

**Minister of Education:** Léiríonn an tábla thíos rátaí tinnis na múinteoirí i mbunscoileanna agus iarbhunscoileanna i dtoghcheantar Oirthear Aontroma i ngach bliain de na cúig bliana a chuaigh thart.

The table below details teacher sickness rates in primary and post primary schools in the East Antrim constituency in each of the last five years.

|           |              | Number of sick days | Number of teachers in Post | Average |
|-----------|--------------|---------------------|----------------------------|---------|
| 2004/2005 | Primary      | 2576                | 357                        | 7.22    |
|           | Post primary | 1785                | 316                        | 5.65    |
| 2005/2006 | Primary      | 3178                | 343                        | 9.27    |
|           | Post Primary | 1964                | 305                        | 6.44    |
| 2006/2007 | Primary      | 2561                | 343                        | 7.47    |
|           | Post Primary | 2249                | 305                        | 7.37    |
| 2007/2008 | Primary      | 2971                | 352                        | 8.44    |
|           | Post Primary | 2072                | 319                        | 6.50    |
| 2008/2009 | Primary      | 2853                | 358                        | 7.97    |
|           | Post Primary | 2121                | 322                        | 6.59    |

**Notes:**

4. Information is based on full time and pro rata teachers.
5. Post primary school information excludes voluntary grammar schools.
6. Figures are from April to March each year, working days only.

### Detached Youth Workers

**Mr M McLaughlin** asked the Minister of Education how many detached youth workers are currently employed in Crumlin; and how they are being funded. (AQW 2828/10)

**Minister of Education:** Soláthraíonn an Roinn Oideachais maoiniú do Bhord Oideachais agus Leabharlainne an Oirthuaiscirt a fhostaíonn scar-oibrithe don ógra. Sholáthar Príomhfheidhmeannach Bhord Oideachais agus Leabharlainne an Oirthuaiscirt an t-eolas seo a leanas ar líon na scar-oibrithe atá fostaithe ag an Bhord i gCromghlinn faoi láthair.

The Department of Education currently provides funding to the North Eastern Education and Library Board (NEELB) which employs detached youth workers in Crumlin.

The Chief Executive of the NEELB has provided the following information on the number of detached youth workers currently employed by the Board in Crumlin.

One full-time detached youth worker operating 3 out of 4 evenings per week in Crumlin.

I understand from the NEELB there are also two part-time outreach apprentices operating one night each per week, employed by the Board through funding from the Antrim Community Safety Partnership.

### GCSE English and Maths

**Mr I McCrea** asked the Minister of Education how many children left school without gaining a grade D or above in (i) GCSE English; and (ii) GCSE Maths in each of the last five years, in the Mid-Ulster constituency. (AQW 2868/10)

**Minister of Education:** Níl na sonraí ar fáil ach do na trí bliana a chuaigh thart mar gur bailíodh agus gur bailmheasadh an t-eolas seo don chéad uair sa bhliain acadúil 2005/06. Tá na sonraí ar fáil sa tábla thíos.

The data are only available for the last three years as information on individual subjects was first collected and validated for the 2005/06 academic year. The data are contained in the table below.

Number of pupils resident in the Mid-Ulster Constituency not achieving a grade D or above in: (i) GCSE English or (ii) GCSE mathematics 2005/06 to 2007/08

|         | (i) Pupils not achieving a grade D or above in GCSE English |      | (ii) Pupils not achieving a grade D or above in GCSE mathematics |      | Total Leavers |
|---------|---|------|--|------|---------------|
|         | Number  | %    | Number   | %    | Number        |
| 2005/06 | 289   | 18.6 | 385  | 24.8 | 1,550         |
| 2006/07 | 257   | 18.2 | 349  | 24.7 | 1,411         |
| 2007/08 | 247   | 17.7 | 320  | 23.0 | 1,393         |

Source: School Leavers Survey

### Magherafelt High School: Economic Appraisal

**Mr P McGlone** asked the Minister of Education to outline the sequence of events in relation to the economic appraisal for the Magherafelt High School project since tender was approved in July 2009; and when her Department will sign off the appraisal. (AQW 2896/10)

**Minister of Education:** Fuarthas dréacht den Bhreithmheas Eacnamaíochta athbhreithnithe do Magherafelt High School ar 23 Meán Fómhair agus tugadh barúlacha do Bhord Oideachais agus Leabharlainne an Oirthuaiscirt ar 27 Deireadh Fómhair. Fuair an Roinn Oideachais Breithmheas Eacnamaíochta snoite ar 10 Samhain agus d'fhaomh an Roinn Airgeadais agus Pearsanra é ar 19 Samhain.

A draft of the revised Economic Appraisal (EA) for Magherafelt High School was received on 23 September and comments were returned to the North Eastern Education and Library Board (NEELB) on 27 October. A refined EA was received by the Department on 10 November and was approved by the Department of Finance and Personnel on 19 November.

### Truancy

**Mr A Ross** asked the Minister of Education how many pupils in (i) primary schools; and (ii) post-primary schools have been suspended because of truancy in each of the last three years, broken down by constituency. (AQW 2899/10)

**Minister of Education:** Ní cúis bhailí é neamhláithreacht ar scoil chun dalta a chur ar fionraí ná a chaitheamh amach agus, mar sin de, níor fágadh dalta ar bith amach as scoil mar gheall ar an chúis seo i ngach bliain de na trí bliana a chuaigh thart.

Absence from school is not a valid reason for a pupil to be suspended or expelled and as such, no pupils have been excluded from school in each of the last three years for this reason.

The Department collects data on the number of pupil suspensions and expulsions from the Education and Library Boards annually. These statistics are published on the Department's website at [www.deni.gov.uk/index/21-pupils-parents-pg/pupils\\_parents-suspensions\\_and\\_expulsions\\_pg.htm](http://www.deni.gov.uk/index/21-pupils-parents-pg/pupils_parents-suspensions_and_expulsions_pg.htm) and include a breakdown of the reasons for suspension and expulsion.

### Truancy

**Mr A Ross** asked the Minister of Education how many pupils in (i) primary schools; and (ii) post-primary schools have been excluded because of truancy in each of the last three years, broken down by constituency. (AQW 2900/10)

**Minister of Education:** Ní cúis bhailí é neamhláithreacht ar scoil chun dalta a chur ar fionraí ná a chaitheamh amach agus, mar sin de, níor fágadh dalta ar bith amach as scoil mar gheall ar an chúis seo i ngach bliain de na trí bliana a chuaigh thart.

Absence from school is not a valid reason for a pupil to be suspended or expelled and as such, no pupils have been excluded from school in each of the last three years for this reason.

The Department collects data on the number of pupil suspensions and expulsions from the Education and Library Boards annually. These statistics are published on the Department's website at [www.deni.gov.uk/index/21-pupils-parents-pg/pupils\\_parents-suspensions\\_and\\_expulsions\\_pg.htm](http://www.deni.gov.uk/index/21-pupils-parents-pg/pupils_parents-suspensions_and_expulsions_pg.htm) and include a breakdown of the reasons for suspension and expulsion.

### Truancy

**Mr A Ross** asked the Minister of Education what steps she has taken to reduce truancy rates in (i) primary schools; and (ii) post-primary schools. (AQW 2901/10)

**Minister of Education:** Tá bearta i bhfeidhm ag scoileanna le freastal rialta a chur chun cinn i measc a ndaltaí agus le déileáil le neamhfheastal. Mar shampla, d'fhéadfadh siad teastais a bhronnadh do na daltaí sin a bhfuil taifid lánfheastail acu, agus d'fhéadfadh siad teagmháil a dhéanamh le tuismitheoirí nó cúramóirí trí ghuthán i gcás na ndaltaí sin a bhí as láthair gan fáth.

Schools have their own measures in place to promote regular attendance amongst their pupils and to address non-attendance. For example, they may award certificates to those pupils who have full attendance records and, for those who have been absent from school without reason, they may contact parents or carers by phone.

A school will use its own discretion to determine if non-attendance is an issue that requires external support. This may include consideration of other issues such as a pupil's personal circumstances, a pupil's general condition of health and examining any emerging absence patterns.

A school is expected to make a referral to the Education Welfare Service (EWS) in its local Education and Library Board when a pupils' school attendance is a cause for concern or when attendance drops below 85%, which is a threshold used as a guiding tool for schools.

The reasons for persistent non-attendance are frequently symptomatic of other problems being experienced by a pupil, such as caring responsibilities, pregnancy or being a victim of bullying. The initial response to a referral of a pupil by a school to EWS is a home visit. This provides the Education Welfare Officer (EWO) with an



opportunity to assess whether the absence is condoned by parents and if they are in a position to ensure regular attendance. When this is the case court action may be considered.

Where parents are in need of support or addressing the underlying reasons for non-attendance will require sustained intervention, then the EWO will act as lead worker and in collaboration with all parties seek to agree an action plan. This may involve a 'case conference' at which the pupil, his/her parents and the school are represented. Depending on the nature of the presenting problems participation may be broadened to include other agencies. For pupils with particular problems regular attendance at their host school, or any other mainstream school, may not be an option. Where this is the case, pupils may be referred by their EWO to a suitable alternative education programme.

### **Crumlin Integrated High School**

**Mr D Kinahan** asked the Minister of Education to detail (i) the process; (ii) the date; (iii) the timeframe; and (iv) the reasons for the decision not to allow Crumlin Integrated High School to proceed with a sixth-form. (AQW 2929/10)

**Minister of Education:** Chun athrú ar bith a chur i bhfeidhm maidir le soláthar scoile, caithfear Togra Forbartha a thabhairt isteach. D'fhoilsigh Bord Oideachais agus Leabharlainne an Oirthuaiscirt Togra Forbartha, ar 2 Aibreán 2009, a ligeann soláthar iar-16 ar Crumlin Integrated College agus ar Parkhall College a bhunú le héifeacht ó 1 Meán Fómhair, nó chomh luath agus is féidir ina dhiaidh sin.

In order to effect any change in school provision there is a requirement to bring forward a Development Proposal (DP). The North Eastern Education and Library Board (NEELB) published, on 2 April 2009, a DP to allow for the establishment of post 16 provision at Crumlin Integrated College and Parkhall College with effect from 1 September 2009 or as soon as possible thereafter. A further DP was published on the same date to allow for the establishment of post-16 provision at St Benedict's College. All three schools are part of the Antrim Learning Community. The publication of the DPs initiated a statutory 2 month period during which representations could be made to the Department. Following this period I considered the DPs very carefully and I decided to turn both down. My decision, which was made known on 27 August, was taken in the context of area planning and the delivery of the Entitlement Framework. The DPs appeared simply to allow for the setting up of three small sixth forms. In planning their curricular offer the focus of schools and Area Learning Communities must not be on the needs of institutions or courses that have been traditionally offered but on the needs and aspirations of the young people.

### **Primary School Trained Teachers**

**Mr K Robinson** asked the Minister of Education, pursuant to AQW 2571/10, what plans she has to ensure (i) that there are sufficient primary school trained teachers to cope with the extra demand; and (ii) that there will be no negative impact on teacher:pupil ratios. (AQW 2932/10)

**Minister of Education:**

- (i) Cinntear iontógálacha ar oideachas múinteora tosaigh ar bhonn bhliantúil agus tá gá le cinntiú go bhfreagróidh líon na ndaltaí atá ag dul isteach in oideachas múinteora tosaigh do riachtanais an chórais oideachais, sa ghearrthearma agus san fhadthearma araon. Úsáideann an Roinn Múnla staitistiúil Éilimh Múinteoirí, atá íogair do réimse fachtóirí éilimh-soláthair, chun eolas a thabhairt don chinneadh seo.
- (ii) Intakes to courses of initial teacher education (ITE) are determined on an annual basis and there is a need to ensure that the number of students entering ITE reflect the needs of our school system, both in the short and longer term. The Department uses a statistical Teacher Demand Model, which is sensitive to a range of supply and demand factors, to help inform this determination.

In setting the intakes to Initial Teacher Education (ITE) for the 2009/10 academic year I took account of a range of issues including the rise in birth rates and its impact on pupil numbers within the primary sector. The overall primary ITE intake figure for the 2009/10 academic year was increased to 265 (an increase of 28 places over the 2008/09 academic year figure of 237). As part of the process of determining the intakes for the 2010/11 academic year I will be carefully considering the latest population projections published by NISRA.

- (ii) The Teacher Demand Model, which the department uses to calculate the optimum intake into Initial Teacher Education, takes account of a number of factors, including Schools Census projections (derived from NISRA birthrate data), the projected wastage of teachers, and the Pupil: Teacher Ratio. In the Teacher Demand Model, the Pupil: Teacher Ratio is projected to remain the same. (This is because Pupil: Teacher Ratio has not changed appreciably in recent years, and there are no targets associated with it.) Therefore, projections for ITE intakes are designed to ensure that there will be no impact on the Pupil: Teacher Ratio.

### School Governor Applicants

**Mr P Weir** asked the Minister of Education what background checks are carried out on applicants for the position of School Governor. (AQW 2961/10)

**Minister of Education:** The position of school governor is specified as a regulated position under the Protection of Children and Vulnerable Adults (NI) Order 2003 and the Safeguarding Vulnerable Groups (NI) Order 2007.

A new Vetting and Barring Scheme started on the 12 October 2009 with the implementation of the Independent Safeguarding Authority (ISA) Children's Barred List and Adults' Barred List barring individuals from regulated activity.

Any individual held on the ISA's Barred Lists will be prohibited from working as a school governor. An individual can be automatically included on either the Children's or Adults' Barred list for very serious offences. These are specified in Statutory Rule 2009/39 the Safeguarding Vulnerable Groups (Prescribed Criteria and Miscellaneous Provisions) Regulations (NI) 2009.

Caithfear seiceálacha cúla a dhéanamh ar dhaoine a chuireann iarratas isteach ar phoist rialaithe agus caithfear seiceáil shásúil a chur i gcrích sula líontar poist den chineál seo. Cuimsíonn seiceáil choiriúil cúla deimhniú nach láithríonn ainm an duine aonair ar liosta reachtúil de dhaoine faoi urchoisc ar obair le páistí nó le daoine fásta leochaileacha.

Criminal background checks must be carried out on those applying for regulated positions and a satisfactory check completed before such positions are filled. A criminal background check includes confirmation that the individual's name does not appear on any statutory list of persons barred from working with children or vulnerable adults.

There is also a provision in the Schemes of Management approved by my Department for grant-aided schools that disqualifies a school governor from office on the basis of a criminal conviction. It disqualifies from office anyone who within five years before the first day that his or her governorship could have taken effect, or who, at any time after that date, has been convicted by a court of any offence and has had passed on him a sentence of imprisonment (whether suspended or not) for a period of not less than 3 months without the option of a fine.

### Boards of Governors: Appointment to

**Mr P Weir** asked the Minister of Education if a criminal conviction prohibits appointment to the Boards of Governors of schools, and under what circumstances a criminal conviction would bar an applicant. (AQW 2964/10)

**Minister of Education:** The position of school governor is specified as a regulated position under the Protection of Children and Vulnerable Adults (NI) Order 2003 and the Safeguarding Vulnerable Groups (NI) Order 2007.

A new Vetting and Barring Scheme started on the 12 October 2009 with the implementation of the Independent Safeguarding Authority (ISA) Children's Barred List and Adults' Barred List barring individuals from regulated activity.

Any individual held on the ISA's Barred Lists will be prohibited from working as a school governor. An individual can be automatically included on either the Children's or Adults' Barred list for very serious offences. These are specified in Statutory Rule 2009/39 the Safeguarding Vulnerable Groups (Prescribed Criteria and Miscellaneous Provisions) Regulations (NI) 2009.

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láithríonn ainm an duine aonair ar liosta reachtúil de dhaoine faoi urchoisc ar obair le páistí nó le daoine fásta leochaileacha.

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### **Schools: Federation Model or Cluster Arrangement**

**Mr B McElduff** asked the Minister of Education to list schools from across all sectors and in each Education and Library Board area which form part of a federation model or cluster arrangement; and to detail the criteria for schools entering into such an arrangement to achieve viability and sustainability. (AQW 3028/10)

**Minister of Education:** Tá aon shocrú cónasctha amháin i bhfeidhm i dtuaisceart na hÉireann, idir Bunscoil Naomh Seosaimh, Glenullin, agus Bunscoil Naomh Pádraig, Tír Mhic Caoirthinn. Breithneofar aon togra le haghaidh cónaidhme ar bhonn ó chás go cás tríd an chreat atá leagtha amach sa Bheartas um Scoileanna Inbhuanaithe.

There is currently one federated arrangement in operation in the north of Ireland between St. Joseph's Primary School, Glenullin and St Patrick Primary School, Tirkeeran.

Any proposal for federation would be considered on a case-by-case basis using the framework provided by the Sustainable Schools Policy.

## **DEPARTMENT FOR EMPLOYMENT AND LEARNING**

### **Belfast Metropolitan College at the Titanic Quarter**

**Mr P Butler** asked Minister for Employment and Learning (i) how much the new Belfast Metropolitan College at the Titanic Quarter will cost to build under the Private Finance Initiative contract; (ii) how much his Department will have to pay to the developers under this contract; and (iii) how many years this contract will last until ownership of the college reverts to Belfast Metropolitan College. (AQW 2574/10)

**Minister for Employment and Learning (Sir Reg Empey):** The private sector consortium responsible for the Titanic Quarter Public Private Partnership project for the Belfast Metropolitan College will be paid a unitary payment of £4.4m per annum. This covers the cost of the design, build, financing and operation of the college including cleaning, caretaking, security and ongoing maintenance of the building. This sum which is indexed linked for the duration of the 25 year contract is at March 2009 prices.

The accommodation will be available for 25 years from August 2011, after which time ownership of the property reverts to the College.

### **Future Department of Justice**

**Dr S Farry** asked the Minister for Employment and Learning (i) what steps his Department intends to take to engage with a future devolved Department of Justice on cross-cutting matters; and (ii) what contribution can his Department make to address cross-cutting justice and community safety issues, such as reducing levels of offending. (AQW 2678/10)

**Minister for Employment and Learning:** My Department will engage with any future devolved Department of Justice on relevant cross-cutting issues, as it currently does with other Departments.

As part of the proposed new arrangements for Tribunal Reform in NI the Industrial Tribunals and the Fair Employment Tribunal and the Reserve Forces Reinstatement Committee together with the administrative function is scheduled to transfer to the NI Courts Service in April 2010, unless a newly devolved Department of Justice is formed in the meantime, in which case they will transfer Departments within the NI Civil Service. My Department will continue to make the policy context in which employment rights are redressed as well as making the relevant legislation.

My Department contributes to addressing cross cutting justice and community safety issues in a range of ways. These include the raising of essential skills amongst offenders to improve their future employability, and schemes to help them find work, thereby reducing the risk of re-offending. In addition, my Department supports the work of the “Skills for Justice” Sector Skills Council which works with justice and community safety employers to identify skills and workforce development needs and provide high quality solutions.

### Private Finance Initiatives

**Mr P Butler** asked the Minister for Employment and Learning to detail (i) the number of Private Finance Initiatives his Department has entered into with the private sector in the last three years; (ii) the Further Education capital build projects being carried out under Private Finance Initiative contracts; and (iii) the cost of these projects, including payments that will be made to private contractors. (AQW 2693/10)

**Minister for Employment and Learning:** Colleges in the Further Education sector currently have seven Public Private Partnerships agreements, three of which have been signed within the last three years - South Eastern Regional College at Lisburn, South Eastern Regional College at East Down (Downpatrick, Ballynahinch and Newcastle), and Belfast Metropolitan College at Titanic Quarter. The attached table sets out the unitary payments, which are indexed linked, that will be paid to the private sector consortium for the design, building, financing and operation of the facilities for the contract term.

| Project Name                                     | Contract Length | Estimated Capital Value | Unitary Payment | DEL Contribution | College Contribution |
|--|-----------------|-------------------------|-----------------|------------------|----------------------|
| Belfast Metropolitan College - Titanic Quarter   | 25 years        | £45m                    | £4.4m*          | £2.9m            | £1.5m                |
| Belfast Metropolitan College - Millfield         | 25 years        | £20m                    | £3.1m**         | £2.1m            | £1.0m                |
| South Eastern Regional College – Lisburn         | 25 years        | £24m                    | £2.7m*          | £1.8m            | £0.9m                |
| South Eastern Regional College – East Down       | 25 years        | £20m                    | £3.7m*          | £2.7m            | £1.0m                |
| North West Regional College - Northland Building | 25 years        | £10m                    | £2.2m**         | £1.3m            | £0.9m                |
| South West College - Omagh                       | 30 years        | £20m                    | £3.5m**         | £2.9m            | £0.6m                |
| South West College - Dungannon                   | 30 years        | £17m                    | £2.7m**         | £2.2m            | £0.5m                |

**Notes:**

\* at contract signing prices

\*\* at service commencement

### EU Directives

**Mr A Ross** asked the Minister for Employment and Learning how many EU Directives his Department has (i) received; and (ii) implemented in each of the last three years. (AQW 2724/10)

**Minister for Employment and Learning:** The following table sets out the number of EU Directives (i) received and (ii) implemented in each of the last three years. For the purposes of this question, ‘received’ and ‘implemented’ have been translated to mean adopted and transposed.

A directive is formally adopted when it is published in the Official Journal of the European Union. Subsequently, departments receive details of the directive and determine what action needs to be taken.



Transposition into Northern Ireland law may be required; however, in other cases, this is done on a UK-wide basis. Date of transposition refers to the date at which enabling legislation is complete and is therefore the legal date of implementation. Further action in terms of operational implementation may be required by departments; however this may be open-ended.

| Year*        | Adopted** | Transposed*** |
|--------------|-----------|---------------|
| 2007         | 0         | 1             |
| 2008         | 1         | 0             |
| 2009         | 1         | 0             |
| <b>Total</b> | <b>2</b>  | <b>1</b>      |

**Footnote:**

\* Calendar year basis (1 January to 31 December).

\*\* Date published in Official Journal of the European Union.

\*\*\* This may include directives which were adopted prior to 2007.

## Apprenticeships

**Mr I McCrea** asked the Minister for Employment and Learning how many people have enrolled in apprenticeships in the Mid-Ulster constituency in each of the last three years. (AQW 2762/10)

**Minister for Employment and Learning:** The Department has supported 1104 apprentices whose given address is within the Mid-Ulster area between 1 September 2006 and 31 August 2009. The data in the Table below lists the number of apprentices who have enrolled in each of the last three years. Although these apprentices reside within the Mid-Ulster area, they may or may not have enrolled with Training Providers in the Mid-Ulster area and may or may not be employed by companies in the Mid-Ulster area. The Department is not in a position to break enrolments down by constituency.

**NUMBER OF ENROLMENTS FOR APPRENTICESHIPS PROGRAMMES IN THE MID-ULSTER AREA  
1 SEPTEMBER 2006 – 31 AUGUST 2009**

|                           |     |
|---------------------------|-----|
| 1 Sept 2006 – 31 Aug 2007 | 220 |
| 1 Sept 2007 – 31 Aug 2008 | 414 |
| 1 Sept 2008 – 31 Aug 2009 | 470 |

## West Tyrone: Public Sector Jobs

**Mr B McElduff** asked the Minister for Employment and Learning to detail the number, the location, the grade and the posts within his Department currently located in (a) the Omagh District; and (b) the Strabane District; and to outline his Department's plans to increase the number of public sector jobs in West Tyrone. (AQW 2882/10)

**Minister for Employment and Learning:** The number, location, grade and posts within the Department for Employment and Learning in the Omagh and Strabane Districts are set out in the tables below.

The Department has no plans at present to increase the number of public sector jobs in West Tyrone. The position is however subject to ongoing review as the department seeks to balance service demands and resource availability

**OMAGH DISTRICT**

**ALL POSTS ARE BASED IN OMAGH JOBS AND BENEFITS OFFICE:**

| Number | Grade            | Post                             |
|--------|------------------|----------------------------------|
| 1.0    | Deputy Principal | Southern Region District Manager |
| 1.0    | Staff Officer    | Office Manager                   |
| 1.15   | EO1              | Pathways Team Leader             |

| Number       | Grade                  | Post  |
|--------------|------------------------|---|
| 1.79         | EO1                    | Team Leader                                       |
| 7.26         | EO2                    | Work Focused Interview Personal Adviser           |
| 2.99         | EO2                    | Employment and Support Allowance Personal Adviser |
| 4.83         | EO2                    | Steps to Work Personal Adviser                    |
| 1.25         | EO2                    | Supervisor  |
| 3.76         | AO                     | Job Brokerage Officer                             |
| 1.0          | AO                     | Welcome Desk                                      |
| 6.16         | AO                     | Job Signing Officer                               |
| 1.57         | AO                     | Administrative Officer                            |
| 1.0          | AA                     | Administrative Assistant                          |
| 1.0          | EO1                    | Access to Work Adviser                            |
| 0.78         | AO                     | Disablement Advisory Service Administration       |
| 1.0          | DP                     | Careers Service Area Manager                      |
| 3.47         | EO1                    | Careers Adviser                                   |
| 1.0          | AO                     | Careers Administration                            |
| <b>42.01</b> | <b>Total Positions</b> |   |

**STRABANE DISTRICT**

ALL POSTS ARE BASED IN STRABANE JOBCENTRE:

| Number       | Grade                  | Post  |
|--------------|------------------------|---|
| 1            | Staff Officer          | Office Manager                                    |
| 0.98         | EO1                    | Pathways Team Leader                              |
| 1.63         | EO1                    | Team Leader                                       |
| 2.75         | EO2                    | Employment and Support Allowance Personal Adviser |
| 5.93         | EO2                    | Steps to Work Personal Adviser                    |
| 0.43         | EO2                    | Supervisor  |
| 2.56         | AO                     | Job Brokerage Officer                             |
| 1.74         | AO                     | Administrative Officer                            |
| 2            | AA                     | Administrative Assistant                          |
| 2            | EO1                    | Careers Adviser                                   |
| 1            | AO                     | Careers Administration                            |
| 0.76         | EO1                    | Employment Service Policy EO1                     |
| 0.65         | AO                     | Employment Service Policy Administration          |
| 1            | EO1                    | ICT & Innovation EO1                              |
| 1            | EO2                    | ICT & Innovation EO2                              |
| <b>25.43</b> | <b>Total Positions</b> |   |

## DEPARTMENT OF ENTERPRISE, TRADE AND INVESTMENT

### NI Electricity

**Mr S Gardiner** asked the Minister of Enterprise, Trade and Investment to outline the procedures that NI Electricity follows when accessing private land to lay connections. (AQW 2635/10)

**Minister of Enterprise, Trade and Investment (Mrs A Foster):** When Northern Ireland Electricity (NIE) intends to lay a new electricity connection on private land NIE will discuss its plans with the landowner(s). Legal consent in the form of a wayleave agreement or easement is required from the relevant landowner(s) before work can commence. To secure legal consent, NIE or its agent, will approach Land Registry or obtain a copy of the title deeds if they are unsure of who owns the land.

When the plans are agreed each landowner is invited to sign a voluntary wayleave agreement or in the case of an easement their solicitor will be instructed to complete the legal documentation. If agreement cannot be reached NIE will apply to the Department of Enterprise, Trade and Investment for a necessary wayleave. This will entail the Department appointing independent wayleave officers to consider the application. The wayleave officer will recommend whether or not the Department should grant the wayleave, following a hearing with the landowner(s) and NIE.

At the time of signing the wayleave or easement NIE will also obtain any special requests from the landowner(s) with regard to access or contact arrangements before NIE or its contractors access their land.

### EU Directives

**Mr A Ross** asked the Minister of Enterprise, Trade and Investment how many EU Directives her Department has (i) received; and (ii) implemented in each of the last three years. (AQW 2662/10)

**Minister of Enterprise, Trade and Investment:** The table below sets out the number of EU Directives DETI has (i) received and (ii) implemented

| Year<br>Calendar year basis | Adopted<br>Date published in Official Journal<br>of the European Union | Transposed<br>This includes 3 directives which<br>were adopted prior to 2007 |
|-----------------------------|--|--|
| 2007                        | 5  | 4  |
| 2008                        | 20   | 15   |
| 2009                        | 21   | 17   |
| <b>Total</b>                | <b>46</b>  | <b>36</b>  |

#### Notes:

For the purposes of this question, 'received' and 'implemented' have been translated to mean adopted and transposed.

A directive is formally adopted when it is published in the Official Journal of the European Union. Date of transposition refers to the date at which enabling legislation is complete and is therefore the legal date of implementation.

Transposition into Northern Ireland law may not be required in every instance or may be done on a UK-wide basis.

### Future Department of Justice

**Dr S Farry** asked the Minister of Enterprise, Trade and Investment (i) what steps her Department intends to take to engage with a future devolved Department of Justice on cross-cutting matters; and (ii) what contribution can her Department make to address cross-cutting justice and community safety issues, such as reducing levels of offending. (AQW 2703/10)

**Minister of Enterprise, Trade and Investment:** To date no decision has been taken regarding the devolution of Policing and Justice. As with all cross cutting matters, my Department will fully engage with a future Department of Justice, as appropriate. As regards cross cutting justice and community safety issues it is not possible to anticipate what contribution my Department could make without knowledge of the specific issue.

### Presbyterian Mutual Society

**Mr G Savage** asked the Minister of Enterprise, Trade and Investment if the Financial Services Authority carried out an inspection of the Presbyterian Mutual Society prior to its final inspection. (AQW 2745/10)

**Minister of Enterprise, Trade and Investment:** The Financial Services Authority (FSA) announced on 9 April 2009 that it had carried out an investigation of the Presbyterian Mutual Society (PMS). The investigation concluded that the PMS had been conducting regulated activities without the necessary FSA authorisation.

As the PMS was not regulated by the FSA at any time my Department is not aware that the FSA carried out any inspections prior to the investigation which it reported on 9 April 2009.

### Local Fishing Industry

**Mr J Shannon** asked the Minister of Enterprise, Trade and Investment what assistance Invest NI can offer to the local fishing industry for overseas marketing; and what assistance has been given over the past five years. (AQW 2752/10)

**Minister of Enterprise, Trade and Investment:** In its role as the lead economic development agency, Invest NI provides a wide range of business support options to both seafish and freshwater fish processors in Northern Ireland.

Invest NI makes a range of overseas marketing support options available to the local fish processing sector. This can include inter alia:

- the provision of in-house secondary market research directly from a unique, extensive and up-to-date market research information held in Invest NI's Information Centre
- financial intervention to support primary market research and market research visits,
- financial intervention to support market development visits,
- financial intervention to support the design and origination of a full range of advertising and promotional materials including the design of company websites,
- financial intervention to support the development of company capability through the provision of management salary grants for Marketing and Sales posts.
- assistance to participate in the Passport to Export programme
- participation on 'Meet the Buyer' sessions

Over the past five years Invest NI support, totalling £88,977, has levered an investment in direct marketing spend of over £222,000. This has been made available to support the overseas marketing effort of seven fish processing companies.

Typical rates of Invest NI financial support range from 30-40% of eligible expenditure and assistance is generally provided through either short-term (18 month) programmes such as the Growth Accelerator Programme or the more strategic (3-year) Selective Finance Agreements.

In addition 5 companies were supported in attending/exhibiting at the European Seafood Exhibition in Brussels, the largest fish marketing trade show in Europe, in 2004 and a further 10 companies in 2005. The total financial support provided by Invest NI in assisting these companies was almost £6,300.

Support for assistance to exhibit at this event was subsequently withdrawn due to lack of support by the sector. Invest NI is however currently recruiting participant companies for a Trade Development Visit to the 2010 European Seafood Exhibition.

Invest NI is also supporting those fish processing companies currently preparing applications to the European Fisheries Fund (EFF) for capital assistance: the first applications which are due to be appraised by DARD, as the Competent Authority with responsibility for the programme, within the next few weeks. Additionally, Invest NI is also actively seeking to develop associated marketing programmes and to encourage complementary applications for marketing assistance which will be assessed and supported by Invest NI.

Assistance was also provided by Invest NI, as an integral part of the previous capital support focused programme the EU Financial Instrument for Fisheries Guidance (FIFG). This programme has been superseded by the European Fisheries Fund (EFF).



The Invest NI financial interventions quoted above exclude the significant additional capital support of over £135,000 offered to the sector over the same period which levered over £2.7m of capital investment.

### European Regional Development Fund

**Mr J Dallat** asked the Minister of Enterprise, Trade and Investment how much money has been sourced from the European Regional Development Fund to support the development of Credit Unions. (AQW 2756/10)

**Minister of Enterprise, Trade and Investment:** To date, European Regional Development Funding (ERDF) has not been accessed through DETI to support the development of Credit Unions.

### Credit Unions: European Funding to Assist

**Mr J Dallat** asked the Minister of Enterprise, Trade and Investment how much money has been sourced from European funding to assist Credit Unions to (i) improve services, including offering financial management advice; and (ii) establish new Credit Unions in areas of high social deprivation and economic disadvantage. (AQW 2757/10)

**Minister of Enterprise, Trade and Investment:** My Department has had no contact with the Scottish Parliament or with the Welsh Assembly in relation to the promotion of the credit union movement.

The Northern Ireland credit union movement is already well established throughout Northern Ireland, including areas of social and economic disadvantage, providing a comprehensive and accessible savings and loan network of 180 credit unions with over 430,000 members, savings of £775m and loans to members of £516m.

The Registrar of Credit Unions in DETI will continue to work closely with all sectors of the movement in implementing measures which will promote the development and growth of credit unions where it is prudent to do so.

### Credit Unions

**Mr J Dallat** asked the Minister of Enterprise, Trade and Investment what steps have been taken to raise awareness of Credit Union's being an alternative to the risks of people turning to loan sharks and doorstep lenders. (AQW 2758/10)

**Minister of Enterprise, Trade and Investment:** Credit unions are well established throughout Northern Ireland, including areas of social and economic disadvantage, providing a comprehensive and accessible savings and loan network of 180 credit unions with over 430,000 members, savings of £775m and loans of £516m. They can provide an alternative source of affordable credit to many individuals who might otherwise resort to loan sharks and other illegal doorstep lenders.

I welcome the Irish League of Credit Unions' national advertising campaign: "CU at Your Place". The aim of this multi media campaign is to convey the message that credit unions are safe and strong. The next phase of this campaign is due to commence in January 2010.

OFMDFM has also been working alongside a range of key stakeholders including the PSNI, credit unions, the voluntary and community sector and my Department's Trading Standards Service (TSS) to address the problem, and a sub-group of the Cross Sector Advisory Forum is currently considering how best to take this matter forward.

In its enforcement role under the Consumer Credit Act 1974 - protecting the public from unlicensed money lenders - TSS has used both the print and broadcast media to issue warnings about the dangers inherent in using loan sharks, and to highlight the advantages of using lawful, licensed sources of consumer credit such as Credit Unions.

### Credit Unions

**Mr J Dallat** asked the Minister of Enterprise, Trade and Investment what discussions her Department has had with the Scottish Parliament and the Welsh Assembly in relation to the promotion of the Credit Union Movement. (AQW 2760/10)

**Minister of Enterprise, Trade and Investment:** To date EU funding has not been accessed through DETI to either assist or establish Credit Unions in Northern Ireland.

The Northern Ireland credit union movement is already well established, throughout Northern Ireland, including areas of social and economic disadvantage, providing a comprehensive and accessible savings and loan network of 180 credit unions with over 430,000 members, savings of £775m and loans to members of £516m.

The credit union movement prides itself that this success has largely been achieved through a sustainable business model which has created a robust and vigorous movement over the past 40 years.

The Registrar of Credit Unions in DETI has regular contact with the representative bodies for Northern Ireland credit unions, and will discuss this matter further with them to identify what action if any might be taken under future programmes.

### Unemployed: People Registered

**Mr A Ross** asked the Minister of Enterprise, Trade and Investment to detail the number of people registered as unemployed in each constituency, in each of the last 24 months. (AQW 2785/10)

**Minister of Enterprise, Trade and Investment:** The table below provides the number of unemployment benefit claimants by Parliamentary Constituency Area in each month from November 2007 to October 2009.

| Date                     | Nov-07 | Dec-07 | Jan-08 | Feb-08 | Mar-08 | Apr-08 | May-08 | Jun-08 | Jul-08 | Aug-08 | Sep-08 | Oct-08 |
|--------------------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| Belfast East             | 808    | 795    | 860    | 863    | 841    | 871    | 863    | 886    | 936    | 965    | 957    | 988    |
| Belfast North            | 1,775  | 1,751  | 1,807  | 1,839  | 1,840  | 1,895  | 1,891  | 1,946  | 2,035  | 2,084  | 2,091  | 2,105  |
| Belfast South            | 1,181  | 1,159  | 1,230  | 1,235  | 1,213  | 1,249  | 1,257  | 1,328  | 1,453  | 1,577  | 1,558  | 1,578  |
| Belfast West             | 2,626  | 2,689  | 2,801  | 2,840  | 2,844  | 2,857  | 2,861  | 2,863  | 2,929  | 3,050  | 3,130  | 3,191  |
| East Antrim              | 1,082  | 1,054  | 1,141  | 1,179  | 1,130  | 1,151  | 1,139  | 1,159  | 1,236  | 1,324  | 1,340  | 1,417  |
| East Londonderry         | 1,286  | 1,320  | 1,426  | 1,502  | 1,475  | 1,477  | 1,480  | 1,483  | 1,586  | 1,706  | 1,793  | 1,834  |
| Fermanagh & South Tyrone | 1,060  | 1,067  | 1,103  | 1,162  | 1,136  | 1,138  | 1,131  | 1,149  | 1,288  | 1,359  | 1,419  | 1,429  |
| Foyle                    | 2,676  | 2,643  | 2,807  | 2,815  | 2,793  | 2,809  | 2,748  | 2,908  | 2,978  | 3,260  | 3,319  | 3,259  |
| Lagan Valley             | 745    | 712    | 799    | 829    | 861    | 870    | 908    | 915    | 993    | 1,068  | 1,131  | 1,226  |
| Mid Ulster               | 637    | 662    | 714    | 769    | 785    | 812    | 813    | 853    | 983    | 1,108  | 1,159  | 1,265  |
| Newry & Armagh           | 1,186  | 1,199  | 1,300  | 1,357  | 1,351  | 1,329  | 1,320  | 1,358  | 1,545  | 1,635  | 1,649  | 1,630  |
| North Antrim             | 1,110  | 1,202  | 1,278  | 1,293  | 1,287  | 1,307  | 1,299  | 1,298  | 1,474  | 1,571  | 1,588  | 1,598  |
| North Down               | 828    | 828    | 881    | 858    | 889    | 858    | 795    | 836    | 889    | 939    | 973    | 1,005  |
| South Antrim             | 807    | 831    | 887    | 942    | 930    | 951    | 972    | 936    | 1,015  | 1,124  | 1,136  | 1,219  |
| South Down               | 1,071  | 1,134  | 1,233  | 1,255  | 1,234  | 1,243  | 1,235  | 1,329  | 1,496  | 1,589  | 1,671  | 1,694  |
| Strangford               | 870    | 925    | 950    | 946    | 923    | 920    | 948    | 975    | 1,069  | 1,128  | 1,177  | 1,219  |
| Upper Bann               | 1,066  | 1,094  | 1,231  | 1,278  | 1,329  | 1,360  | 1,341  | 1,406  | 1,598  | 1,687  | 1,708  | 1,714  |
| West Tyrone              | 1,599  | 1,617  | 1,663  | 1,679  | 1,671  | 1,671  | 1,659  | 1,732  | 1,897  | 2,024  | 1,986  | 2,008  |

| Date          | Nov-08 | Dec-08 | Jan-09 | Feb-09 | Mar-09 | Apr-09 | May-09 | Jun-09 | Jul-09 | Aug-09 | Sep-09 | Oct-09 |
|---------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| Belfast East  | 1,077  | 1,182  | 1,308  | 1,387  | 1,470  | 1,576  | 1,635  | 1,718  | 1,849  | 2,001  | 1,993  | 1,984  |
| Belfast North | 2,148  | 2,228  | 2,342  | 2,585  | 2,699  | 2,771  | 2,915  | 2,939  | 3,045  | 3,154  | 3,187  | 3,220  |
| Belfast South | 1,650  | 1,708  | 1,804  | 2,011  | 2,127  | 2,247  | 2,330  | 2,359  | 2,544  | 2,679  | 2,582  | 2,531  |

| Date                     | Nov-08 | Dec-08 | Jan-09 | Feb-09 | Mar-09 | Apr-09 | May-09 | Jun-09 | Jul-09 | Aug-09 | Sep-09 | Oct-09 |
|--------------------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| Belfast West             | 3,393  | 3,507  | 3,714  | 3,998  | 4,086  | 4,222  | 4,348  | 4,452  | 4,582  | 4,672  | 4,713  | 4,657  |
| East Antrim              | 1,581  | 1,665  | 1,917  | 2,185  | 2,303  | 2,471  | 2,439  | 2,524  | 2,605  | 2,747  | 2,751  | 2,730  |
| East Londonderry         | 2,224  | 2,415  | 2,661  | 2,951  | 2,925  | 2,881  | 2,915  | 2,948  | 3,024  | 3,125  | 3,141  | 3,073  |
| Fermanagh & South Tyrone | 1,631  | 1,766  | 2,080  | 2,335  | 2,458  | 2,483  | 2,514  | 2,552  | 2,651  | 2,801  | 2,809  | 2,704  |
| Foyle                    | 3,448  | 3,575  | 3,885  | 4,057  | 4,171  | 4,258  | 4,395  | 4,549  | 4,811  | 4,914  | 4,899  | 4,813  |
| Lagan Valley             | 1,347  | 1,408  | 1,590  | 1,799  | 1,898  | 1,983  | 2,036  | 2,086  | 2,166  | 2,285  | 2,251  | 2,211  |
| Mid Ulster               | 1,575  | 1,772  | 2,019  | 2,318  | 2,394  | 2,504  | 2,607  | 2,658  | 2,790  | 2,919  | 2,885  | 2,770  |
| Newry & Armagh           | 1,837  | 2,026  | 2,265  | 2,568  | 2,759  | 2,932  | 2,995  | 3,165  | 3,330  | 3,413  | 3,374  | 3,317  |
| North Antrim             | 1,835  | 2,021  | 2,299  | 2,512  | 2,571  | 2,619  | 2,678  | 2,671  | 2,821  | 2,921  | 2,937  | 2,943  |
| North Down               | 1,082  | 1,178  | 1,275  | 1,422  | 1,471  | 1,501  | 1,524  | 1,590  | 1,706  | 1,726  | 1,743  | 1,737  |
| South Antrim             | 1,406  | 1,471  | 1,678  | 1,936  | 2,028  | 2,100  | 2,159  | 2,155  | 2,239  | 2,378  | 2,325  | 2,290  |
| South Down               | 1,915  | 2,038  | 2,280  | 2,584  | 2,699  | 2,800  | 2,881  | 2,906  | 3,065  | 3,196  | 3,211  | 3,183  |
| Strangford               | 1,330  | 1,409  | 1,535  | 1,683  | 1,795  | 1,834  | 1,886  | 1,888  | 1,981  | 2,048  | 2,100  | 2,124  |
| Upper Bann               | 1,968  | 2,085  | 2,414  | 2,660  | 2,761  | 2,915  | 2,993  | 3,066  | 3,160  | 3,325  | 3,334  | 3,262  |
| West Tyrone              | 2,217  | 2,362  | 2,515  | 2,636  | 2,671  | 2,760  | 2,807  | 2,913  | 3,061  | 3,207  | 3,257  | 3,185  |

**Note:**

Figures not adjusted for seasonality

### Companies Registry Staff Training

**Mr B Wilson** asked the Minister of Enterprise, Trade and Investment what training Companies Registry staff in Belfast received on the new switchboard system following the merger with Companies Registry in Cardiff. (AQW 2798/10)

**Minister of Enterprise, Trade and Investment:** Following the full implementation of the Companies Act 2006 which applies company law on a UK wide basis, the operation of the Companies Registry in Belfast now falls within the responsibilities of Companies House. Training on the new switchboard system was not appropriate to the now merged Companies Registry Northern Ireland (CRNI) in Belfast. Since the CRNI's integration with Companies House on 1st October 2009, calls are now taken by the Companies House Contact Centre. I understand that the Registrar of Companies for Northern Ireland will contact you directly to address any specific issues or concerns you may have in relation to this matter.

### West Tyrone: Public Sector Jobs

**Mr B McElduff** asked the Minister of Enterprise, Trade and Investment to detail the number, the location, the grade and the posts within her Department currently located in (a) the Omagh District; and (b) the Strabane District; and to outline her Department's plans to increase the number of public sector jobs in West Tyrone. (AQW 2881/10)

**Minister of Enterprise, Trade and Investment:** The Department of Enterprise, Trade & Investment (DETI) and its Non Departmental Public Bodies (NDPBs) have the following posts located in the Omagh & Strabane Districts;

#### Omagh

- 1 Grade 7
- 12 Deputy Principals

- 2 Health & Safety Inspectors (analogous to Deputy Principal)
- 1 Staff Officer
- 2 Trainee Health & Safety Inspectors (analogous to Executive Officer 1)
- 3 Executive Officer 1s.
- 3 Executive Officer 2s
- 1 Administrative Officer

### Strabane

- There are no posts in the Strabane District

At this time, in line with the findings of the Bain Report, there are no proposals for either the Department of Enterprise, Trade and Investment or its NDPBs (Invest NI, NI Tourist Board, Consumer Council and Health and Safety Executive for NI) to increase the number of public sector posts in West Tyrone.

## Invest NI

**Mr T Burns** asked the Minister of Enterprise, Trade and Investment to detail the support Invest NI has provided to the Rose Energy owners and their subsidiaries over the last five years. (AQW 2924/10)

**Minister of Enterprise, Trade and Investment:** Invest NI has provided no financial assistance to Rose Energy Limited or to Glenfarm Holdings Limited.

Assistance offered and paid to O’Kane Poultry Limited and Moy Park Limited from 20th November 2004 to date is as follows:

| O’Kane Poultry Limited                     |            |
|--|------------|
| Selective Financial Assistance offered:    | £250,000   |
| Selective Financial Assistance paid:       | £235,224   |
| Training Assistance offered:               | £129,496   |
| Training Assistance paid:                  | £106,078   |
| Research & Development assistance offered: | £47,985    |
| Research & Development assistance paid:    | £13,360    |
| Moy Park Limited                           |            |
| Selective Financial Assistance offered:    | £6,026,003 |
| Selective Financial Assistance paid:       | £3,822,082 |
| Training Assistance offered:               | £156,357   |
| Training Assistance paid:                  | £107,387   |
| Research & Development assistance offered: | £236,051   |
| Research & Development assistance paid:    | £19,177    |

## Biomass Heating Solutions Limited

**Mr T Burns** asked the Minister of Enterprise, Trade and Investment whether Invest NI officials have met with representatives of Biomass Heating Solutions Limited. (AQW 2925/10)

**Minister of Enterprise, Trade and Investment:** An Invest NI Official met with Mr Jack O’Connor of Biomass Heating Solutions Ltd on 24 September 2009 at the Invest NI headquarters. A third party, who requested anonymity, also attended the meeting. The purpose of this meeting was to discuss opportunities in the field of bioenergy – specifically the manufacture of biomass boilers for mushroom compost and chicken litter in Northern Ireland and to discuss the development of an associated supply chain for the manufacture of component parts. In addition, compliance of the proposed boilers with the Waste Incineration Directive was discussed and, in



particular, the approximate timescales for approval from the Northern Ireland Environment Agency (NIEA) for demonstration plant to be installed and commissioned.

### Civil Servants' Earnings

**Mr J Craig** asked the Minister of Enterprise, Trade and Investment how many civil servants in her Department earn more than the Minister, inclusive of salaries, bonuses and any paid positions on outside bodies. (AQW 2954/10)

**Minister of Enterprise, Trade and Investment:** The Department of Enterprise, Trade & Investment has one civil servant who currently earns more than the Minister.

### Broadband in the Sperrins and the Foyle Basin

**Mr P Ramsey** asked the Minister of Enterprise, Trade and Investment when the roll-out of Broadband will be completed in the Sperrins and Foyle Basin area. (AQW 2967/10)

**Minister of Enterprise, Trade and Investment:** A fixed wireless Broadband network in the Foyle Basin and North Sperrins areas will be delivered by a local business, North West Electronics, which is also deploying another extensive network across the rural west. This project is expected to complete in December 2009 at which point work will commence on the extension of the network to include the Foyle Basin/North Sperrins areas – this work will take approximately 5 months to complete.

While both projects will increase the range of options available to users seeking a broadband service, it is important to note that Northern Ireland has 100% broadband coverage as a consequence of the 2004 Local Access Broadband Contract awarded to BT by my Department.

My Department also currently has in place a 3-year contract with Avanti Communications for the provision of a broadband service delivered via satellite for those users located too far from an exchange to access a fixed line service.

## DEPARTMENT OF THE ENVIRONMENT

### Future Department of Justice

**Dr S Farry** asked the Minister of the Environment (i) what steps his Department intends to take to engage with a future devolved Department of Justice on cross-cutting matters; and (ii) what contribution can his Department make to address cross-cutting justice and community safety issues, such as reducing levels of offending. (AQW 2702/10)

#### Minister of the Environment (Mr E Poots):

- (i) Post-devolution my Department will collaborate with a Department of Justice on relevant cross-cutting issues, particularly through involvement in inter-departmental working groups.
- (ii) My Department currently engages with the criminal justice system in several key areas, as set out below.

All prosecution cases relating to breaches of environmental law are directed on and prosecuted by the Public Prosecution Service and this entails liaison between the Northern Ireland Environment Agency (NIEA) and the Courts on an ongoing basis. NIEA also liaises and works with other law enforcement agencies (such as PSNI) on operational issues, including sharing of information on potential offending. It has contact with Lay Magistrates concerning the obtaining of warrants for entry to premises. NIEA can also be judicially reviewed concerning their decision making in regard to regulation.

The Department has a long established and strong working relationship with the police on the development and delivery of road safety strategies and initiatives. Many of our strategic objectives require the police and

the Department to work closely together to ensure compliance with road traffic laws through education and/or enforcement activities.

Successive strategies have achieved significant casualty reductions and this partnership is essential to ensuring that cohesive and complementary road safety measures continue to lead to improvements in safety for all road users in Northern Ireland.

DVA (Enforcement Testing) carry out roadside operations in conjunction with the PSNI in relation to the enforcement of road transport regulations. This encompasses bus, goods vehicles, taxis and modified car operations. Prosecution cases arising from these operations are directed through the Public Prosecution Service with their examiners attending as professional witnesses in both the Magistrates and Crown courts. My Department would also have contact with the PSNI and the Courts with regard to driver, vehicle and operator policy, as appropriate.

It will be crucial to the work of this Department in prosecuting and deterring environmental offending, in the enforcement of road transport regulation, and in the development and delivery of road safety strategies, that we would continue such activities as are set out above, and would continue to engage positively with the Criminal Justice agencies.

### Septic Tanks

**Mr B Wilson** asked the Minister of the Environment for an estimate of the number of un-consented septic tanks which were installed pre October 2001; and what measures have been taken to regularise such tanks.

(AQW 2767/10)

**Minister of the Environment:** The Northern Ireland Environment Agency (NIEA) estimates that there are approximately 16,400 un-consented On-site Waste Water Treatment System (OWWTS), such as septic tanks or other privately operated sewage treatment systems, in Northern Ireland.

NIEA has recently commissioned work to identify and regularise discharges from OWWTSs and to examine the impacts of a dispersed population pattern on water quality. The outcome of this work will inform proposals for future legislation, policies and procedures to address pollution related to wastewater treatment provision in rural areas.

### Septic Tanks

**Mr B Wilson** asked the Minister of the Environment how many prosecutions have been taken in relation to illegal discharges from (i) consented septic tanks; and (ii) un-consented septic tanks installed pre October 2001, in each of the last five years.

(AQW 2768/10)

**Minister of the Environment:** It is Northern Ireland Environment Agency (NIEA) policy to initiate enforcement action only where a pollution incident is of high or medium severity.

Pollution incidents involving On-site Waste Water Treatment Systems (OWWTSs), such as septic tanks or other privately operated sewage treatment systems are almost invariably of low severity because of the localised nature of the discharge.

In the last 5 years, NIEA has taken prosecution action for illegal discharges from consented OWWTSs on 5 occasions, as shown on the table below.

| Year         | Prosecution Action |
|--------------|--------------------|
| 2004         | 1                  |
| 2005         | 2                  |
| 2006         | 0                  |
| 2007         | 1                  |
| 2008         | 1                  |
| <b>Total</b> | <b>5</b>           |

NIEA has no record of prosecution action having been taken in the last 5 years for un-consented OWWTSs installed pre-October 2001.

### Illegal Irish Republican Terrorist Memorial in Newtownbutler

**Mr T Elliott** asked the Minister of the Environment what action he has taken to ensure the removal of the illegal Irish republican terrorist memorial erected in Newtownbutler earlier this year. (AQW 2787/10)

**Minister of the Environment:** Discussions are continuing with the Northern Ireland Housing Executive to establish the potential to resolve the matter locally to the satisfaction of all parties.

### Clyde Valley Review of Joint Working and Shared Services

**Mr P Weir** asked the Minister of the Environment whether his Department will consider the findings of Sir John Arbuthnott's 'Clyde Valley Review of Joint Working and Shared Services' once published. (AQW 2792/10)

**Minister of the Environment:** I welcome the member drawing Sir John Arbuthnott's forthcoming 'Clyde Valley Review of Joint Working and Shared Services' to my attention. I think this is clearly an important piece of work and will no doubt provide further support to our agreed vision of a restructured, strong and dynamic local government working on a collaborative basis. I will therefore be happy to consider the findings of the review once published.

### Revised PPS4

**Mr D Ford** asked the Minister of the Environment when the revised PPS4 will be published. (AQW 2820/10)

**Minister of the Environment:** I will shortly submit PPS 4 for Executive consideration and look forward to publishing it once it has been cleared.

### Bonfire Groups

**Mr M McLaughlin** asked the Minister of the Environment how many councils directly fund bonfire groups; and how much does this cost the rate payer in each council area. (AQW 2830/10)

**Minister of the Environment:** Seven councils directly fund bonfire groups. The cost for the year 2008/2009 by each council area is recorded in the table below.

| Council      | 2008/09           |
|--------------|-------------------|
| Antrim       | 27,969.47         |
| Ards         | 16,328.00         |
| Ballymena    | 13,733.51         |
| Belfast      | 50,000.00         |
| Castlereagh  | 850.00            |
| Larne        | 8,925.59          |
| North Down   | 2,000.00          |
| <b>Total</b> | <b>119,806.57</b> |

### Planning Service Website

**Mr P McGlone** asked the Minister of the Environment (i) how often the 'Planning Explorer' section of the Planning Service website is updated; and (ii) how much it costs to maintain this section of the website annually. (AQW 2886/10)

**Minister of the Environment:** The Planning Explorer section of the Planning Service website is updated automatically on a daily basis through an up load of data extract from Planner 20/20.

The annual cost of maintaining this section of the website is £10,000.

### PPS21

**Mr D McKay** asked the Minister of the Environment to provide an update on PPS21 and the recently published Independent Working Group report. (AQW 2894/10)

**Minister of the Environment:** I will shortly submit PPS 21 for Executive consideration. The final version will take account of the Independent Working Group report, the outcome of the public consultation on draft PPS 21 and other factors.

## DEPARTMENT OF FINANCE AND PERSONNEL

### Carbon Neutral Estate by 2015

**Mr D McKay** asked the Minister of Finance and Personnel what progress has been made towards the target of a carbon neutral estate by 2015. (AQW 2529/10)

**Minister of Finance and Personnel (Mr S Wilson):** The most recent Public Sector Energy Campaign PSEC report shows carbon emissions across the Northern Ireland public sector estate to be 2.5% below the 99/00 base level in absolute terms (a 10% reduction per sqm of space occupied).

The target of a 'carbon neutral government estate by 2015' was set prior to devolution and while I strongly support the introduction of cost-effective measures to reduce energy costs across the public sector, I would question any policy which is likely to result in the Northern Ireland government purchasing carbon offsets particularly when the budget applied to this measure is likely to be lost to the Northern Ireland block.

There will be an opportunity to review the policy of achieving a 'carbon neutral government estate by 2015' as part of the development of a revised Sustainable Development Implementation Plan following OFMDFM's recently launched consultation on the revised Sustainable Development Strategy.

### Funding Related Audits

**Mr S Hamilton** asked the Minister of Finance and Personnel how many funding related audits of (i) charities; (ii) community groups; and (iii) voluntary groups have been carried out by (a) his Department; and (b) its agencies in each of the last 5 years; and how many times was an audit was carried out on more than one occasion by different sections of his Department or its agencies relating to the same funding. (AQW 2578/10)

**Minister of Finance and Personnel:** Under EC Regulation 438 / 2001 Article 10 checks on the eligibility of EU expenditure incurred by (i) charities; (ii) community groups; and (iii) voluntary groups, are undertaken on projects funded from Measures for which DFP is the Accountable Department.

Details of the checks carried out by my Department during the last five years are provided in the table below. A total figure is provided in each year for the checks completed on voluntary and community groups as the Department's database records do not separately identify these two groups. No project received more than one Article 10 check.

The Department's executive agencies have not carried any audits on (i) charities; (ii) community groups; and (iii) voluntary groups.



| Year                | Audit Type | Voluntary/Community Group | Registered Charity |
|---------------------|------------|---------------------------|--------------------|
| 2004                | Article 10 | 16                        | 17                 |
| 2005                | Article 10 | 21                        | 12                 |
| 2006                | Article 10 | 17                        | 16                 |
| 2007                | Article 10 | 9                         | 15                 |
| 2008                | Article 10 | 7                         | 4                  |
| 2009 up to 16/11/09 | Article 10 | 4                         | 1                  |
| <b>Total Audits</b> |            | <b>74</b>                 | <b>65</b>          |

### H1N1 Flu Virus

**Mr P Ramsey** asked the Minister of Finance and Personnel if there is a difference in the approach taken to public sector employees who have taken time off work as a result of annual winter flu, compared with the H1N1 flu virus. (AQW 2667/10)

**Minister of Finance and Personnel:** In answering this question, I can comment only on the approach adopted by the Northern Ireland Civil Service (NICS) in dealing with sickness absence due to the annual winter flu, compared with the H1N1 flu virus.

The NICS approach has been aimed primarily at limiting the spread of the disease within the workplace, while ensuring the continuous and effective delivery of services during the Pandemic. The NICS was advised that routine testing of suspected cases of the H1N1 flu virus (Swine flu) had been discontinued and those presenting with influenza like illnesses should follow the Swine Flu guidance provided by the Department of Health and Social Services and Public Safety (DHSSPS). Based on this advice, a decision was taken to treat all cases of influenza like illnesses, including confirmed cases of the H1N1 flu virus, in the same way.

### Quangos

**Mr G Savage** asked the Minister of Finance and Personnel to detail the number of quangos; and the cost of each in each of the last five years. (AQW 2736/10)

**Minister of Finance and Personnel:** Information on public bodies sponsored by Northern Ireland departments, including the cost of each, is contained in the annual public bodies report.

Reports for the last three years are held in the Assembly library, or are available at:

[http://www.dfpni.gov.uk/public\\_bodies\\_2007-4.doc](http://www.dfpni.gov.uk/public_bodies_2007-4.doc)

[http://www.dfpni.gov.uk/public\\_bodies\\_2008-6.doc](http://www.dfpni.gov.uk/public_bodies_2008-6.doc)

[http://www.dfpni.gov.uk/public\\_bodies\\_2009\\_\\_2\\_-7.pdf](http://www.dfpni.gov.uk/public_bodies_2009__2_-7.pdf)

Information prior to this is contained within the UK wide reports published by the Cabinet Office. These are available at:

[http://www.civilservice.gov.uk/Assets/publicbodies2006\\_tcm6-2474.pdf](http://www.civilservice.gov.uk/Assets/publicbodies2006_tcm6-2474.pdf)

[http://www.civilservice.gov.uk/Assets/publicbodies2005\\_tcm6-2472.pdf](http://www.civilservice.gov.uk/Assets/publicbodies2005_tcm6-2472.pdf)

### EU Directives

**Mr A Ross** asked the Minister of Finance and Personnel how many EU Directives his Department has (i) received; and (ii) implemented in each of the last three years. (AQW 2737/10)

**Minister of Finance and Personnel:** In this answer, 'received' is taken to mean a Directive adopted by the EU and published in the Official Journal, and 'implemented' is taken to mean transposed into UK or NI law. The Directive will normally give a timescale for implementation by member states. The table below refers to those Directives where DFP is in the lead.

| Year*        | Adopted**   | Transposed*** |
|--------------|-------------|---------------|
| 2007         | 2           | nil           |
| 2008         | nil         | 1             |
| 2009         | nil to date | nil to date   |
| <b>Total</b> | <b>2</b>    | <b>1</b>      |

\* Calendar year basis (1 January to 31 December).

\*\* Date published in Official Journal of the European Union.

\*\*\* This may include directives which were adopted prior to 2007.

## Efficiency Savings

**Ms D Purvis** asked the Minister of Finance and Personnel what steps he is taking to monitor the cumulative impact of individual efficiency savings being made by each Department, to ensure that serious gaps in service delivery are not created. (AQW 2742/10)

**Minister of Finance and Personnel:** Primary responsibility for the planning and delivery of the 3% per annum efficiency savings target, as agreed by the Executive for the years 2008-09 to 2010-11, lies with individual Ministers and their departments. This includes the production and implementation of Efficiency Delivery Plans detailing how efficiency savings are to be achieved.

In this context, the role of DFP is to monitor the delivery of savings only with individual departments responsible for ensuring that services are delivered in line with the targets set out in the Programme for Government.

## Civil Service Posts: Internet Advertising for

**Mr P Weir** asked the Minister of Finance and Personnel if his Department has any plans to increase internet advertising for Civil Service posts, in order to reduce the cost of newspaper advertising. (AQW 2812/10)

**Minister of Finance and Personnel:** The Department currently has no plans to increase internet advertising of civil service posts. The Government Advertising Unit is making greater use of the internet in campaign advertising and the lessons learned will be reviewed for potential application to classified advertising, including recruitment. Other factors, such as the growth of internet access in the population and preferences for accessing recruitment information, will be taken into account. In the meantime NICS competitions will continue to be advertised in the three main Northern Ireland papers in accordance with the Department's Equality Scheme.

## Suicide: Statistics

**Mrs M O'Neill** asked the Minister of Finance and Personnel to detail the statistics held by his Department on suicide in the Mid-Ulster area in (i) 2007; (ii) 2008; and (iii) 2009. (AQW 2980/10)

**Minister of Finance and Personnel:** The table below gives the number of deaths registered due to either 'suicide and self-inflicted injury'<sup>1</sup> or 'undetermined injury whether accidentally or purposefully inflicted'<sup>2</sup> where the deceased was resident in Mid-Ulster Parliamentary Constituency in (i) 2007, (ii) 2008 and (iii) the first six months of 2009P.

<sup>1</sup> International Classification of Diseases, Tenth Revision codes X60-X84, Y87.0

<sup>2</sup> International Classification of Diseases, Tenth Revision codes Y10-Y34, Y87.2

<sup>P</sup> 2009 data is provisional

**TABLE 1: NUMBER OF REGISTERED DEATHS DUE TO ‘SUICIDE AND SELF-INFLICTED INJURY’ AND ‘UNDETERMINED INJURY WHETHER ACCIDENTALLY OR PURPOSEFULLY INFLICTED’ WHERE THE DECEASED WAS RESIDENT IN THE MID-ULSTER PARLIAMENTARY CONSTITUENCY, 2007, 2008 AND QUARTER 1 AND QUARTER 2 2009P.**

| Registration Period           | Number of Suicide Deaths |
|-------------------------------|--------------------------|
| 2007                          | 12                       |
| 2008                          | 15                       |
| Quarter 1 and Quarter 2 2009P | 6                        |

## DEPARTMENT OF HEALTH, SOCIAL SERVICES AND PUBLIC SAFETY

### Increased Waiting Lists

**Mrs I Robinson** asked the Minister of Health, Social Services and Public Safety what action he is taking to address the threat of increased waiting lists following the suspension of referrals to private clinics. (AQW 1630/10)

**Minister of Health, Social Services and Public Safety (Mr M McGimpsey):** Despite the current severe financial constraints that have led some trusts to temporarily suspend referrals to private clinics, I continue to give the utmost priority to minimising elective care waiting times. My expectation remains that by the end of this financial year the overwhelming majority of patients will be assessed and treated within the minimum standards.

### Health Service: Equipment Failure

**Mr T Burns** asked the Minister of Health, Social Services and Public Safety to detail (i) the number of recorded incidents of serious equipment failure in the Health Service; and (ii) which pieces of equipment failed, in each of the last five years. (AQW 2531/10)

**Minister of Health, Social Services and Public Safety:** The Department of Health Social Services and Public Safety does not hold the information requested centrally.

### Lost Health Service Assets and Equipment

**Mr T Burns** asked the Minister of Health, Social Services and Public Safety to detail (i) the number and type of Health Service assets and equipment which have been lost; and (ii) the value of these, in each of the last five years. (AQW 2534/10)

**Minister of Health, Social Services and Public Safety:** Health and Social Care Trusts are responsible for the management of their assets and equipment and therefore the Department of Health Social Services and Public Safety does not hold the information requested centrally.

### Type 2 Diabetes

**Mr J Shannon** asked the Minister of Health, Social Services and Public Safety how many people are currently diagnosed with type 2 diabetes in the age groups (i) 5-20; (ii) 21-40; (iii) 41-50; and (iv) over 50 years old. (AQW 2560/10)

**Minister of Health, Social Services and Public Safety:** The information requested is not available centrally.

### Type 2 Diabetes

**Mr J Shannon** asked the Minister of Health, Social Services and Public Safety what steps he is taking to address the increase in men and women over 50 years old with type 2 diabetes. (AQW 2567/10)

**Minister of Health, Social Services and Public Safety:** The increase in the number of people with type 2 diabetes is clearly linked to a number of lifestyle factors such as obesity, lack of exercise and smoking. Each of these areas has been promoted in various Departmental strategies and a range of initiatives are in place to raise the awareness of diabetes and how it can be prevented.

Obesity, in particular, is a major factor in the onset of diabetes and other chronic conditions. Almost £1million has been made available to GP practices to monitor and follow-up patients with a Body Mass Index higher than 30 and who are at risk of developing diabetes. The Department is also leading on the development of a cross-departmental Obesity Prevention Strategic Framework which will set out a range of measures to prevent obesity across the whole life course.

### Speech and Language Therapy Services

**Dr S Farry** asked the Minister of Health, Social Services and Public Safety to detail the proportion of the health budget directed towards speech and language therapy services, in each of the three years of the current Comprehensive Spending Review. (AQW 2573/10)

**Minister of Health, Social Services and Public Safety:** The table below details the total funding provision for Speech and Language Therapy services over the current CSR period:

| Year          | Planned Expenditure on SLT services (0.5% of total planned expenditure) | Additional CSR Resources | Total           |
|---------------|---|--------------------------|-----------------|
| 2008/2009     | £14.09 m  | n/a                      | £14.09 m        |
| 2009/2010     | £14.7 m   | £0.2 m                   | £14.9 m         |
| 2010/2011     | £15.6 m (provisional figures only)*                                     | £0.5 m                   | £16.1 m         |
| <b>Total:</b> | <b>£44.39 m (using provisional figures from 2010/11)</b>                | <b>£0.7 m</b>            | <b>£45.09 m</b> |

\* The figure for 2010/11 is an estimate based on the previous 2 years.

Source: Strategic Resources Framework database

### Funding Related Audits

**Mr S Hamilton** asked the Minister of Health, Social Services and Public Safety how many funding related audits of (i) charities; (ii) community groups; and (iii) voluntary groups have been carried out by (a) his Department; (b) Boards and; (c) Health and Social Care Trusts in each of the last 5 years; and how many times was an audit carried out on more than one occasion, by different sections of his Department, Boards or Trusts, relating to the same funding. (AQW 2576/10)

**Minister of Health, Social Services and Public Safety:** Based on the information available, the number of funding related audits, including verification visits, of charities, community and voluntary groups that have been carried out by the Department, HSC Board and Trusts in each of the last 5 years is summarised as follows:

| Organisation | 2004/05 | 2005/06 | 2006/07 | 2007/08 | 2008/09 |
|--------------|---------|---------|---------|---------|---------|
| DHSSPS       | 60      | 54      | 54      | 89      | 61      |
| HSC Board    | 10      | 100     | 96      | 102     | 105     |
| HSC Trusts   |         | 9       | 4       | 2       | 3       |

It has not been possible to split the information by charities, community and voluntary groups as the figures are not available in this format.

A significant number of organisations in this sector do not have the same level of governance arrangements that are associated with larger bodies. Consequently verification visits, checking expenditure claims, are necessary to ensure appropriate use is made of public funds. The frequency of these visits is set according to the assessed need to provide assurance on use of these funds.

Verification or audit visits are not undertaken in relation to the same funding.



### Ulster Hospital: Infrastructure Problems

**Mr A Easton** asked the Minister of Health, Social Services and Public Safety for an update on the plan to deal with the concrete cancer that is causing the infrastructure problems at the Ulster Hospital. (AQW 2595/10)

**Minister of Health, Social Services and Public Safety:** The South Eastern Health and Social Care Trust commissioned a report earlier this year on the Structural Condition of the Facades of several of the blocks located towards the front of the Ulster Hospital complex.

In general the condition of the concrete cladding panels and exposed aggregate concrete surfaces at the various blocks surveyed has deteriorated since a previous 1995 report. As a result the report recommends that any areas of precast concrete panels which have shown signs of deterioration should undergo repairs.

The first phase of this work will be undertaken in conjunction with the refurbishment of the hospital Main Entrance which is planned to commence early 2010.

### Ards Hospital Site

**Mr A Easton** asked the Minister of Health, Social Services and Public Safety if he plans to sell any land on the Ards Hospital site. (AQW 2596/10)

**Minister of Health, Social Services and Public Safety:** There are currently no plans to sell any land on the Ards Hospital site.

### Live Donor Operations

**Mrs C Hanna** asked the Minister of Health, Social Services and Public Safety how many live donor operations took place in each month of the last year. (AQW 2599/10)

**Minister of Health, Social Services and Public Safety:** In 2008/09 there were 8 live donor transplants carried out in Northern Ireland. In order to protect patient confidentiality, it is not possible to break this down by month.

### Hospital Doctors: Uniforms for

**Mr J Wells** asked the Minister of Health, Social Services and Public Safety how much his Department has spent on the proposed introduction of uniforms for hospital doctors. (AQW 2600/10)

**Minister of Health, Social Services and Public Safety:** To date, the Department met the cost of a piece of design work in relation to a regional proposal for uniforms for HSC staff. The overall cost for this piece of work was £17,650. It is not possible to attribute the exact proportion of costs appropriate to hospital doctors.

### Category A Ambulance Call-outs

**Mr J Wells** asked the Minister of Health, Social Services and Public Safety, after inter-hospital transfers are excluded from the statistics, what percentage of category A ambulance call-outs met the eight minute target in each of the last three years. (AQW 2601/10)

**Minister of Health, Social Services and Public Safety:** Urgent inter-hospital transfers which are life threatening in nature receive the same high priority as any other category A call and therefore it is appropriate that they are included in the relevant performance management reporting process. The table below details the percentage of category A calls which met the eight minute target over the last three years and excludes inter-hospital transfers in the 2008/09 year:

| Year   | 2008/09 | 2007/08 | 2006/07 |
|--|---------|---------|---------|
| Percentage of category A calls responded to within eight minute target | 67%     | 62%     | 55%     |

### Adoption: Waiting List for

**Mr J Wells** asked the Minister of Health, Social Services and Public Safety (i) how many (a) couples; and (b) individuals are currently on the waiting list to adopt a child; and (ii) how many (a) babies; and (b) children have been adopted in each of the last five years. (AQW 2602/10)

**Minister of Health, Social Services and Public Safety:** At 13 November 2009, 74 married couples and 8 individuals had been approved as adopters and were waiting for an adoption placement from within Northern Ireland.

For part (ii), it is assumed that babies refer to children younger than 12 months, and children to those aged 12 months or older. Figures on the numbers of babies and children adopted from care in Northern Ireland are detailed in Table 1 below for each of the five years for which information is available.

**TABLE 1: NUMBERS OF BABIES AND CHILDREN ADOPTED FROM CARE IN NORTHERN IRELAND**

| Year                 | Babies<br>(children younger than 12 months) | Children<br>(children 12 months or older) |
|----------------------|---|---|
| 2007/08              | 0   | 64  |
| 2006/07 <sup>1</sup> | 0   | 84  |
| 2005/06              | 0   | 56  |
| 2003/04              | 0   | 79  |
| 2002/03              | 14  | 85  |

**Notes:** Data Source: AD1 survey of children adopted from care in Northern Ireland. Year refers to the period from 1 April to 31 March the following year. To avoid personal disclosure "0" represents either no children or fewer than four children. Children 12 months or older includes children younger than 18 years.

- <sup>1</sup> As there was no AD1 survey for 2006/07, these figures were provided directly by each of the five Health and Social Care Trusts in Northern Ireland. The figures provided by Trusts have not been validated by DHSSPS

### EU Directives

**Mr A Ross** asked the Minister of Health, Social Services and Public Safety how many EU Directives his Department received and implemented in each of the last three years. (AQW 2614/10)

**Minister of Health, Social Services and Public Safety:** The details of the number of EU Directives received and transposed by my Department are contained in the table below. I also attach details for the Food Standards Agency for Northern Ireland.

| DHSSPS         |         |            |
|----------------|---------|------------|
| Year           | Adopted | Transposed |
| 2007           | 1       | 1          |
| 2008           | 1       | 2          |
| 2009 (to date) | 3       | 0          |

| Food Standards Agency (NI) |         |            |
|----------------------------|---------|------------|
| Year                       | Adopted | Transposed |
| 2007                       | 5       | 13         |
| 2008                       | 9       | 4          |
| 2009 (to date)             | 5       | 10         |

### Bamford Review

**Mr J Shannon** asked the Minister of Health, Social Services and Public Safety does the Bamford Review indicate within its conclusions that people with a disability and educational disadvantage will have the issue of friendship and social interaction prioritised due to the importance of being able to carry out social interactions with friends. (AQW 2625/10)

**Minister of Health, Social Services and Public Safety:** “Promoting the Social Inclusion of people with a mental health problem or a learning disability” was one of the 10 Bamford reports and it made recommendations relating to a wide range of issues, including social life and personal relationships.

The Bamford Action Plan 2009-2011, published in October, includes commitments to promote the social inclusion of people with a learning disability through education, employment, day opportunities, access to public transport and sport and leisure. The Action Plan also anticipates the publication by OFMDFM on “Promoting Social Inclusion for people with a disability”, which is due shortly.

### St Joseph’s Baby Home

**Mr D Simpson** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 678/10, if a record of the number of infants sent (i) from Northern Ireland to St Joseph’s baby home in Donegal; and (ii) to St Joseph’s baby home on the Ravenhill Road, Belfast, in each year since the formation of Northern Ireland was kept in the past but has now been destroyed. (AQW 2638/10)

**Minister of Health, Social Services and Public Safety:** The information requested is not available.

### St Joseph’s Baby Home

**Mr D Simpson** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 678/10, if his Department will work with the care homes in question to ascertain how many infants were sent (i) from Northern Ireland to St Joseph’s baby home in Donegal; and (ii) to St Joseph’s baby home on the Ravenhill Road, Belfast in each year since the formation of Northern Ireland. (AQW 2639/10)

**Minister of Health, Social Services and Public Safety:** My Department currently has no plans to work with St Joseph’s home in Donegal or St Joseph’s home on the Ravenhill Road, Belfast to ascertain how many infants were sent there from Northern Ireland.

### Anorexia Nervosa and Bulimia Nervosa: People Diagnosed with

**Mr D Simpson** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 1636/10, if his Department will start to record the number of people diagnosed with (i) anorexia nervosa; and (ii) bulimia nervosa. (AQW 2640/10)

**Minister of Health, Social Services and Public Safety:** Information on the number of people, who have been admitted to hospital with a diagnosis of anorexia nervosa or bulimia nervosa is collected. However, this does not include the numbers of people who have anorexia nervosa or bulimia nervosa who have not needed hospital admission and have been diagnosed by their GP or a community mental health worker. This information could only be obtained at disproportionate cost.

### Staff Surveys: Cost

**Mr S Moutray** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 1901/10, why his Department does not hold a central record of the amount of money spent on staff surveys; and if it will start to keep a record. (AQW 2642/10)

**Minister of Health, Social Services and Public Safety:** My Department maintains a central record of departmental monies spent on staff surveys.

My Department does not separately monitor expenditure incurred by the HSC on staff surveys. It is clear, however, from the broader information contained in standard accounts and financial returns, that such expenditure is not material. It follows that the costs of collecting and maintaining records of staff survey expenditure would not represent value for money.

### Staff Surveys: Cost

**Mr S Moutray** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 1901/10, and in the absence of a central record of the relevant costs being maintained, how his Department (i) monitors the amount of money spent on staff surveys; and (ii) ensures value for money when conducting staff surveys.  
(AQW 2644/10)

**Minister of Health, Social Services and Public Safety:** My Department maintains a central record of departmental monies spent on staff surveys.

My Department does not separately monitor expenditure incurred by the HSC on staff surveys.

I take assurance from a comprehensive system of internal controls – including the application of appropriate procurement procedures – that value for money is achieved in the use of resources both by my Department and the HSC.

### Staff Surveys: Cost

**Mr S Moutray** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 1901/10, if the costs of staff surveys in his Department are subject to monthly, quarterly or annual returns; and if so, how are these returns kept in the absence of a central record.  
(AQW 2646/10)

**Minister of Health, Social Services and Public Safety:** My Department maintains a central record of Departmental expenditure on staff surveys.

My Department does not separately monitor expenditure incurred by the HSC on staff surveys.

### Staff Surveys: Cost

**Mr S Moutray** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 1901/10, from which departmental account are staff surveys paid.  
(AQW 2647/10)

**Minister of Health, Social Services and Public Safety:** Expenditure on Departmental staff surveys is paid from the Department's administration budget.

### Hygiene Inspections

**Lord Morrow** asked the Minister of Health, Social Services and Public Safety to detail, per facility, how many (i) announced; and (ii) unannounced hygiene inspections have been carried out in hospitals and care homes in each of the last three years.  
(AQW 2670/10)

**Minister of Health, Social Services and Public Safety:** During the past three years the Regulation and Quality Improvement Authority has carried out the following inspections.

#### (I) HYGIENE INSPECTIONS OF HOSPITALS

| Year                     | Unannounced Inspections | Announced Inspections |
|--------------------------|-------------------------|-----------------------|
| 2007 – 08                | 1                       | 0                     |
| 2008 – 09                | 15                      | 0                     |
| 2009 – 10 (year to date) | 30                      | 0                     |
| <b>Total</b>             | <b>46</b>               |                       |



**(II) INSPECTIONS OF CARE HOMES, I.E. NURSING, RESIDENTIAL CARE AND CHILDREN'S HOMES**

These inspections examine not just hygiene but every aspect of the care provided, to ensure the safety, comfort and dignity of those using the facilities, and to ensure public confidence.

| Year                       | Unannounced Inspections | Announced Inspections |
|----------------------------|-------------------------|-----------------------|
| 2007 – 08                  | 537                     | 488                   |
| 2008 – 09                  | 546                     | 523                   |
| 2009 – 10 (year to 31 Oct) | 355                     | 215                   |
| <b>Total</b>               | <b>1,438</b>            | <b>1,226</b>          |

**Positive Mental Health in Young Children**

**Ms D Purvis** asked the Minister of Health, Social Services and Public Safety what programmes are available to primary schools to promote positive mental health in young children. (AQW 2672/10)

**Minister of Health, Social Services and Public Safety:** Whilst the Health and Social Care sector has no programmes aimed specifically at promoting positive mental health in the primary school setting, the revised primary school curriculum, which is now in place, aims to support pupils in better understanding mental and physical health and wellbeing, for example in exploring how children can feel positive about themselves and develop an understanding of their self-esteem and confidence.

As part of my Department's work on mental health promotion, the Public Health Agency is co-ordinating the rollout of Mental Health First Aid training. This training programme is targeted at adults, including those in the education sector, who regularly come into contact with the most vulnerable members of society.

My Department is currently leading the development of a new Northern Ireland strategy for Promoting Mental Wellbeing. Work to date has identified the importance of intervention to promote positive mental wellbeing in the early years. The new strategy will therefore identify children as a priority group and the school setting as a key location for the promotion of mental wellbeing. Actions will be developed specifically for children and for the school setting.

**Prader-Willi Syndrome**

**Mr J Shannon** asked the Minister of Health, Social Services and Public Safety what his Department is doing to assist people aged 18 and 19 who suffer from Prader-Willi Syndrome. (AQW 2673/10)

**Minister of Health, Social Services and Public Safety:** An individual with a diagnosis of Prader-Willi syndrome has access to the full range of services available. Services provided are based on a person centred assessment of need. Services are provided by specialist staff within multi-disciplinary teams to meet each individual's needs.

**Bamford Review**

**Mr J Shannon** asked the Minister of Health, Social Services and Public Safety what steps his Department is taking to address the Bamford Review's assertion that thousands of vulnerable adults have no carers. (AQW 2677/10)

**Minister of Health, Social Services and Public Safety:** The Bamford Review report Equal Lives indicated that over 70% of people with a learning disability live with family. In addition many adults with a learning disability who are in other accommodation retain strong family links. The substantial contribution made by carers was acknowledged by the Review. Where there are no carers, there is a duty on health and social care bodies to ensure that support is provided as appropriate to meet individual needs.

Guardianship under the Mental Health Order (NI) 1986 may be used to protect people with a learning disability, where it is in the interests of their welfare. Work is under way in my Department to develop new mental health and mental capacity legislation, as recommended by Bamford. While no firm decisions have been taken yet, the ethos of the new legislation will be to empower those who have capacity to make decisions for themselves to do

so and to provide a range of substitute decision making arrangements and protections for those who are unable to make decisions for themselves.

### Relationships and Sexuality Education

**Mr A Bresland** asked the Minister of Health, Social Services and Public Safety what material Health and Social Care Trusts has available for (i) primary; and (ii) post-primary schools for use in teaching Relationships and Sexuality Education. (AQW 2715/10)

**Minister of Health, Social Services and Public Safety:** Health and Social Care Trusts offer a range of materials to help schools deliver Relationship and Sexuality Education (RSE), including training packs, DVDs leaflets, posters, workbooks and other promotional materials. In addition, Trust staff may offer training or specialist advice on sexual health and emotional wellbeing, and sessions on puberty and development may be facilitated by School nurses following a school's request.

The materials available include Trust-developed resources and material from a range of agencies including for example the Public Health Agency and voluntary organisations. Examples of materials include:

- (i) **Primary**  
Personal development and puberty packs supported by leaflets and videos e.g. Boys/ Girls guides to growing up; Want to know about puberty?
- (ii) **Post-Primary Schools**  
Web-based resources, manuals and leaflets which cover issues such as body image, self-esteem, relationships, choices, decisions and consequences, contraception, sexually transmitted infections and drugs and alcohol.

### Patients from Outside the UK

**Mrs I Robinson** asked the Minister of Health, Social Services and Public Safety if the Health Service charges patients from outside the UK for the use of medical services. (AQW 2718/10)

**Minister of Health, Social Services and Public Safety:** Anyone who does not satisfy an exemption from health charges under current legislation will be expected to pay for their treatment.

### Whiteabbey Radiology Unit

**Mr M McLaughlin** asked the Minister of Health, Social Services and Public Safety how many X-rays were taken at the Whiteabbey Radiology Unit during the period 13-30 October 2009. (AQW 2720/10)

**Minister of Health, Social Services and Public Safety:** There were 1,481 x-rays undertaken at the Radiology Unit at Whiteabbey Hospital between the 13th and 30th October 2009.

**Source:** Northern HSC Trust

### Analysing X-rays

**Mr M McLaughlin** asked the Minister of Health, Social Services and Public Safety what is the standard number of days taken to analyse X-rays by radiographers at Whiteabbey Hospital; and how quickly are these results communicated to GPs. (AQW 2721/10)

**Minister of Health, Social Services and Public Safety:** The Northern Health and Social Care Trust has advised that the average number of days taken to analyse X-rays by radiographers at Whiteabbey Hospital is 5.2 days.

All examinations referred from GP practices are communicated electronically to the GP within 28 days, and followed up with paper copies.

### Radiology Results: Delivery of

**Mr M McLaughlin** asked the Minister of Health, Social Services and Public Safety what quality assurance measures are in place to ensure that patient care is paramount in the delivery of radiology results at Whiteabbey Hospital. (AQW 2723/10)

**Minister of Health, Social Services and Public Safety:** The Northern Health and Social Care Trust has confirmed that, in addition to general Trust policies and procedures, it has the following quality assurance procedures / policies in place to ensure patient care is paramount in the delivery of radiology results at Whiteabbey Hospital –

- Full and comprehensive clinical audit programme;
- Radiation safety policy;
- Adherence to the Ionising Radiation (Medical Exposures) Regulations Northern Ireland 2000;
- Intravenous Administration of Contrast by Radiographers;
- Policy for identification of abnormal findings on radiographs;
- Policy for prioritisation of requests;
- Policy for referral to x-ray departments by nurse practitioners;
- Child protection policy - role of radiographer; and
- Elective access booking and DNA protocol.

### Mental Health

**Mrs I Robinson** asked the Minister of Health, Social Services and Public Safety how many people in the Strangford constituency have been referred to hospital for treatment of a mental health illness in each of the last five years. (AQW 2746/10)

**Minister of Health, Social Services and Public Safety:** Information on the number of people in the Strangford constituency who have been referred to hospital for the treatment of a mental health illness in each of the last five years is not collected centrally by the Department.

### Mental Health

**Mrs I Robinson** asked the Minister of Health, Social Services and Public Safety what his Department is doing to help people suffering from mental health difficulties brought on by debt. (AQW 2747/10)

**Minister of Health, Social Services and Public Safety:** People presenting with any mental health difficulties are offered the most appropriate services available for them. The range and availability of these services has greatly increased with the extra allocation for mental health which I was able to achieve in the Budget settlement.

### Mental Health Services

**Mrs I Robinson** asked the Minister of Health, Social Services and Public Safety how much additional funding has been spent each year on mental health services since the publication of the Bamford Review. (AQW 2748/10)

**Minister of Health, Social Services and Public Safety:** The Bamford Review concluded in August 2007 with publication of its final report in a series of ten.

My Department's new investment in mental health services in support of Bamford over the subsequent Comprehensive Spending Review period was £12.75m in 2008-09, which was spent [in full] as planned, and £14.6m in 2009-10, which is on schedule to be delivered in full. The allocation for 2010-11 is £27m, assuming the DHSSPS budget is not reduced.

### Bamford Review

**Mrs I Robinson** asked the Minister of Health, Social Services and Public Safety to detail which recommendations in the Bamford Review have been implemented by his Department. (AQW 2749/10)

**Minister of Health, Social Services and Public Safety:** The Bamford Action Plan 2009-2011, which is available on the DHSSPS website, sets out at Chapter 9 a summary of changes which have already had a direct impact on services for those with a mental health need or a learning disability. Sections 2 and 3 of the document contain a wide range of actions committed to over the period 2009-2011 across Government.

Progress on the Action Plan will be reviewed and rolled forward during 2011, as Bamford envisaged a 10-15 year horizon for reform and modernisation.

### Chiropody/Podiatry Services: Waiting Times for

**Mr I McCrea** asked the Minister of Health, Social Services and Public Safety for the current waiting times for chiropody/podiatry services in the Northern Health and Social Care Trust. (AQW 2750/10)

**Minister of Health, Social Services and Public Safety:** During the quarter ending 30 September 2009, 2,372 people in the Northern HSC Trust attended their first appointment with a community chiropodist / podiatrist. Of these, 2,211 (93%) had waited less than 3 months from referral to first appointment, with the remaining 161 (7%) waiting between 3 and 6 months. No person attending their first appointment with a chiropodist / podiatrist during the last quarter had waited more than 6 months.

### GM Foods

**Mr J Shannon** asked the Minister of Health, Social Services and Public Safety if any GM foods have been introduced in Northern Ireland; and to outline the controls to which they are subjected. (AQW 2751/10)

**Minister of Health, Social Services and Public Safety:** In Northern Ireland food may be derived from a number of types of GM crops, mainly maize and soya, that have been authorised for use in the European Union. The European Commission maintains an up-to-date list of these on its website. (See attached link).

[http://ec.europa.eu/food/dyna/gm\\_register/index\\_en.cfm](http://ec.europa.eu/food/dyna/gm_register/index_en.cfm)

At present there is no register of foods containing authorised GM ingredients that are on the market in NI or elsewhere in the UK. However, although a number of GM products have been authorised for use, there are very few GM foods on sale as UK manufacturers and retailers currently tend to avoid the use of GM ingredients. No GM crops are grown commercially in the UK and food operators generally arrange for their supplies of imported ingredients, such as soya and maize, to come from specific non-GM sources.

### Union Theological College: Fire at

**Mr J Spratt** asked the Minister of Health, Social Services and Public Safety what checks were carried out by the Fire and Rescue Service to ensure that the first fire at the Union Theological College, on Saturday 14 November 2009, was completely extinguished. (AQW 2891/10)

**Minister of Health, Social Services and Public Safety:** I understand that Northern Ireland Fire and Rescue Service (NIFRS) personnel took all appropriate steps to ensure that the first fire was fully extinguished before leaving the site.

These measures included cutting away parts of the floor, timber wall lining and insulation which had been affected by fire and heat. Sections of the ceiling and undamaged flooring were also removed to check for any fire spread. Each floor of the building, and in particular the room directly above the fire, was checked for signs of fire spread – none of which was found. In addition, NIFRS personnel carried out a visual inspection of wall cavities and insulation and injected water from a high pressure hose into the exposed voids to ensure the fire was extinguished.

The last NIFRS fire appliance left the scene at 0424 hours and the scene was handed over to the PSNI.

I commend the NIFRS for their bravery and efficiency in dealing with this matter.



### Swine Flu Vaccination

**Mr A Easton** asked the Minister of Health, Social Services and Public Safety why some pensioners with high risk health factors are being refused the swine flu vaccination. (AQW 2922/10)

**Minister of Health, Social Services and Public Safety:** No one in the high risk groups has been refused the swine flu vaccination. The phased delivery schedule for this new vaccine has meant that it has not been possible to provide the vaccine for everyone in the high risk groups immediately, however we are on target to deliver the vaccine to everybody in the high risk groups on the expected schedule (i.e. by early December).

The UK-wide policy is that the following groups should be prioritised for vaccination in the following order:

- (i) Individuals aged between six months and 65 years in the current seasonal flu clinical risk groups;
- (ii) All pregnant women;
- (iii) Household contacts of immuno-compromised individuals;
- (iv) People aged 65 and over in the current seasonal flu vaccine clinical at-risk groups.

GPs were advised to use their clinical judgement to decide who within the priority groups were their most vulnerable patients and therefore required the swine flu vaccine first. As more vaccine is now available GPs will be able to vaccinate more of those in the above groups.

### Union Theological College: Fire at

**Mr J Spratt** asked the Minister of Health, Social Services and Public Safety what liaison took place with the PSNI in relation to the first fire at the Union Theological College on Saturday 14 November 2009. (AQW 2947/10)

**Minister of Health, Social Services and Public Safety:** I understand that both Northern Ireland Fire and Rescue Service (NIFRS) personnel and police officers were in attendance throughout the incident at Union Theological College. Initially, NIFRS personnel had control of the scene while they sought to extinguish the fire. Once the fire was extinguished, they took measures to ensure that the fire had not spread undetected. This process was observed by the attending police officers in terms of preserving the scene for further investigation. The last NIFRS fire appliance left the scene at 0424 hours, when the scene was handed over to the PSNI.

I commend the NIFRS for their bravery and efficiency in dealing with this matter.

## DEPARTMENT FOR REGIONAL DEVELOPMENT

### Ballywalter Road, Millisle: Footpath

**Mr A Easton** asked the Minister for Regional Development if his Department would consider providing a footpath to improve pedestrian safety along the Ballywalter Road from Drumfad Road to Ballywhisken, Millisle. (AQW 2539/10)

**Minister for Regional Development (Mr C Murphy):** My Department's Roads Service has advised that they assessed a request for a footway along the A2 Ballywalter Road from Drumfad to Ballywhisken Village in June 2008 and again in April 2009. Results from both assessments indicated that, the provision of a new footway at this location did not attract sufficient priority to be included in a programme of improvement works, when compared with other similar proposals.

### Woburn Road, Millisle: Street Light at end of

**Mr A Easton** asked the Minister for Regional Development if his Department would consider erecting a street light at the end of Woburn Road, towards Millisle, to improve pedestrian and vehicle safety. (AQW 2540/10)

**Minister for Regional Development:** My Department's Roads Service has advised that the main criterion within its policy for providing street lighting in rural areas is that there should be at least ten dwellings in

a contiguous 200 metres of road length. Following an internal review of street lighting policy in 2002, this criterion was relaxed so that any public building with significant evening use is counted as two dwellings, when considering street lighting requests.

The end of Woburn Road, towards Millisle, does not meet Roads Service's criteria for Street Lighting in Rural Areas and it is therefore unable to provide the street lighting requested.

### **Main Street, Millisle: Tarmacing and Removing Broken Flag Stones**

**Mr A Easton** asked the Minister for Regional Development if his Department would consider tarmacing and removing broken flag stones from the remainder of Main Street, Millisle. (AQW 2541/10)

**Minister for Regional Development:** The Member will recall that he recently wrote to me on this issue. In my reply I advised that my Department's Roads Service confirmed that they are planning to remove the worst affected section of flagged footway on Main Street, Millisle, adjacent to the shops and to replace it with a bitmac surface.

The timing of this work will depend on the availability of resources, and other competing priorities. However, Roads Service has advised that it hopes that the work will be carried out within the next six months.

### **Belfast City Centre: Traffic Congestion**

**Mr G Savage** asked the Minister for Regional Development what emergency measures have been taken to ensure that traffic congestion in Belfast City Centre is kept to a minimum following the collapse of a section of the road in Cromac Street, Belfast on Saturday 7 November 2009. (AQW 2587/10)

**Minister for Regional Development:** My response to the Member's question on this issue on 12 November 2009 (AQW 2585/10) outlined the emergency measures taken by my Department's Roads Service to ensure that traffic congestion in Belfast City Centre was kept to a minimum, following the collapse of a section of the road in Cromac Street on Saturday 7 November 2009.

The initial measures taken were reviewed at an emergency planning meeting on Sunday 8 November 2009. To cope with the expected weekday traffic congestion, additional mobile variable message signs were located at key points on the network and PSNI motorcyclists were made available to assist in the management of traffic. The PSNI also allocated an officer to be present in Traffic Information Control Centre during peak traffic periods to communicate with the police motorcyclists located at key junctions.

Overall, the level of traffic congestion arising from the closure of this section of Cromac Street was within manageable levels. This was largely due to the co-ordinated and effective response of all the agencies and organisations involved and the response by the travelling public to the travel advice issued.

### **Culmore Road, Derry: Work Completed on**

**Mr P Ramsey** asked the Minister for Regional Development if his Department has conducted an inspection of work completed on the Culmore Road, Derry following the recent roadworks to install water pipes, which are currently causing problems for motorists. (AQW 2590/10)

**Minister for Regional Development:** My Department's Roads Service has advised that they have inspected this watermain renewal scheme on the Culmore Road, Derry, on a weekly basis, since 29 July 2009. Roads Service is not aware of any issues relating to the conduct of this work.

### **Maydown, Derry: Pedestrian Crossings for Residents**

**Mr P Ramsey** asked the Minister for Regional Development what action his Department is taking to provide pedestrian crossings for residents of Maydown, Derry to access local shops and bus stops to the city centre. (AQW 2591/10)

**Minister for Regional Development:** My Department's Roads Service has no plans to provide any additional crossing facilities on the A2 at Maydown, at present.

### **Warren Hill in Newry: Objections to the Planning Application to Build an Additional 26 Houses**

**Mr J Wells** asked the Minister for Regional Development why Roads Service staff withdrew their objections to the planning application to build an additional 26 houses at Warren Hill in Newry. (AQW 2592/10)

**Minister for Regional Development:** My Department's Roads Service gave careful consideration to Planning Application P/03/1193 for 26 No dwellings at Warren Hill, Newry and, taking into account all reasonable matters relating to traffic safety and progression, determined that there was no basis for objection to this particular application. Both the Transport Assessment and Safety Audit carried out by separate accredited independent consultants, submitted through Planning Service, supported this view.

Roads Service did not form any initial presumed opinion of objection and has, throughout the process from July 2003, sought clarification and further details on the proposal. The application was eventually determined under the Private Streets (NI) Order 1980 on 24 March 2009.

### **Adopted and Unadopted Roads**

**Mr P Weir** asked the Minister for Regional Development to list (i) unadopted roads; (ii) roads that have been adopted in the last six months; and (iii) roads that are planned for adoption within the next six months in the North Down constituency. (AQW 2606/10)

**Minister for Regional Development:** My Department's Roads Service has advised that, according to their records:

(i) The following roads in the North Down constituency are unadopted:

- Abbey Road, Millisle
- Alandale Mews, Bangor
- Alexander Court, Bangor
- Alexandra Place, Holywood
- Andrews Shorefield, Groomsport
- Ardmore Court, Holywood
- Ardmore Terrace, Holywood
- Ashdale Court, Bangor
- Balloo Court, Bangor
- Ballyholme Court, Bangor
- Ballykillaire Terrace, Bangor
- Ballymacormick Gardens, Bangor
- Ballymacrui Drive, Millisle
- Ballywalter Road, Millisle
- Bank Lane, Bangor
- Birch Drive, Holywood
- Bloomfield Place footways, Bangor
- Braehead, Bangor
- Brecken Ridge, Donaghadee
- Brown's Brae – Part Private, Holywood
- Carmen Lane, Bangor
- Carney Hill, Holywood
- Carnmoon, Millisle Road, Donaghadee
- Carrig Dene, Helens Bay
- Castle Brook Avenue, Bangor
- Cedar Lane, Holywood

- Church Court, Bangor
- Clanbrassil Court, Hollywood
- Clandeboye Avenue, Helens Bay
- Clandeboye Cottages, Bangor
- Claremont Road, Hollywood
- Coastguard Lane, Orlock
- Coastguard Avenue, Helens Bay
- Coronation Park, Bangor
- Cotswold Court, Bangor
- Craigtara, Hollywood
- Crawfordsburn Wood, Bangor
- Cultra Terrace, Hollywood
- Dellmont Court, Bangor
- Demesne Close, Hollywood
- Demesne Road Cul-de-sac - part private, Hollywood
- Donaghadee Road, Newtownards
- Donard Court, Bangor
- Downhill Avenue, Bangor
- Downshire Mews, Hollywood
- Downshire Park, Bangor
- Dufferin Terrace, Bangor
- Dunratho (Glen Road), Cultra
- East Street, Donaghadee
- Edgewater, Millisle Road, Donaghadee
- Frenchwood Park, Hollywood
- Gibsons Lane, Bangor
- Glen Road, Hollywood
- Glenford Road, Newtownards
- Groomsport House Road, Groomsport
- Hill Street Mews, Hollywood
- Holborn Court, Bangor
- Holborn Villas, Bangor
- Innis Court, Hollywood
- Killaire Road, Carnalea
- Laurel Lane, Hollywood
- Lemonfield Avenue, Hollywood
- Lord Wardens Mews, Bangor
- Lowry Lane, Crawfordsburn
- Lyndhurst Court, Bangor
- Manselton Close, Bangor
- Manor Farm, Moat Street, Donaghadee
- Marsham Court, Bangor
- Maxwell Lane, Bangor
- Mill Cottage Park, Millisle
- Millbank, Abbey Road, Millisle
- Moat Street, Donaghadee



- Montgomery Manor Footways, Bangor
- Moss Road, Holywood – Part Private
- Moss Road, Millisle
- Mountpleasant – Part Private
- Murdock's Lane, Bangor
- Nixons Lane, Bangor
- Nook Farm, Bangor
- Norwood Lane, Holywood
- O'Neills Place, Holywood
- Orlock Lane, Bangor
- Osterly Court, Bangor
- Pickie Terrace, Bangor
- Riverside, Holywood
- Eockhill, Warren Road, Donaghadee
- Rock Port Manor, Holywood
- Rock Port Rise, Holywood
- Rock Port Road, Holywood
- Sandeel Lane, Orlock, Bangor
- Sandymount Court, Bangor
- Seaforth Close, Bangor
- Seahill, Donaghadee
- Seahill Park, Donaghadee
- Seahill Ridge, Donaghadee
- Seahill Vale, Donaghadee
- Seaview Terrace, Holywood
- Sheridan Grove, Helens Bay
- Stanley Avenue, Bangor
- Station Court, Bangor
- Station Drive, Carnalea
- Station Road, Craigavad – Part Private
- Station Square – Part Private
- Station Terrace, Helens Bay
- Stockbridge Road, Donaghadee
- Strand Mews, Holywood
- The Bay, Bangor
- The Briggs, Groomsport
- The Coach House, Bangor
- The Cotton, Donaghadee
- The Court Yard, Donaghadee
- The Meadows, Donaghadee
- Towerview Close, Bangor
- Towerview Court, Bangor
- Towerview Hill, Bangor
- Tudor Park, Holywood
- Twiselside, Holywood
- Warren Villas, Donaghadee

- Whin Lane, Bangor
- Windmill Cottages, Bangor

In addition, the following is a list of proposed housing development locations in the North Down constituency, within which the roads are unadopted, but are subject to Private Streets Order Legislation:

- Woodcroft Lane, Holywood
- Willowbrook Park/Gibsons Lane, Bangor
- Cove Bay, Groomsport
- Kestral Park, Conlig
- Downshire Lane, Bangor
- Hanover Hill/Close, Bangor
- Ballymaconnell Road
- Lineybrook Lane, Bangor
- Gibsons Lane/Willowbrook Rise
- Riverwood Vale, Bangor
- Upritchard Court/Crescent
- Seapark Lane, Holywood
- Crawfordsburn Close, Bangor
- Clifton Road, Bangor
- Victoria Drive, Bangor
- Bloomfield Road South, Bangor
- Abbey Place, Holywood
- Willowbrook Road/Balmoral Road, Bangor
- Brook Lane, Bangor
- Burns Land, Green Road, Conlig
- Ballycrochan Road, Bangor
- Shaftesbury, Belfast Road, Bangor
- Demesne Gate, Holywood
- Dellmount Avenue, Bangor
- Woodvale Gardens, Bangor
- 163/191 Shaftesbury Road, Bangor
- Worcester Avenue, Bangor
- Linen Crescent/Rathgill Parade, Bangor
- Rockfield Glen, Bangor
- Beechfield Avenue, Bangor
- Rathgill Avenue, Bangor
- Ashfield Manor, Bangor
- Rockfield, Gransha Road, Bangor
- Ashfield Park, Bangor
- Balloo Drive, Bangor

(ii) The following roads that were subject to Private Streets Order Legislation have been adopted in the North Down area, in the last 6 months:

- Glen Park, Bangor
- Glen Manor, Bangor
- Regency Square, Bangor
- The Crescent, Bangor

(iii) The rate of progress to roads adoption, of roads in housing developments, is related to many factors that are outside the control of Roads Service. However, based on progress to date, Roads Service expects the roads listed below, within the following housing developments in North Down, to progress to adoption within the next 6 months:

- Ballymacconnell Road
- Edgewater Millisle Road, Donaghadee
- Gibsons Lane/Willowbrook Rise
- Hanover Hill/Close, Bangor
- Kestral Park, Conlig
- Lineybrook Lane, Bangor
- Manor Farm, Moat Road, Donaghadee
- Moss Road, Millisle
- Willowbrook Park/Gibson's Lane, Bangor

### North Down: Public Transport Needs of Residents

**Mr P Weir** asked the Minister for Regional Development what action his Department has taken to meet the public transport needs of residents in North Down, in each year since devolution was restored. (AQW 2607/10)

**Minister for Regional Development:** Since I came to office in May 2007 the following capital projects have been funded or continue to be funded by my Department to meet the public transport needs of residents in North Down.

| Capital Bus Projects                      | 2007/2008<br>£'000 | 2008/2009<br>£'000 | 2009/2010<br>£'000 | Start/Completion Date  |
|---|--------------------|--------------------|--------------------|--|
| New Buses                                 | 490                | 765                | –                  | On-going bus replacement strategy – represents investment in buses that were allocated to Bangor |
| <b>Capital Rail Projects</b>              |                    |                    |                    |  |
| Bangor TEMPL/TDM (signalling) replacement | 152                | 134                | 101                | July 2006 – June 2010  |
| Bangor west Path and Lighting             | –                  | 5                  | 4                  | January 2009 – December 2010   |

In addition a programme of works across the North costing £18m, to upgrade railway stations and halts including those on the Belfast to Bangor line has been completed.

During the period since devolution was restored, Translink has erected a number bus stops and timetables in the North Down constituency. I gave details to you in my response to AQW 7586/09.

During the period since devolution was restored, my Department has continued to operate the Rural Transport Fund which has provided support to Peninsula Community Transport to deliver specialised transport services in the rural parts of the North Down constituency. Peninsula Community Transport recently amalgamated with Down Community Transport and Age Concern Travel Services to become Down District Accessible Transport.

Door-to-Door Transport was introduced in the Bangor and Holywood areas in February 2007 and provides an accessible local transport service for elderly and disabled people who find it difficult or impossible to use mainstream public transport. The scheme provides access to local services that fall within a designated urban area.

### Pay and Display Machines

**Mr P Weir** asked the Minister for Regional Development to detail (i) the number; and (ii) the location of pay and display machines in the North Down constituency. (AQW 2608/10)

**Minister for Regional Development:** Details of the number and location of pay and display machines in the North Down constituency are provided in the table below:

| Car Park                        | Number of Pay and Display Machines |
|---------------------------------|------------------------------------|
| Abbey Street East, Bangor       | 2                                  |
| Bingham Lane, Bangor            | 2                                  |
| Castle Street, Bangor           | 2                                  |
| Clifton Road, Bangor            | 1                                  |
| Holborn Avenue, Bangor          | 2                                  |
| Mills Road, Bangor              | 2                                  |
| The Vennel, Bangor              | 1                                  |
| Church Road, Holywood           | 2                                  |
| Hibernia Street North, Holywood | 3                                  |
| Hibernia Street South, Holywood | 1                                  |

### Road Resurfacing Schemes

**Mr P Weir** asked the Minister for Regional Development what road resurfacing schemes are planned for the North Down constituency in 2010/11. (AQW 2610/10)

**Minister for Regional Development:** I would remind the Member that information on the completed and proposed roads schemes can be found in my Department's Roads Service's Spring and Autumn Reports to Councils. These reports can be accessed from the Roads Service internet site at the following web address:

[www.roadsni.gov.uk/index/publications/publications-council\\_reports.htm](http://www.roadsni.gov.uk/index/publications/publications-council_reports.htm)

Roads Service is currently compiling their Autumn Reports to Councils.

### North Down: Traffic Issues

**Mr P Weir** asked the Minister for Regional Development what road schemes are planned to address traffic issues in the North Down constituency. (AQW 2611/10)

**Minister for Regional Development:** I would remind the Member that information on the completed and proposed roads schemes can be found in my Department's Roads Service's Spring and Autumn Reports to Councils. These reports can be accessed from the Roads Service internet site at the following web address:

[www.roadsni.gov.uk/index/publications/publications-council\\_reports.htm](http://www.roadsni.gov.uk/index/publications/publications-council_reports.htm)

Roads Service is currently compiling their Autumn Reports to Councils.

### Street Lighting

**Mr S Gardiner** asked the Minister for Regional Development if he has assessed the level of street lighting on all major trunk roads and A class roads, and if so, to detail his findings. (AQW 2636/10)

**Minister for Regional Development:** My Department's Roads Service has advised that when street lighting systems are designed and installed, the level and arrangement of lighting is selected in accordance with the recommendations of the applicable design standards. Roads Service aims to conform to the principles recommended in the latest codes of practice for the design of street lighting, these being, BS 5489 and BS EN 13201.

All street lighting systems, including those on major trunk roads and A class roads, are inspected regularly to ensure that they are operating effectively.



### Utility Operators

**Mr S Gardiner** asked the Minister for Regional Development to outline the procedures and scale of fines or penalties imposed on utility operators who open roads but fail to reinstate the road to an acceptable standard. (AQW 2637/10)

**Minister for Regional Development:** As I advised the Member in my answer to his Assembly Question AQW 2324/10, the procedures by which my Department's Roads Service deals with defective reinstatement of road openings are set out in the Code of Practice for Inspections (2nd Edition) 1 September 2003 (ISBN 0-337-08622-2).

The procedures involve alerting the utility operator to the defective reinstatement, agreement of the required remedial works, followed by a further inspection on completion of the remedial works, at the expense of the utility. The current inspection fee for follow-up inspections is £60.

Where more than 10% of the same utility's reinstatements are found to be defective, the procedures allow for issue of an improvement notice, requiring that utility to prepare and implement an agreed improvement plan. Ultimately, the Street Works (Northern Ireland) Order 1995, provides for prosecution, which may lead to a fine not exceeding level 3 on the standard scale (£1,000).

I can advise that road openings, by utilities, have been the subject of a Northern Ireland Audit Office Review in 2008 and a subsequent Public Accounts Committee Hearing in January 2009. Roads Service has given a commitment to the Public Accounts Committee, that where a utility repeatedly fails in its duties to work to the Code of Practice, Roads Service will utilise the powers, within the Code, to rectify the situation. In cases where public safety is compromised, Roads Service will prosecute. Where problems are related to poor performance, Roads Service will increase the number of its inspections, at the expense of the utility, until such time as the pass rate is achieved.

### Disabled Parking Bays: Illegal Parking

**Mr A Ross** asked the Minister for Regional Development how many tickets have been issued to those parking illegally on disabled parking bays in Larne, in each of the last 24 months. (AQW 2658/10)

**Minister for Regional Development:** My Department's Roads Service has advised that the information you have requested is not available in a format that would allow it to be easily retrieved without incurring significant costs.

However, I can advise that in Larne, in the two year period from 1 November 2007 to 31 October 2009, 263 Penalty Charge Notices (PCNs) were issued to vehicles parked in designated disabled persons' parking spaces, which did not clearly display a valid disabled person's badge. This equates to an average total of eleven PCNs per month.

### Disabled Parking Bays: Illegal Parking

**Mr A Ross** asked the Minister for Regional Development how many tickets have been issued to those parking illegally on disabled parking bays in Carrickfegus, in each of the last 24 months. (AQW 2659/10)

**Minister for Regional Development:** My Department's Roads Service has advised that the information you have requested is not available in a format that would allow it to be easily retrieved without incurring significant costs.

However, I can advise that in Carrickfergus, in the two year period from 1 November 2007 to 31 October 2009, 187 Penalty Charge Notices (PCNs) were issued to vehicles parked in designated disabled persons' parking spaces, which did not clearly display a valid disabled person's badge. This equates to an average total of eight PCNs per month.

### Disabled Parking Bays: Illegal Parking

**Mr A Ross** asked the Minister for Regional Development how many tickets have been issued to those parking illegally on disabled parking bays in Newtownabbey, in each of the last 24 months. (AQW 2660/10)

**Minister for Regional Development:** My Department's Roads Service has advised that the information you have requested is not available in a format that would allow it to be easily retrieved without incurring significant costs.

However, I can advise that in the Newtownabbey area, which includes Ballyclare, in the two year period from 1 November 2007 to 31 October 2009, 84 Penalty Charge Notices (PCNs) were issued to vehicles parked in designated disabled persons' parking spaces, which did not clearly display a valid disabled person's badge. This equates to an average total of three PCNs per month.

### Ramps and Traffic Calming Measures

**Mr A Bresland** asked the Minister for Regional Development what assessment has been made of the adverse impact of ramps and traffic calming measures on the mechanical condition of vehicles. (AQW 2683/10)

**Minister for Regional Development:** My Department's Roads Service has advised that considerable research has been carried out into the design and performance of road humps since the Highways (Road Humps) Regulations 1990 were introduced. All traffic calming measures are designed and implemented in accordance with these regulations, and no mechanical damage should occur to vehicles, when they are driven at the appropriate speed.

### Ramps and Traffic Calming Measures

**Mr A Bresland** asked the Minister for Regional Development what assessment has been made of the adverse impact of ramps and traffic calming measures on the Fire and Rescue Service, Ambulance Service and Police Service vehicles when responding to emergency calls. (AQW 2686/10)

**Minister for Regional Development:** As I advised the Member in my answer to his Assembly Question, AQW 2683/10, considerable research has been carried out into the design and performance of road humps since the Highways (Road Humps) Regulations 1990 were introduced. All traffic calming measures are designed and implemented in accordance with these regulations.

When implementing any traffic calming scheme, my Department's Roads Service undertakes an extensive consultation process, during which all 'blue light' emergency services are given the opportunity to comment. Roads Service will modify a traffic calming scheme, in order to obtain an acceptable compromise, which will not jeopardise any emergency vehicle's response time.

### Traffic Calming Measures

**Mr A Bresland** asked the Minister for Regional Development how much his Department spent on traffic calming measures in each of the last five financial years. (AQW 2687/10)

**Minister for Regional Development:** Details of my Department's Roads Service expenditure on traffic calming measures in each of the last five financial years are provided in the table below:

| Year                                    | 2004/05        | 2005/06        | 2006/07       | 2007/08        | 2008/09        |
|---|----------------|----------------|---------------|----------------|----------------|
| Expenditure on Traffic Calming Measures | £2.549 million | £3.127 million | £2.55 million | £3.059 million | £3.287 million |

### Traffic Calming Measures

**Mr A Bresland** asked the Minister for Regional Development for his assessment of the effectiveness of traffic calming measures in reducing the number of road traffic fatalities and injuries. (AQW 2690/10)

**Minister for Regional Development:** My Department's Roads Service has published the Road Safety Engineering Report for 2006/7 which includes details of traffic calming measures and their effectiveness in reducing the number of road traffic collisions up to and including the financial year 2005/06.

The report can be viewed at [www.roadsni.gov.uk/2006-07\\_rdsafetyreport.pdf](http://www.roadsni.gov.uk/2006-07_rdsafetyreport.pdf) and details of the collision histories in connection with traffic calming found at pages, 5, 15-6 and 31-41 of the report.

### Market Street, Downpatrick: Signage

**Mr B Wilson** asked the Minister for Regional Development if Roads Service will provide signage at Market Street, Downpatrick and Belfast Road, Downpatrick, to direct visitors to the railway attraction at Inch Abbey.

(AQW 2691/10)

**Minister for Regional Development:** My Department's Roads Service has advised that for an attraction to qualify for tourist signage it must be open continuously from March to October. I am advised that the railway attraction at Inch Abbey only opens on a Sunday and therefore, does not meet the criterion required.

However, I understand that Roads Service officials are in discussions with the operators of the railway to try and find a way of resolving this issue.

### EU Directives

**Mr A Ross** asked the Minister for Regional Development how many EU Directives his Department has (i) received; and (ii) implemented in each of the last three years. (AQW 2739/10)

**Minister for Regional Development:** The information requested is set out in the table below.

| Year*        | Adopted** | Transposed*** |
|--------------|-----------|---------------|
| 2007         |           | 2             |
| 2008         | 1         | 1             |
| 2009         | 1         | 1             |
| <b>Total</b> | <b>2</b>  | <b>4</b>      |

For the purposes of this question, 'received' and 'implemented' have been translated to mean adopted and transposed.

A directive is formally adopted when it is published in the Official Journal of the European Union. Subsequently, departments receive details of the directive and determine what action needs to be taken.

Transposition into law relevant to the North may be required. However, in other cases, this is done on the basis of the law across England, Scotland and Wales and the North of Ireland. Date of transposition refers to the date at which enabling legislation is complete and is therefore the legal date of implementation. Further action in terms of operational implementation may be required by departments, however this may be open-ended.

#### Footnote:

\*Calendar year basis (1 January to 31 December).

\*\* Year published in Official Journal of the European Union.

\*\*\*This may include directives which were adopted prior to 2007.

### Road Gritting

**Mr P Weir** asked the Minister for Regional Development to outline the reasons for using outside contract staff as well as Roads Service staff for road gritting. (AQW 2740/10)

**Minister for Regional Development:** My Department's Roads Service has advised that the North is covered by 113 designated priority gritting routes. In order to comply with Working Time Regulations and ensure

sufficient numbers of drivers are available given the possibility of a Swine Flu pandemic, three drivers have been allocated to each gritting route on a rota basis for the 2009/10 season.

In areas where it is not possible to fully cover such rotas using only Roads Service Industrial driving staff, other drivers are recruited, temporarily, for the Winter Service operation, to cover any shortfalls. Temporary driving staff may be selected from contract drivers and from suitably qualified non-industrial Roads Service staff.

I should advise that, for the past five years, Roads Service has employed external contract drivers to fill vacancies in the winter service driver rota.

### Road Gritting

**Mr P Weir** asked the Minister for Regional Development how many (i) Roads Service staff; and (ii) outside contract staff were the road gritting drivers in North Down (i) in 2008/09; and (ii) in 2009/10. (AQW 2743/10)

**Minister for Regional Development:** My Department's Roads Service has advised that in 2008/09 Winter Service gritting in the North Down and Ards Peninsula area was carried out by a rota of 11 Roads Service drivers and six contract drivers.

In the current 2009/10 year, the present rota is manned by four Roads Service drivers and 17 contract drivers.

### Road Gritting

**Mr P Weir** asked the Minister for Regional Development to detail (i) the total cost of road gritting in North Down in 2008/09; and (ii) the projected budget for 2009/10. (AQW 2744/10)

**Minister for Regional Development:** The North Down Constituency area lies within both my Department's Roads Service Eastern and Southern Divisions. However, the majority of the subject area is located within Eastern Division, this being, the North Down Council area.

Roads Service has advised that it does not hold information, specifically on the cost of road gritting; however, it is included within the overall cost of Winter Service in Eastern Division, which was £1.1 million during 2008/09.

Winter Maintenance is carried out on the basis of need, with the resulting expenditure being heavily reliant on the prevailing weather conditions, in a particular area, during any given season. It is, therefore, not possible to predict an overall cost in a particular Council area at this time of year.

That said Divisional budgets, which are set at the start of each financial year, are broadly similar to previous years' and are monitored and adjusted accordingly during the winter period. The Eastern Division budget, which includes the North Down Council area, has an initial allocation of £835,000 for Winter Maintenance, for the 2009/10 season.

### Pay and Display Machines

**Mr I McCrea** asked the Minister for Regional Development how much revenue has been generated from pay and display machines in the Magherafelt District Council area, in the last three years, broken down by car park. (AQW 2763/10)

**Minister for Regional Development:** Details of the revenue generated from pay and display car-parks in Magherafelt, for the last three financial years, including the current financial year to the end of October 2009, are set out in the table below.

| Car-Park      | 2007/08  | 2008/09  | 2009/10 |
|---------------|----------|----------|---------|
| Rainey Street | £164,000 | £156,000 | £87,000 |
| Union Road    | £69,000  | £62,000  | £35,000 |

**Note:** that the above revenue figures are inclusive of VAT.

I can advise that all revenue generated from car parking charges, along with income from parking penalty charge notices, supplement the overall financing of Roads Service by Central Government. However, I should



point out that the cost of managing Roads Service off-street car parks and enforcing the on-street parking restrictions, exceed the total revenue received.

### Belfast to Newtownards: Main Road

**Mrs I Robinson** asked the Minister for Regional Development to detail any plans his Department has to repair and resurface the main Belfast to Newtownards Road. (AQW 2765/10)

**Minister for Regional Development:** My Department's Roads Service has advised that as part of the on-going Newtownards Road Environmental Improvement (EI) Scheme, being led and part-funded by the Department for Social Development (DSD), the footways and carriageway on the A20 Newtownards Road, Belfast will be resurfaced between McMaster Street and Albertbridge Road. DSD has indicated that the work is expected to be completed in September 2010.

In recent years, a number of other stretches along the Newtownards Road and the Upper Newtownards Road have been resurfaced, as detailed below:

- in 2002, the Newtownards Road was resurfaced between the Albertbridge Road and the Holywood Road; and
- in the period from 2002 to 2008, the Upper Newtownards Road was resurfaced between the Knock Road and Stoney Road and between the Comber Road and Bradshaws Brae.

The remaining sections of footway and carriageway along this route will be resurfaced on a priority basis, dependent upon condition and the availability of finance.

Roads Service is aware that there has been significant deterioration during the past year, in the condition of the carriageway surface on the A20 Kempstones Road, the main road between Belfast (at Dundonald) and Newtownards.

I should explain that the Belfast to Newtownards road forms part of the Trunk Road network and funding for structural maintenance is sought through a separate bidding process to the normal allocation. This year Roads Service was successful in securing funding to resurface a 600 metre section of the Belfast bound carriageway into Dundonald.

I can confirm that significant bids have been lodged for funding to carry out similar work on other stretches of both the Belfast and Newtownards bound carriageways in the 2010/11 financial year. However, the outcome of this bidding process will not be known until February/March 2010.

Roads Service staff will continue to monitor the condition of the carriageway and carry out interim repairs as required.

### Car Parks: Revenue

**Mr D Hilditch** asked the Minister for Regional Development how much revenue has been generated in Carrickfergus since January 2009 from (i) St Bride's car park; (ii) Joymount car park; (iii) the library car park; and (iv) Lancasterian Street car park. (AQW 2777/10)

**Minister for Regional Development:** Details of the revenue generated from pay and display car-parks in Carrickfergus from 1 January 2009 to 31 October 2009, are set out in the table below.

| Car Park            | Revenue Generated |
|---------------------|-------------------|
| St Bride's Street   | £28,200           |
| Joymount            | £16,000           |
| High Street         | £47,200           |
| Lancasterian Street | £38,700           |

**Note:** that the above revenue figures are inclusive of VAT.

I can advise that all revenue generated from car parking charges, along with income from parking penalty charge notices, supplement the overall financing of Roads Service by Central Government. However, I should point out that the cost of managing Roads Service off-street car parks and enforcing the on-street parking restrictions, exceed the total revenue received.

### Road Gritting

**Mr P Weir** asked the Minister for Regional Development what is the hourly rate of pay for (i) Roads Service drivers; and (ii) external contract staff for road gritting. (AQW 2789/10)

**Minister for Regional Development:** My Department's Roads Service has advised that the rate of pay for Roads Service drivers, on road gritting duties, varies widely. The amount earned by a driver depends upon the staff grade and the day and time of day that the gritting action occurs, as enhancements to the basic rate are payable for unsocial hours and overtime premiums.

As an example, if gritting takes place every weekday evening and morning the average hourly rate of pay is £12.14 for a driver of 'Roadworker 2' grade. The majority of Roads Service drivers on winter gritting duties are Roadworker 2 grade.

Roads Service has also advised that due to the commercially sensitive nature of the contract with "Driver Hire", I am not at liberty to disclose the rate of pay for external contract staff, involved on road gritting duties.

### Road Gritting

**Mr P Weir** asked the Minister for Regional Development what was the average hourly rate of pay for (i) Roads Service drivers; and (ii) external contract staff for road gritting in North Down in 2008/09. (AQW 2790/10)

**Minister for Regional Development:** My Department's Roads Service does not hold this information in the format that the Member has requested, and to research historical record databases would incur disproportionate cost. As an approximate estimate I would refer the Member to my response to AQW 2789/10.

Roads Service has also advised that due to the commercially sensitive nature of the contract with "Driver Hire", I am not at liberty to disclose the rate of pay for external contract staff, involved on road gritting duties.

### Disabled Parking Badges: Misuse of

**Lord Morrow** asked the Minister for Regional Development how many people have been prosecuted for the misuse of disabled parking badges in each of the last three years. (AQW 2796/10)

**Minister for Regional Development:** My Department's Roads Service, through its parking enforcement contract with NSL Services Group and in conjunction with the Inclusive Mobility Transport Advisory Committee, has established procedures whereby, a Penalty Charge Notice (PCN) can be issued when abuse of the Blue Badge scheme is suspected.

I can advise the Member that from the time these procedures were implemented in September 2008 to 31 October 2009, 160 PCNs have been issued, when abuse of the Blue Badge scheme has been suspected.

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.

### Cromac Street, Belfast: Incident in

**Mr P Weir** asked the Minister for Regional Development what checks are being carried out to ensure that there is no recurrence of the incident in Cromac Street, Belfast, where a section of the road collapsed on 7 November 2009. (AQW 2816/10)

**Minister for Regional Development:** I have been advised by Northern Ireland Water (NIW) that the road collapse incident at Cromac Street was a rare and unusual event. NIW has carried out surface ground settlement monitoring along the route of the tunnel and has found nothing to suggest that a recurrence of the incident is likely.

### Uneven Footpaths and Footways

**Mr J Craig** asked the Minister for Regional Development to detail the number of successful compensation claims for injuries due to uneven footpaths and footways in each council area, in each of the last five years.

(AQW 2825/10)

**Minister for Regional Development:** My Department's Central Claims Unit maintains claims statistics on the basis of individual Roads Service Section Office areas. The 24 Section Office areas correspond roughly with District Council areas, but include parts of more than one District Council area. For this reason, the claims information in the form requested is not readily available. The claims information requested is available in respect of the Roads Service Section Offices and this is shown in the table below. This format corresponds with my reply to AQW 1991/10 on 6 November 2009.

| Roads Service Section Office | 2004/05 | 2005/06 | 2006/07 | 2007/08 | 2008/09 |
|------------------------------|---------|---------|---------|---------|---------|
| Antrim                       | 4       | 7       | 4       | 3       | 6       |
| Ards                         | 7       | 14      | 6       | 6       | 9       |
| Armagh                       | 9       | 7       | 2       | 1       | 6       |
| Ballymena & Larne            | 4       | 4       | 4       | 1       | 3       |
| Ballymoney & Moyle           | 3       | 1       | nil     | nil     | 4       |
| Banbridge                    | 4       | 1       | 5       | 3       | 5       |
| Belfast North                | 46      | 42      | 49      | 31      | 27      |
| Belfast South                | 24      | 16      | 21      | 21      | 17      |
| Castlereagh                  | 10      | 13      | 7       | 10      | 6       |
| Coleraine                    | 4       | 2       | 1       | 1       | 1       |
| Cookstown                    | 2       | 5       | 1       | 3       | nil     |
| Craigavon                    | 10      | 5       | 6       | 7       | 5       |
| Down                         | 7       | nil     | 6       | nil     | 4       |
| Dungannon                    | nil     | 3       | 4       | 3       | 1       |
| Fermanagh                    | nil     | 2       | nil     | 3       | 1       |
| Limavady                     | nil     | 3       | 3       | nil     | 2       |
| Lisburn                      | 12      | 12      | 8       | 10      | 10      |
| Londonderry                  | 11      | 10      | 11      | 10      | 7       |
| Magherafelt                  | nil     | nil     | nil     | nil     | 1       |
| Newry & Mourne               | 5       | 7       | 4       | 5       | 6       |
| Newtownabbey & Carrick       | 18      | 10      | 20      | 15      | 11      |
| North Down                   | 9       | 7       | 8       | 9       | 5       |
| Omagh                        | 1       | nil     | 7       | 3       | 4       |
| Strabane                     | 1       | 5       | 2       | nil     | 1       |
| Strangford Ferry             | nil     | nil     | nil     | nil     | nil     |

### Uneven Footpaths

**Mr A Ross** asked the Minister for Regional Development to detail the number of (i) successful compensation claims; and (ii) unsuccessful compensation claims for injuries due to uneven footpaths in (a) Larne; (b) Carrickfergus; and (c) Newtownabbey in each of the last three years.

(AQW 2861/10)

**Minister for Regional Development:** The number of successful and unsuccessful personal injury compensation claims due to footpath defects received by my Department's Central Claims Unit for each of the last three years from the Carrickfergus, Larne and Newtownabbey Roads Service Section Office areas are listed in the following table:

|                              | Successful Claims | Unsuccessful Claims | Total |
|------------------------------|-------------------|---------------------|-------|
| <b>2008/09</b>               |                   |                     |       |
| Carrickfergus Section Office | 2                 | 10                  | 12    |
| Larne Section Office         | 1                 | 4                   | 5     |
| Newtownabbey Section Office  | 9                 | 20                  | 29    |
| <b>2007/08</b>               |                   |                     |       |
| Carrickfergus Section Office | 4                 | 19                  | 23    |
| Larne Section Office         | 0                 | 6                   | 6     |
| Newtownabbey Section Office  | 11                | 23                  | 34    |
| <b>2006/07</b>               |                   |                     |       |
| Carrickfergus Section Office | 1                 | 12                  | 13    |
| Larne Section Office         | 2                 | 7                   | 9     |
| Newtownabbey Section Office  | 19                | 16                  | 35    |

### Frances Street, Newtownards: Footpath

**Mr J Shannon** asked the Minister for Regional Development why the footpath on Frances Street, outside Sheldon Galleries, Newtownards has not been repaired given that there has been a successful claim against his Department because of injuries due to a raised flagstone. (AQW 2890/10)

**Minister for Regional Development:** My Department's Roads Service has advised that the incident in question arose due to the displacement of a concrete drainage channel on the footway. It is believed this was caused by the growth of roots from a nearby street tree which resulted in the exposed edge of the concrete channel block being marginally higher than the level of the adjacent footway.

Defects on footways are assessed against pre-determined criteria contained in Roads Service's maintenance guidelines and as the level of displacement fell short of the threshold for intervention, it was not initially intended to carry out a repair at this location. Recently, however, the street tree has been removed by what appears to be an act of vandalism, resulting in disturbance of the footway area adjacent to the drainage channel. Roads Service has therefore, decided to carry out repairs at this location, which will include the relaying of the subject drainage channel. It is anticipated that this work will be completed within the next 2 weeks.

### EASSDA Property Developments

**Mr T Burns** asked the Minister for Regional Development how outstanding commitments on the adoption of roads and sewers in EASSDA property developments will be met now the company has gone into liquidation. (AQW 2892/10)

**Minister for Regional Development:** Officials from my Department are aware that the property developer EASSDA has gone into liquidation. Roads Service has advised that it will use statutory procedures and powers, under the Private Streets (NI) Order 1980, to progress the adoption of roads and sewers within their housing sites.

I have been advised by Northern Ireland Water (NIW) that, on sites where EASSDA Property Developments has entered into a sewer adoption agreement, under Article 161 of the Water and Sewerage Services (NI) Order 2006, a Guarantee Bond will be in place. If any remedial work is required on these sites to bring the sewers up to adoptable standard, NIW will utilise the Bond to complete the work.



### Portadown to Londonderry Railway Link

**Mr T Elliott** asked the Minister for Regional Development if he will consider the feasibility of building a railway link and the necessary services to connect Portadown to Londonderry, to include links with Dungannon, Enniskillen, Omagh and Strabane. (AQW 2946/10)

**Minister for Regional Development:** The planned investment in public transport by the Department for Regional Development in the North of Ireland, over the next ten years, is set out in the Investment Delivery Plan which is published on the Strategic Investment Board's website. Development of the railway infrastructure was considered in the course of the production of the business case, completed in August 2007, for the New Trains Two Programme. This followed from the work of an inter-departmental group established in September 2006 which considered options for future investment in the railways network here. The building of a railway link and the necessary services to connect Portadown to Derry, to include links with Dungannon, Enniskillen, Omagh and Strabane is not considered to be feasible at this time. Given the available funding for railway projects, my priority at this time is to maintain, improve and upgrade existing railway lines in the region.

### A5: Upgrading

**Mr T Elliott** asked the Minister for Regional Development for an estimate of the length of railway line, with related services, his Department would be able to build into the west of Northern Ireland using the £800 million which has been set aside for the upgrading of the A5. (AQW 2948/10)

**Minister for Regional Development:** My Department's priority at this time is to maintain, improve and upgrade existing railway lines in the region and there are no plans to build new railway lines here. Consequently my Department has not considered the estimated length of railway line that could be constructed in the west of the Region using the £800 million set aside for the upgrading of the A5. A feasibility study and Economic Appraisal would be required to assess the options and to consider all relevant issues including: the length of track; passenger demand; capital and revenue consequences before it would be possible to comment on the specifics of this proposal. It is also worth emphasizing that the A5 roads project was, itself, subject to economic appraisal and is part of the Investment Delivery Plan for all departments.

### Martin's Lane Flyover

**Mr D Bradley** asked the Minister for Regional Development, in relation to the construction of the new A1 dual carriageway, what efforts are being made to accelerate the completion of the Martin's Lane flyover and associated roads, to facilitate the local community and businesses. (AQW 2986/10)

**Minister for Regional Development:** My Department's Roads Service advise that Amey Lagan Roads Limited, the Design, Build, Finance and Operate Project Company, and Lagan Ferrovia, their Construction Contractor, who are responsible for all aspects of the design, programming and construction of the new A1 dual carriageway, are fully aware of the need to facilitate the local community and businesses and are progressing the construction works necessary, to complete the Martin's Lane flyover and associated roads.

As I previously advised the Member, the Acting Divisional Roads Manager, in response to continuing concern about this matter, is arranging a further site meeting. This will provide Lagan Ferrovia with the opportunity, not only to describe and explain their construction activities, but also to advise of their programme for making this new bridge available to traffic as soon as possible.

### Railway Link between Portadown and Dungannon and Portadown and Enniskillen

**Mr T Elliott** asked the Minister for Regional Development for an estimate of the cost of introducing a railway link between (i) Portadown and Dungannon; and (ii) Portadown and Enniskillen. (AQW 3004/10)

**Minister for Regional Development:** The planned investment in public transport by the Department for Regional Development in the North of Ireland, over the next ten years, is set out in the Investment Delivery Plan which is published on the Strategic Investment Board's website. Development of the railway infrastructure was considered in the course of the production of the business case, completed in August 2007, for the New Trains Two Programme.

The funding allocated to public transport is limited and it is necessary to prioritise the projects which can be undertaken. My current priority with regards to investment in railways is to maintain, improve and upgrade existing railway lines in the region. There are no plans to build railway links to connect Portadown to Dungannon and Portadown to Enniskillen, nor do they feature in the Investment Strategy. At this time no feasibility study or business case has been prepared in relation to this. Without these it is impossible to provide a reliable estimate of the cost of building those links.

## DEPARTMENT FOR SOCIAL DEVELOPMENT

### Pensioners: Statistics on

**Mr S Gardiner** asked the Minister for Social Development to list all statistics held by her Department on (i) pensioners; (ii) pensioner employment; and (iii) pensioners accessing state pensions and benefits. (AQW 2224/10)

**Minister for Social Development (Ms M Ritchie):**

(i) **Statistics held on pensioners:**

The Dept only hold statistics on pensioners who claim benefit – these are outlined in (iii) below.

(ii) **Statistics held on pensioner employment**

The latest available Households below average income publication, for 2006/07, includes the numbers of pensioners where one or more within the family/household unit are working. The figure published for the number of pensioners working is 37,900.

(iii) **Statistics held on pensioners accessing state pensions and benefits**

- a) The department produces National Statistics publications on people claiming State Pension and State Pension Credit.
- b) The department produces publications on other benefits which may be claimed by people of pensioner age such as Disability Living Allowance, Attendance Allowance, Carers Allowance and Severe Disablement Allowance.
- c) The department produces also produces the NI Client Group Analysis publication which contains a section on persons of pensionable age claiming at least one of the key benefits.

### NI Housing Executive: Vacancies to the Board of

**Mr S Hamilton** asked the Minister for Social Development (i) why vacancies to the Board of the NI Housing Executive are to be readvertised; (ii) who decided to readvertise; (iii) how many people were interviewed in the first process; (iv) how many applicants were deemed appropriate for appointment; and (v) what is the religious background of the individuals who were deemed appropriate for appointment. (AQW 2475/10)

**Minister for Social Development:** No decision has been made to readvertise the vacancies and officials are currently in discussions with the Commissioner for Public Appointments for Northern Ireland. In the first process seven candidates were interviewed of which six were deemed suitable for appointment. The information in relation to the religious background of the individuals deemed suitable for appointment cannot be provided for legal reasons.

## Funding Related Audits

**Mr S Hamilton** asked the Minister for Social Development how many funding related audits of (i) charities; (ii) community groups; and (iii) voluntary groups have been carried out by (a) her Department; and (b) its agencies in each of the last 5 years; and how many times an audit was carried out on more than one occasion, by different sections of her Department or its agencies, relating to the same funding. (AQW 2577/10)

**Minister for Social Development:** The Department for Social Development and its agencies carry out checks on grant funding awarded to charities; community groups and voluntary groups rather than official audits of business accounts conducted by an independent qualified accountant. The Department currently inspects projects on a risk assessed basis but for projects receiving funding over a number of years all will be subject to at least an annual inspection to ensure that money is expended for the purpose for which it was awarded.

The Department also has a role as regulator of Registered Housing Associations, which are registered for charitable purposes. A dedicated Regulation and Inspection Team carry out inspections to review the key areas of Corporate Governance, Finance, Property Development and Property Management.

A breakdown of the information held on checks/inspections carried out by the Department outlined in the table below. Information broken down in respect of Charities; Voluntary Groups; and Community Groups is not held in all cases.

### EU PROGRAMMES

#### PROJECT CHECKS

| Year             | 2005 | 2006 | 2007 | 2008 | 2009 | Total |
|------------------|------|------|------|------|------|-------|
| Community Groups | 12   | 32   | 20   | 31   | 2    | 97    |

#### EXPENDITURE CHECKS (5%)

| Year               | 2005 | 2006 | 2007 | 2008 | 2009 | Total |
|--------------------|------|------|------|------|------|-------|
| Visits carried out | 84   | 72   | 49   | 43   | 9    | 257   |

### URBAN REGENERATION AND COMMUNITY DEVELOPMENT GRANTS

#### ORGANISATION RISK ASSESSMENTS:

| Year end                       | 2005 - 06 | 2006 - 07 | 2007- 08 | 2008 - 09 | 2009 - 10 | Total |
|--------------------------------|-----------|-----------|----------|-----------|-----------|-------|
| Charities                      | 2         | 0         | 0        | 0         | 0         | 2     |
| Voluntary and Community Groups | 67        | 133       | 48       | 5         | 9         | 262   |

#### ASSESSMENT REVIEWS:

| Year end                       | 2005 - 06 | 2006 - 07 | 2007- 08 | 2008 - 09 | 2009 - 10 | Total |
|--------------------------------|-----------|-----------|----------|-----------|-----------|-------|
| Charities                      | 0         | 0         | 0        | 2         | 0         | 2     |
| Voluntary and Community Groups | 0         | 0         | 0        | 22        | 159       | 181   |

#### NUMBERS OF PROJECTS PER YEAR FROM THE FUNDERS DATABASE

| Year end | 2005 - 06 | 2006 - 07 | 2007- 08 | 2008 - 09 | 2009 - 10 | Total |
|----------|-----------|-----------|----------|-----------|-----------|-------|
|          | 812       | 762       | 1009     | 813       | 830       | 4226  |

Footnote: Until 2006 100% of every quarterly claim for payment for each project was validated. To reduce bureaucracy but continue to protect public funds, based on an assessment of an organisation's finance and governance controls, a risk based approach was piloted and fully implemented early in 2008. Payment for individual projects where an organisation is deemed low risk are limited to 1 payment per year retrospectively; for medium risk organisations 2 payments per year in advance and for high risk organisations all payment applications are examined in advance.

**INSPECTIONS OF HOUSING ASSOCIATIONS**

|                      | 2005/06 | 2006/07 | 2007/08 | 2008/09 | 2009/10 | Total |
|----------------------|---------|---------|---------|---------|---------|-------|
| Full Inspection      | 8       | 7       | 8       | 9       | 1       | 33    |
| Follow up Inspection | 0       | 0       | 0       | 1       | 4       | 5     |

**Note:** NIHE not included.

**Sickness Absence**

**Mr S Hamilton** asked the Minister for Social Development what steps she is taking to reduce the Department's sickness absence levels of 14.6 working days lost per whole time equivalent. (AQW 2630/10)

**Minister for Social Development:** The Department is taking a wide range of steps to reduce sickness absence levels, including robust application and monitoring of procedures for managing sick absence to ensure action is taken expeditiously; close working with Occupational Health Service (OHS) and staff support services on case management for long term absences; the intervention of a Stress Enquiry Team for work-related stress cases; and a series of health promotion events, along with intranet access to OHS literature on, for example, healthy living.

These steps have seen a reduction of sick absence over the last 3 years from 18.7 days to 14.6 days. The Department nevertheless continues to give a strategic priority to reducing sick absence, and is working on the development of a new strategy focusing on priority areas for action to further reduce absence levels.

**Child Maintenance: Online Applications for**

**Ms A Lo** asked the Minister for Social Development if there are any discrepancies in online applications for Child Maintenance through her Department's website; and if so, what action is being taken to rectify the problem. (AQW 2648/10)

**Minister for Social Development:** The new claims application team in the Child Maintenance and Enforcement Division has received 120 online applications since April 2009. There are no known or reported discrepancies or problems associated with online applications.

**Social Housing Waiting List**

**Mr P Weir** asked the Minister for Social Development how many people currently on the social housing waiting list in the North Down area are in housing stress. (AQW 2650/10)

**Minister for Social Development:** At 30 September 2009, 974 applicants on the North Down waiting list were deemed to be in housing stress.

**Housing Executive Homes**

**Mr P Weir** asked the Minister for Social Development how many Housing Executive homes in the North Down area have been vacant for (i) more than six months; and (ii) more than one year. (AQW 2651/10)

**Minister for Social Development:** The table below shows the number of vacant Housing Executive dwellings at 12 November 2009 within the North Down area for the periods requested:-

| Vacant between 6-12 months | Vacant over 1 Year |
|----------------------------|--------------------|
| 15                         | 66                 |

These figures include homes for sale, demolition, decanting and awaiting repairs.



### Housing Executive Homes

**Mr P Weir** asked the Minister for Social Development how many Housing Executive homes in (i) the North Down Borough Council area; (ii) Millisle; and (iii) Donaghadee, are currently awaiting modernisation or renovation before being allocated to tenants. (AQW 2654/10)

**Minister for Social Development:** The information is not available in the format requested. However, within the Housing Executive's Bangor District Office area, which corresponds to the North Down Borough Council area, there are 27 Housing Executive dwellings at various stages of repair which are awaiting modernisation or renovation before being allocated. In the Millisle area, one dwelling is currently awaiting repairs and a further dwelling is awaiting repairs in the Donaghadee area. The Housing Executive will seek to complete the required remedial works and allocate these dwellings at the earliest opportunity.

### Derry: Newbuild Houses

**Mr R McCartney** asked the Minister for Social Development how many of the 240 planned new build houses for this financial year in Derry were started in the period April 2009 to September 2009. (AQW 2671/10)

**Minister for Social Development:** There are now 225 starts programmed for the Derry City Council area for 2009/10 as the scheme at Bligh's Lane Derry has reduced from 80 to 65 units. One scheme at Sherman Court of 18 units has started on site.

### Future Department of Justice

**Dr S Farry** asked the Minister for Social Development (i) what steps her Department intends to take to engage with a future devolved Department of Justice on cross-cutting matters; and (ii) what contribution her Department can make to cross-cutting justice and community safety issues such as reducing levels of offending. (AQW 2679/10)

**Minister for Social Development:**

- (i) My Department currently engages with the Northern Ireland Office and other agencies on justice related matters. It will collaborate with a future devolved Department of Justice on these issues in the same manner.
- (ii) Tackling the issues relating to community safety or justice falls to three areas of responsibility in my Department; Urban Regeneration and Community Development, Social Security and Housing.

The ongoing contribution of Urban Regeneration and Community Development Division takes many forms including the provision of funding for community safety initiatives, working with other statutory bodies to feed into the community safety plan for Belfast and the tackling of community safety issues through Neighbourhood Renewal Action Plans.

The Social Security Agency's (the Agency) Benefit Investigation Service works closely with the Public Prosecution Service for Northern Ireland (PPSNI) on issues of mutual interests such as benefit fraud cases. Following a recommendation from an earlier inspection by the Criminal Justice Inspectorate, the Agency and PPSNI have been working jointly on the development of a Service Level Agreement which should be concluded shortly.

My Department through the Housing Executive works with the NIO on community safety issues such as crime prevention initiatives. Most new social housing schemes conform to the 'secured by design' standard, which in effect means that PSNI community safety officers are involved in discussions about the design of social housing schemes helping to cut down and minimise the potential for the sites attracting anti social behaviour and offering some form of added security to prospective tenants.

My housing officials also have ongoing regular discussions with NIO around the delivery of Special Purchase of Evacuated Dwellings (SPED) scheme.

### Home Improvement Grants

**Mr A Bresland** asked the Minister for Social Development how many home improvement grants were approved and processed by the Housing Executive in each Council area in (i) 2008/09; and (ii) 2009/10 to date.  
(AQW 2684/10)

**Minister for Social Development:** The table below details the numbers of Northern Ireland Housing Executive Grants approved, by local Council area, for the periods requested.

| Council Area   | 2008/2009 | 2009/10 (up to 31/10/09) |
|----------------|-----------|--------------------------|
| Antrim         | 53        | 12                       |
| Ards           | 104       | 46                       |
| Armagh         | 175       | 168                      |
| Ballymena      | 58        | 18                       |
| Ballymoney     | 54        | 20                       |
| Banbridge      | 104       | 18                       |
| Belfast        | 1234      | 366                      |
| Carrickfergus  | 55        | 28                       |
| Castlereagh    | 117       | 17                       |
| Coleraine      | 106       | 21                       |
| Cookstown      | 237       | 52                       |
| Craigavon      | 407       | 60                       |
| Derry          | 375       | 79                       |
| Down           | 222       | 50                       |
| Dungannon      | 285       | 78                       |
| Fermanagh      | 570       | 116                      |
| Larne          | 41        | 24                       |
| Limavady       | 126       | 32                       |
| Lisburn        | 201       | 69                       |
| Magherafelt    | 139       | 33                       |
| Moyle          | 40        | 8                        |
| Newry & Mourne | 568       | 119                      |
| Newtownabbey   | 106       | 59                       |
| North Down     | 123       | 57                       |
| Omagh          | 269       | 60                       |
| Strabane       | 232       | 54                       |

### Outsourced Medical Support Services

**Mrs M O'Neill** asked the Minister for Social Development what plans she has to outsource medical support services.  
(AQW 2711/10)

**Minister for Social Development:** In light of the changing Welfare Reform Agenda and following a review of delivery of Medical Support Services, the Social Security Agency is taking forward a project to outsource delivery of medical expertise 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 at the end of 2009 with contract award March 2010. Based on this timetable full cutover to the new provider will take place in mid to late 2010 or earlier if feasible.

### Disability Awareness Training

**Mrs M O'Neill** asked the Minister for Social Development what disability awareness training front-line Employment and Support Allowance staff are given, particularly Autism specific training. (AQW 2712/10)

**Minister for Social Development:** Staff in the Employment and Support Allowance (ESA) Centre receive awareness training on how to deal with customers who have a disability. This training is delivered by trainers from Disability Action. In addition, all front line telephony staff in the ESA Centre are currently receiving customer service training, which includes a section specifically on customers with autism.

### Front-line Employment and Support Allowance Staff

**Mrs M O'Neill** asked the Minister for Social Development if front-line Employment and Support Allowance staff make claimants aware that they are entitled to have an advocate to assist with their applications. (AQW 2713/10)

**Minister for Social Development:** The Employment and Support Allowance (ESA) claim line procedures include the facility for a claim to be made by an advocate on behalf of any customer. If, at any stage of a telephone conversation, the telephone agent becomes aware that a customer is having difficulty with the claim process the agent will advise the customer that an advocate can complete the call on their behalf. It will also be explained that arrangements can be made for a customer, or an advocate, to receive face to face assistance at a local Jobs & Benefits/Social Security Office.

When a caller contacts the ESA centre, staff must ask if the caller is ringing to make a claim or if the call is on behalf of someone else but staff would not suggest that a caller might require the assistance of an advocate. If a caller indicates that they wish to act as an advocate for a customer there are procedures in place to enable staff to arrange for the authorisation of a designated representative to enable a claim to be taken by telephone.

### Housing Executive Properties

**Ms S Ramsey** asked the Minister for Social Development how many Housing Executive properties are currently sitting empty or boarded up and unable to be allocated to new residents in the Upper Falls electoral ward; and why these homes cannot be allocated. (AQW 2731/10)

**Minister for Social Development:** At any given time the Housing Executive's West Belfast District Office will have several operational voids and, at 19 November, there were 3 such vacant dwellings within the area in question. These dwellings are secured by steel screens to prevent squatting or vandalism while change of tenancy repairs are carried out. However all 3 properties have been allocated and the new tenants will move in as soon as the necessary remedial works have been completed.

### Housing Waiting List

**Ms S Ramsey** asked the Minister for Social Development (i) how many people are currently on the (a) housing waiting list; and (b) housing transfer list for the Upper Falls electoral ward; and (ii) how these numbers compare to the same period in each of the last 3 years. (AQW 2732/10)

**Minister for Social Development:** The information is not available in the format requested as the Housing Executive does not collate information by electoral ward. The table below details the social housing waiting list for the Greater Andersonstown area of the Housing Executive's West Belfast Office at 30th September 2009 and at the 31 March for the previous 3 financial years.

| As at         | Housing Applicants | Housing transfers |
|---------------|--------------------|-------------------|
| 31 March 2006 | 976                | 310               |
| 31 March 2007 | 1,039              | 297               |
| 31 March 2008 | 1,061              | 297               |
| 31 March 2009 | 1,068              | 320               |

| As at             | Housing Applicants | Housing transfers |
|-------------------|--------------------|-------------------|
| 30 September 2009 | 1,070              | 338               |

### Housing Benefit

**Ms S Ramsey** asked the Minister for Social Development how many people are currently in receipt of Housing Benefit for private landlords in the Upper Falls electoral ward; and how does this figure compare to the same period in each of the last three years. (AQW 2733/10)

**Minister for Social Development:** The information is not available in the format requested. However, the table below details the current Housing Benefit private landlord caseload figures for those areas of Belfast which previously comprised the Housing Executive's Belfast District 1 Office\* and those at 1 April for the last 3 financial years:-

| Nov 2009 | Apr 2009 | Apr 2008 | Apr 2007 |
|----------|----------|----------|----------|
| 3462     | 3155     | 2616     | 2412     |

\* The Housing Executive's Belfast District 1 Office included the following areas within Belfast: Andersonstown Area, Brooke Park, Donegall Road, Glencolin, Hannahstown, Ladybrook, Lenadoon, Riverdale, Rossnareen, St James Area, Suffolk, and Tullymore.

### Pension Credit

**Mr B McElduff** asked the Minister for Social Development to detail (i) the number of pensioners currently living in the Omagh district who qualify for Pension Credit; (ii) the number of dedicated Pension Credit advisers based in the Social Security Offices in Omagh; and (iii) the initiatives undertaken by her Department to advise and inform older people, resident in the Omagh district, about how to access their entitlements and overcome poverty. (AQW 2735/10)

**Minister for Social Development:**

- (i) Information is not available on the number of pensioners currently living in the Omagh District who qualify for Pension Credit. However, there were 2,779\* State Pension Credit recipients residing in the Omagh Local Government area in August 2009.
- (ii) One Pension advisor is based in Omagh Social Security Office, however, Pension Advisors can be redirected from one location to another if workloads dictate to ensure that all Pensioners, irrespective of where they live, receive an efficient service.
- (iii) Since 2005 the Social Security Agency has delivered Benefit Uptake Programmes to increase awareness and uptake of social security benefits. In the first year, one part of the Programme specifically targeted pensioners in the Omagh area. Since then Programmes have been Northern Ireland wide and residents in Omagh were selected through the normal process of identifying customers to be contacted. As a result of these Programmes, £27 million of additional annual benefit has been paid to people across Northern Ireland.

The 2009/10 Benefit Uptake Programme is focussing on older people, carers and families who may be eligible for additional benefit. 25,000 people will be offered a full benefit assessment through the Citizens Advice Bureau. Older people living in Omagh have been selected through the normal process of identifying customers to be contacted.

I am also launching a Benefits Adviser Service, [www.nidirect.gov.uk/benefits-adviser](http://www.nidirect.gov.uk/benefits-adviser), available from 19 November 2009 which provides a benefit calculator with information on 27 benefits/credits/allowances for customers and a Calculation and Comparison Service for 11 benefits.

\* The information provided is derived from a 100% un-validated scan of the Income Support Computer System at August 2009 and the verified data will not be available until May 2010.



### Legislation to Permit Bookmakers to open on Sundays

**Mr D O'Loan** asked the Minister for Social Development if she will introduce legislation to permit bookmakers to open on Sundays, in light of the demand to place bets and the loss of business in Northern Ireland when people place their bets elsewhere. (AQW 2769/10)

**Minister for Social Development:** In June 2008 I sent an Executive Paper to the Office of the First Minister and deputy First Minister seeking agreement to my proposal to permit limited Sunday opening of bookmakers and commercial bingo clubs. It has yet to be considered. I remain committed to progressing Sunday opening as swiftly as possible and would welcome an early decision by the Executive on my proposal.

### Housing Executive Land: Negotiations to Dispose

**Mr W Irwin** asked the Minister for Social Development, pursuant to AQW 7228/09, to provide an update on the negotiations to dispose of Housing Executive land in the area of Latt Crescent, off the main Newry/Armagh Road. (AQW 2774/10)

**Minister for Social Development:** The Housing Executive had received an offer from an interested party to purchase this area of land. However, a query arose on whether access would be permitted onto the main Newry – Armagh Road. Without access, the land would not be capable of development. Enquiries with the Roads Service have led to the view that the only permissible access will be via Latt Crescent and this will involve the need for an increased area of land to be sold. The Housing Executive is currently considering the sale of the additional area of land required for access.

### Disability Living Allowance

**Mr D Hilditch** asked the Minister for Social Development how many people who are alcohol-dependent are currently entitled to cars as part of their high rate mobility Disability Living Allowance. (AQW 2776/10)

**Minister for Social Development:** The information is not available in the format requested. Data is published on a Northern Ireland-wide basis on what is known as the main disabling conditions for disability living allowance recipients at [www.dsdni.gov.uk/index/publications/dla](http://www.dsdni.gov.uk/index/publications/dla). However, it cannot be deduced from these figures how many people who are alcohol-dependent are in receipt of disability living allowance. Entitlement to disability living allowance is not linked to specific disabilities or diagnoses, but instead depends on the extent to which a person needs help with personal care, requires supervision or has mobility needs.

Motability is an independent voluntary organisation and it is responsible for the scheme which arranges the provision of vehicles for people who are in receipt of the higher rate mobility component of disability living allowance. Under the Motability contract hire scheme the person in receipt of disability living allowance does not necessarily need to drive or to have a driving licence. Two drivers can be nominated who may be the person in receipt of disability living allowance or friends, relatives or carers. Whilst my Department facilitates the operation of the scheme by diverting payments of disability living allowance to meet contract hire payments, it is not directly involved in the administration of the scheme. Further information about the scheme can be obtained directly from Motability.

### On-street Drinking

**Mr D Hilditch** asked the Minister for Social Development how many people have been prosecuted for on-street drinking in Larne since January 2008. (AQW 2780/10)

**Minister for Social Development:** While my Department is responsible for confirming bye laws made by councils prohibiting the consumption of intoxicating liquor in designated streets and public places, prosecution of offenders is a matter for the relevant district council. My Department does not hold records of prosecutions; the relevant information may be obtained from Larne Borough Council.

### Derelict Housing Executive Properties

**Mr P Weir** asked the Minister for Social Development how many Housing Executive properties in North Down are classified as derelict. (AQW 2791/10)

**Minister for Social Development:** There are currently 35 derelict Housing Executive dwellings within the Bangor District office area.

### Warm Homes Scheme

**Mr J Craig** asked the Minister for Social Development how many people have been unsuccessful in their applications to the Warm Homes Scheme for (i) heating; (ii) insulation; and (iii) heating and insulation in (a) Lisburn; and (b) Dromore in each month of the last two years. (AQW 2839/10)

**Minister for Social Development:** The new Warm Homes Scheme commenced on 1 July 2009 and is being delivered on behalf of the Department by two new scheme managers, Bryson Charitable Group and H&A Mechanical Services Limited. Prior to this, Eaga plc delivered the scheme and when their contract ended, Eaga handed over all the records they held relating to the scheme to the Department. The Northern Ireland Housing Executive now holds those records of behalf of the Department.

Eaga did not record the number of people who were not eligible for the scheme and therefore the records which the Northern Ireland Housing Executive now holds relate only to customers who had energy efficiency measures installed through the Warm Homes Scheme.

Since the start of the new scheme the following have applied for assistance from the Warm Homes Scheme but have been deemed ineligible:

| Banbridge Council Area (which includes Dromore) | Lisburn Council Area |
|---|----------------------|
| 325   | 629                  |

### Small Pockets of Deprivation Scheme

**Mr J Shannon** asked the Minister for Social Development what is the last date for applications to the Small Pockets of Deprivation scheme which will run until March 2010. (AQW 2914/10)

**Minister for Social Development:** In March this year, I announced that funding from the Small Pockets of Deprivation (SPOD) programme would be extended to 31 March 2010. This allows expenditure incurred on projects on or before 31 March 2010 to be covered by the programme.

In April 2009, a deadline of 30th September was set for the submission of applications for funding under the programme. This deadline was established to ensure that there would be enough time for proposed projects to be properly worked up, assessed and delivered before 31 March 2010. The deadline is important in ensuring that the most effective use is made of the funding which is available. All the community based groups which can benefit from the SPOD programme were advised of the deadline in April. This deadline does not affect projects that have already been approved for funding.

### Social Housing: Funding and Delivery Models for

**Mr S Hamilton** asked the Minister for Social Development what alternative funding and delivery models for social housing her Department has considered, or is currently considering. (AQW 2916/10)

**Minister for Social Development:** When I launched the New Housing Agenda, I said that my Department will be engaging intensively with the private sector and development community to advance new structures and deals that can deliver the maximum housing on the ground for the least outlay of scarce public capital.

To this end, I have been looking critically at the structures and capacity for delivery in my own Department the Northern Ireland Housing Executive, and Housing Associations, and have been working closely with the Strategic Investment Board in taking forward much of this work.

I am also considering other delivery models, including leasing and front loaded stimulus type delivery packages.

### Disability Living Allowance

**Mr A Ross** asked the Minister for Social Development (i) how many appeals have been held for people refused Disability Living Allowance claims; and (ii) how many applications have been received for appeals in each of the last three years, broken down by constituency. (AQW 2975/10)

**Minister for Social Development:** My Department's Appeals Service can only provide the information requested broken down by Tribunal Centre as opposed to constituency area.

The number of Appeals held which have been refused for Disability Living Allowance claims and the numbers of applications received in the last three years is set out in the table below.

|              | April '06 – March '07 |                       | April '07 – March '08 |                       | April '08 – March '09 |                       |
|--------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
|              | No. of Hearings Held* | Applications Received | No. of Hearings Held  | Applications Received | No. of Hearings Held  | Applications Received |
| Armagh       | 133                   | 129                   | 183                   | 155                   | 222                   | 185                   |
| Banbridge    | 73                    | 66                    | 105                   | 112                   | 161                   | 121                   |
| Belfast      | 2428                  | 1970                  | 2788                  | 2284                  | 3212                  | 2454                  |
| Ballymena    | 324                   | 285                   | 383                   | 308                   | 467                   | 330                   |
| Ballymoney   | 60                    | 49                    | 105                   | 87                    | 132                   | 99                    |
| Cookstown    | 135                   | 102                   | 117                   | 99                    | 154                   | 121                   |
| Craigavon    | 371                   | 337                   | 401                   | 374                   | 500                   | 405                   |
| Coleraine    | 281                   | 250                   | 299                   | 222                   | 381                   | 295                   |
| Dungannon    | 205                   | 177                   | 239                   | 213                   | 300                   | 254                   |
| Downpatrick  | 241                   | 170                   | 271                   | 225                   | 345                   | 264                   |
| Enniskillen  | 229                   | 205                   | 276                   | 223                   | 268                   | 233                   |
| Londonderry  | 633                   | 528                   | 724                   | 576                   | 767                   | 678                   |
| Limavady     | 141                   | 125                   | 150                   | 123                   | 172                   | 161                   |
| Magherafelt  | 116                   | 100                   | 131                   | 107                   | 142                   | 120                   |
| Newtownards  | 408                   | 334                   | 453                   | 395                   | 582                   | 447                   |
| Newry        | 377                   | 325                   | 406                   | 300                   | 532                   | 403                   |
| Omagh        | 139                   | 120                   | 202                   | 174                   | 223                   | 188                   |
| Strabane     | 186                   | 170                   | 197                   | 148                   | 239                   | 195                   |
| <b>Total</b> | <b>6480</b>           | <b>5442</b>           | <b>7430</b>           | <b>6125</b>           | <b>8799</b>           | <b>6953</b>           |

\* Please note that there is no direct correlation between the number of applications received and the number of hearings held as cases can be adjourned and then reheard. Figures exclude postponed appeals.

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## NORTHERN IRELAND ASSEMBLY COMMISSION

### Equality Impact Assessments

**Mr P Butler** asked the Assembly Commission how many Equality Impact Assessments have been carried out by or on behalf of the Commission over the last three years. (AQW 2770/10)

**The Representative of the Assembly Commission (Mr S Neeson):** The Assembly Commission's Equality Scheme was approved by the Equality Commission for Northern Ireland on 27 February 2008. The Assembly Commission has not carried out any Equality Impact Assessments over the last three years. The Assembly Commission is currently undertaking a screening exercise which details those policies to be subject to equality impact assessment. This exercise will be subject to public consultation for a 12 week period and is expected to commence in December 2009.





# NORTHERN IRELAND ASSEMBLY

Friday 4 December 2009

## Written Answers to Questions

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

#### Homosexuality

**Dr S Farry** asked the First Minister and deputy First Minister, pursuant to AQW 1548/10, if it is policy within the Office of the First Minister and Deputy First Minister to refer to homosexuality as a 'lifestyle choice'.  
(AQW 2340/10)

**First Minister and deputy First Minister (Mr P Robinson and Mr M McGuinness):** The Office of the First Minister and deputy First Minister does not have a policy on this issue.

#### Homosexuality

**Dr S Farry** asked the First Minister and deputy First Minister, pursuant to AQW 1548/10, whether specific guidance will be issued to Ministers and officials to refrain from referring to homosexuality as a 'lifestyle choice'.  
(AQW 2341/10)

**First Minister and deputy First Minister:** There is no Departmental policy on this issue and therefore there is no plan to issue specific guidance.

However, Ministers are required by the Ministerial Code and Pledge of Office "to serve all the people of Northern Ireland equally, and to act in accordance with the general obligations on government to promote equality and prevent discrimination".

Conduct of officials is governed by the NICS Code of Ethics. This sets out the Civil Service values and standards of behaviour including a requirement to carry out responsibilities in a way that is fair, just and equitable and reflects the Civil Service commitment to equality and diversity and its obligations under Section 75 of the Northern Ireland Act 1998.

#### Taxi Expenditure

**Mr T Lunn** asked the First Minister and deputy First Minister how much their Department has spent on taxis in each of the last five years.  
(AQW 2456/10)

**First Minister and deputy First Minister:** The table below details how much the Department has spent in each of the last five years:

| Description | 2004/05 | 2005/06 | 2006/07 | 2007/08 | 2008/09 |
|-------------|---------|---------|---------|---------|---------|
| Taxis       | £8,435  | £14,527 | £12,399 | £20,077 | £14,650 |

The figures also include the costs incurred for car hire by our offices in Brussels and Washington during Ministerial visits.

### Third Periodic Report of the Committee of Experts into the European Charter for Regional and Minority Languages

**Mr D Bradley** asked the First Minister and deputy First Minister when they will issue the supplementary report to the Third Periodic Report of the Committee of Experts into the European Charter for Regional and Minority Languages. (AQW 2685/10)

**First Minister and deputy First Minister:** The issue of this report will require the agreement of the Executive. Proposals by the Minister of Culture, Arts and Leisure are under consideration but, at this time, no date can be given as to when any such report will be issued.

### UN Committee on the Rights of the Child

**Mrs M Bradley** asked the First Minister and deputy First Minister for update on the implementation of the concluding observations of the UN Committee on the Rights of the Child. (AQW 2709/10)

**First Minister and deputy First Minister:** The children and young people's strategy action plan will be the main vehicle for taking forward the UNCRC Concluding Observations. The current 2008-11 action plan already addresses a number of these recommendations but work is underway in strengthening it.

The Executive agreed that the action plan will be a 'living document' open to review and amendment and a key element of this will be the consideration of additional actions, where necessary, to address the Concluding Observations.

We consider that this will more effectively integrate respect for children's rights into policy and practice than developing a separate UNCRC action plan. In revising the strategy action plan, we will also make a clearer link between the appropriate actions and the relevant Concluding Observations.

To help inform this work, we have carried out a process of engagement during August and September with over 600 children and young people from a wide social and geographical spread. We asked them to identify the priority issues which they felt were not being addressed by the existing action plan, with a particular focus on the UNCRC Concluding Observations.

To conclude this consultation, we hosted a conference on 21st November which afforded young people the opportunity to feed their views back directly to policy makers. This will be used to inform departments when considering additional actions for inclusion in the revised action plan.

We do however recognise that we cannot tackle all of the issues in the short-term and whilst we will of course consider all of the concluding observations as we take this work forward, we have identified a set of 14 priorities on which we will focus first.

The Junior Ministers have also been working with their counterparts in England, Scotland and Wales and they have contributed to the development of a joint statement of commitment to take action in response to the UNCRC's concluding observations. This was published on 20th November 2009 and includes a section covering common areas for co-operation and links to 4 documents outlining the priorities for each administration in addressing the concluding observations.

### EU Directives

**Mr A Ross** asked the First Minister and deputy First Minister how many EU Directives their Department has (i) received; and (ii) implemented in each of the last three years. (AQW 2728/10)

**First Minister and deputy First Minister:**

| Year              | Adopted <sup>1</sup> | Transposed <sup>2</sup> |
|-------------------|----------------------|-------------------------|
| 2007              | 0                    | 0                       |
| 2008              | 0                    | 2                       |
| 2009 <sup>3</sup> | 0                    | 0                       |

<sup>1</sup> For the purposes of this question, 'received' is understood to mean adopted. A directive is formally adopted on the date it is published in the Official Journal of the European Union.

- 2 Transposed refers to the date at which enabling legislation is complete and is therefore the legal date of implementation. This column may include directives which were adopted prior to 2007.
- 3 Figures up to and including 29 October 2009.

### Equality Commission's Proposals for Legislative Reform

**Ms D Purvis** asked the First Minister and deputy First Minister for an update on the Equality Commission's proposals for legislative reform, and any actions that their office has taken to consider and implement these proposals. (AQW 2741/10)

**First Minister and deputy First Minister:** The Equality Commission's proposals for legislative reform seek to extend protection to combat discrimination based on age, sex, race, religious belief and disability. All but one of the Commission's proposals requires to be implemented by way of primary legislation. We are therefore giving this matter careful consideration.

### Ballykelly Royal Air Force and Army Base

**Mr D McClarty** asked the First Minister and deputy First Minister if they are aware of any plans for the future use of the Ballykelly Royal Air Force and Army base. (AQW 2793/10)

**First Minister and deputy First Minister:** Ballykelly RAF Base was founded in June 1941. The entire site was gifted to the British Army on 2 June 1971 and renamed Shackleton Barracks.

We are not aware of any plans for the future use of this site.

### European Commission

**Mr D Kinahan** asked the First Minister and deputy First Minister (i) what permanent liaison their Department has with the European Commission; (ii) how frequently their Department talks to relevant representatives in Europe about forthcoming policy and legislation; and (iii) what steps they take to inform the Assembly about this forthcoming legislation. (AQW 2926/10)

**First Minister and deputy First Minister:**

- (i) The Office of the First Minister and deputy First Minister has maintained an office in Brussels since 2001 to support EU engagement by the Executive and wider Civic Society. The Office facilitates contacts between EU Institutions and NI Ministers and officials; reports on European Policy; and maintains our profile with key European influencers.

The introduction of the EU Commission Task Force strengthens our existing base for dialogue with the EU Commission. This has been enhanced by the secondment of an EU official to the NICS with a remit to strengthen policy discussions between our Departments and their Brussels counterparts.

- (ii) Our Brussels Office is in daily contact with key European Stakeholders. The staff meet regularly with UK Representation to the EU (UKRep) and Scottish and Welsh officials to consider issues relevant to the Devolved Administrations. The head of the office attends weekly Heads of Sections briefings at UKRep. The Office also has regular contact with the IrishRep to discuss forthcoming policy and legislation and co-operation on EU programmes.

OFMDFM works closely with Northern Ireland representatives in Brussels including MEPs, members of the Committee of the Regions and the European Economic and Social Committee.

All Departments have an interest and responsibility for EU policy development and implementation and have established links with their UK counterparts as well as staff in the EU Commission.

OFMDFM Ministers have worked with the Commission in taking forward the Taskforce work. Junior Ministers chair an inter-departmental group of senior officials to oversee this work. Currently, Ministers and their Departments are finalising the 2009/10 action plan.



OFMDFM Ministers and officials attend the Joint Ministerial Committee on Europe, which meets quarterly, chaired by the Foreign Secretary, to consider key European policies. Other Northern Ireland departments are involved in this process by providing briefing on relevant agenda items.

- (iii) European Division in OFMDFM regularly disseminates information on EU developments, including proposed policy and legislative programmes, to relevant Executive Departments. Departments and their Ministers decide how and when to consult with Assembly Committees.

Officials from OFMDFM European Division have provided evidence to the OFMDFM Assembly Committee on four occasions covering the Lisbon Treaty; the process of European Engagement and the role of the Brussels Office; and the Executive's Action Plans in response to the Commission Task Force Report on Northern Ireland. In addition, OFMDFM has written to the Committee concerning a UK-wide consultation on a draft EU Equality Directive.

The Brussels office has facilitated policy visits of members of the OFMDFM, Agriculture, and Environment Assembly Committees as well as the Assembly Director of Clerking and Reporting and the Assembly Business Trust.

### West Tyrone: Public Sector Jobs

**Mr B McElduff** asked the First Minister and deputy First Minister to detail the number, the location, the grade and the posts within their Department currently located in (a) the Omagh District; and (b) the Strabane District; and to outline his Department's plans to increase the number of public sector jobs in West Tyrone. (AQW 2936/10)

**First Minister and deputy First Minister:** The Office of the First Minister and deputy First Minister has currently no staff working in the Omagh and Strabane Districts. The Department currently has no plans to increase the number of civil servants in these areas.

### EU Forward Planning

**Mr D Kennedy** asked the First Minister and deputy First Minister to outline the main forward planning areas of the EU Commission over the next five years; and what steps they have taken to ensure that Northern Ireland Departments are focused on these areas. (AQO 411/10)

**First Minister and deputy First Minister:** The European Union is in a state of flux pending the entry into force of the Lisbon Treaty on 1 December. The existing Commission is acting in a limited caretaker capacity. Nominees for the new College of Commissioners should be known this month, but a new Commission is not expected to be in office until late January.

It is difficult to predict the longer-term objectives of the new Commission when the Commissioners themselves are unknown. However, the outgoing Commission has agreed an Annual Policy Strategy for 2010, which does offer some short-term insight.

The economic crisis is affecting every part of Europe and the new Commission will wish to monitor the impact of the European Economic Recovery Plan, including a reassessment of the Lisbon Growth and Jobs Strategy, to ensure that it is providing a solid basis for recovery.

Assuming an agreement on climate change in Copenhagen in December, the new Commission will also wish to deliver on commitments to reduce greenhouse gas emissions, develop renewable energies and improve energy security and efficiencies.

These key policy areas are already well-known to our Departments and we will monitor this work carefully.

Junior Ministers chair the inter-departmental Barroso Task Force Working Group. This forum provides a mechanism to consider the new Commission's emerging priorities and, through the Executive's annual statement of European Priorities and Action Plan, to reflect these, as appropriate, into the work of Northern Ireland Departments.

Our well-established contacts with Commission officials and other Brussels-based institutions and organisations, spearheaded through the work of the Office of the Northern Ireland Executive in Brussels, also positions us well for future dialogue with the new College of Commissioners.

## Children and Young People

**Mr T Buchanan** asked the First Minister and deputy First Minister what co-operation there has been among the four UK regions in relation to children and young people. (AQO 412/10)

**First Minister and deputy First Minister:** In an effort to ensure our children and young people enjoy their childhood and can look forward to the best possible future, we enjoy close links with our counterparts in other administrations, both within the UK and further afield.

In relation to the United Nations Convention on the Rights of the Child we have recently co-operated on the Commitment to take action in response to the UNCRC Concluding Observations and in particular have agreed to work together on child poverty; negative stereotyping and media portrayal of young people; raising awareness of children's rights and participation.

The Junior Ministers hold annual meetings with their opposite numbers in the other three administrations and officials meet quarterly to discuss matters such as support for the Commissioners for Children and Young People, child poverty, play and children's rights' issues.

As you will also be aware, we have recently agreed to be part of the UK-wide Child Poverty Bill. This will ensure closer UK working on this issue and provide a UK-wide resource for the advice and guidance in relation to child poverty through the new Commission. We will also be able to nominate a commissioner to this body.

## OFMDFM Staffing

**Mr P Weir** asked the First Minister and deputy First Minister how many civil servants were employed within their Department in each of the last three years. (AQO 413/10)

**First Minister and deputy First Minister:** The size of the Department has gradually reduced from 408 staff in September 2007, to 401 in September 2008 and to 394 in September 2009.

We are committed to the efficient and effective delivery of the wide range of functions and programmes delivered by OFMDFM.

## Interface Areas

**Mr N Dodds** asked the First Minister and deputy First Minister what action their Department is taking in relation to interface areas, with particular reference to tackling antisocial behaviour by young people, encouraging shared spaces, and working to tackle division with the support of the community. (AQO 414/10)

**First Minister and deputy First Minister:** Junior Minister Kelly and Junior Minister Newton continue to chair the north Belfast Working Group focusing on interface issues in Belfast and across Northern Ireland.

This work has been and continues to be carried out in partnership with other departments, agencies and statutory bodies as well as local groups working on the ground. We have invested £29m in good relations work in the current CSR period – to build a shared and better future.

Since devolution we have spent £1.5m on funding summer diversionary programmes as well as a number of discrete pieces of work such as the North Belfast Interface Network (NBIN) project "Wise up M8" aimed at diverting young people away from interface violence. Further, in our role as Accountable Department for three Priorities under PEACE III we are content that funded programmes are targeted at specific areas and groups. We also work collaboratively with the International Fund for Ireland on targeting resources and programmes at interface areas.

As well as this, the North Belfast Community Action Unit has, as part of its core objectives, been working to address interface issues in North Belfast since its formation in 2002. North Belfast has the highest concentration of interfaces in Northern Ireland.

The Unit has facilitated relationship building and cross community activity across interface areas in North Belfast through funding provided for the Community Empowerment Partnerships. The types of programmes funded include summer diversionary activity, youth development work, respect events and cultural awareness projects. Key interface areas targeted for such activity include – Ardoyne, Duncairn Gardens, Cliftonpark Avenue and Oldpark Road.

The Unit has also facilitated key discussions and partnership work in sensitive areas such as Hazelwood, Tigers Bay and Glandore/Skegoniel where there is a particular emphasis on addressing anti-social behaviour and youth issues.

### Ministerial Pledge of Office

**Mr C Boylan** asked the First Minister and deputy First Minister whether all decisions taken by Ministers in their office must conform with the Ministerial Pledge of Office. (AQO 415/10)

**First Minister and deputy First Minister:** In accordance with section 28A(1) of the Northern Ireland Act 1998, a Minister or Junior Minister must act in accordance with the provisions of the Ministerial Code, including the Pledge of Office.

### Policing and Justice Powers

**Mr D Ford** asked the First Minister and deputy First Minister for an update on the Cohesion, Sharing and Integration strategy. (AQO 416/10)

**First Minister and deputy First Minister:** We would refer the Member to the answer we provided on Monday 9th November. What we said then is equally applicable now.

### Policing and Justice Powers

**Mr M Durkan** asked the First Minister and deputy First Minister to provide an update on negotiations regarding the transfer of Policing and Justice. (AQO 417/10)

**First Minister and deputy First Minister:** Preparations for the devolution of policing and justice powers have continued to progress in line with the process paper which we made public following our attendance at the Assembly and Executive Review Committee (AERC) on 18 November last year.

One of the essential steps identified in the process paper was the satisfactory conclusion to financial discussions involving ourselves, the NIO, the Treasury and the Prime Minister. These discussions have been pursued intensively in recent months. An offer of a financial package to meet the pressures faced by bodies responsible for the delivery of policing and justice functions has been set out in a letter from the Prime Minister, which he made public on 21 October. We have briefed the major Assembly parties and, on 10 November 2009, the Assembly and Executive Review Committee (AERC) on the financial package offered by the Prime Minister.

In March 2009, legislative changes were enacted at Westminster to reflect the recommendations contained in the AERC's Report of January 2009 on arrangements for the devolution of policing and justice. This report was endorsed by the Assembly on 20 January 2009 and the Committee has since been working on a further report on a broad range of other issues relevant to devolution.

Consequent on the AERC Report, primary legislation has been enacted at Westminster to facilitate its recommendations. The Secretary of State has made an Order increasing the maximum number of Executive Departments to permit the establishment of a justice department.

On 14 September 2009, a Bill was introduced in the Assembly to facilitate the future creation of a Department of Justice and make arrangements for the appointment of a Minister of Justice. The Bill, which has now passed Second Stage, Committee scrutiny and Consideration Stage, is preparatory in nature, and its commencement provision will ensure that it is brought into operation on a date agreed by us.

We re-emphasise our commitment to working faithfully through the remaining steps identified in the November process paper, so that devolution can be achieved without undue delay.

### Northern Ireland Block Grant

**Mr R Beggs** asked the First Minister and deputy First Minister to outline any discussions they have had with the Prime Minister's Office and the Treasury in relation to the impact of proposed efficiency savings on the Northern Ireland Block Grant. (AQO 418/10)

**First Minister and deputy First Minister:** All formal budgetary negotiations with HM Treasury are conducted on behalf of the Executive by the Finance Minister and his officials in Central Finance Group. At no time have we or any other Executive Minister sought to compromise this position.

### Victims and Survivors: Forum for

**Rt Hon J Donaldson** asked the First Minister and deputy First Minister if the newly convened Forum for Victims and Survivors has undertaken to examine the issue of the definition of a victim. (AQO 419/10)

**First Minister and deputy First Minister:** The Forum commenced discussions on the issue of the definition of a victim at meetings on 22 September and 10 November 2009. Further discussions are expected to take place early in 2010.

### Victims Strategy and Proposed Victims Service

**Mrs N Long** asked the First Minister and deputy First Minister, given the lack of clarity on the victims strategy and the proposed victims service, what arrangements are in place in relation to core and development funding for victims from 1 April 2010. (AQW 3147/10)

**First Minister and deputy First Minister:** The new Strategy for Victims and Survivors was agreed by the Executive Committee on 5th November. The document will be published shortly. In addition we are currently considering responses to our consultation on proposals for a new victims' and survivors' service. It is our intention that no groups will be disadvantaged as we implement the new strategy.

We intend to make an announcement on the continuation of funding and other transitional arrangements that will be put in place to support victims and survivors in the near future.

## DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT

### Rural Development Fund

**Mr G Savage** asked the Minister of Agriculture and Rural Development how much modulation money has been transferred from funds for direct payments to farmers to the Rural Development Fund. (AQW 2819/10)

**Minister of Agriculture and Rural Development (Ms M Gildernew):** From the commencement of Modulation in 2001, to 2008, Stg £90,756,837 of Modulation funds have been transferred from funds for direct payment to farmers to the European Agricultural Fund for Rural Development (EAFRD) and the European Agricultural Guidance and Guarantee Fund (EAGGF).

### European Common Fisheries Policy

**Mr T Elliott** asked the Minister of Agriculture and Rural Development to detail the tonnage of (i) cod; (ii) haddock; and (iii) whiting thrown overboard by fishing vehicles in 2008/09, in order to comply with the European Common Fisheries Policy. (AQW 2934/10)



**Minister of Agriculture and Rural Development:** Fisheries data on the extent of discarding is based on information collected by scientific observers from AFBI (Agri-Food and Biosciences Institute) who carry out an annual programme of observation trips with the local commercial fleet. The data is then scaled up to provide an estimate at fleet level. The table below shows the 2008/9 discard estimates for the north of Ireland nephrops fleet, divided into fish above and below (MLS) minimum landing size (all figures in tonnes).

|           | Cod | Haddock | Whiting |
|-----------|-----|---------|---------|
| Below MLS | 2.9 | 92.7    | 495.5   |
| Above MLS | 0.6 | 2.0     | 17.8    |
| Total     | 3.5 | 94.7    | 513.3   |

Only one whitefish vessel was sampled in the 4th quarter of 2008 during which only 1 cod above minimum landing size and no haddock or whiting were discarded. This information is insufficient to produce a fleet level estimate for the white fish fleet.

### Civil Servants' Earnings

**Mr J Craig** asked the Minister of Agriculture and Rural Development how many civil servants in her Department earn more than the Minister, inclusive of salaries, bonuses and any paid positions on outside bodies. (AQW 2952/10)

**Minister of Agriculture and Rural Development:** The Ministerial salary used for comparison purposes in this response is the annual salary payable in 2008-2009 to a Ministerial Office Holder of £37,801 plus the basic annual salary payable to a Member of the Legislative Assembly of £43,101. Ministers who are also in receipt of a salary as a Member of Parliament have the MLA element of their salary abated by two thirds (£43,101 reduced to £14,368). As a Sinn Féin MP I receive no salary from Westminster. Therefore only the abated MLA salary of £14,368 plus the Ministerial Office Holder salary of £37,801 (£52,169 in total) has been applied.

There are a total of 30 civil servants in the Department of Agriculture and Rural Development who earn more than the Minister. This is based solely on salary records relating specifically to their employment in the Department in 2008-09. There is no requirement for the Department to hold remuneration details for staff who have paid positions on outside bodies.

### Game

**Mr J Shannon** asked the Minister of Agriculture and Rural Development what steps she is taking to promote Game as a menu item in restaurants and homes. (AQW 2976/10)

**Minister of Agriculture and Rural Development:** I understand that the reference to "Game" relates to animals raised for sport or pleasure and wild animals or birds pursued in chase including deer, rabbits and pheasants. Also, whilst these do not form part of main stream agri-food activities I welcome the fact that there are entrepreneurs who are willing to accept the challenge to diversify into such enterprises which help to satisfy the requirements of niche markets and restaurants.

I wish to advise that there are very strict EU rules which limit the extent to which public funds may be used to support the promotion of domestically produced meat. However, I can confirm that my Department has been proactive in promoting and administering the Regional Food Programme, which provides financial assistance to local agri-food groups to promote quality regional produce. This scheme is open to all parts of the food industry, including the "Game" sector, and would be an ideal revenue stream to help the "Game" industry to promote its products.

You will also wish to be aware of the recent merger of Food Promotions NI and Taste of Ulster to form a local food industry promotional body. This is an important development as it streamlines local promotional activities particularly for the speciality food sector to both the retail and hospitality sectors without the restrictions of EU rules.

My Department also carries out a wide range of activities aimed at supporting the agri-food sector. These include the provision of technical support and guidance. I would encourage the "Game" sector to avail of these.

### Flooding Incidents

**Mr J Shannon** asked the Minister of Agriculture and Rural Development how many requests were made to Rivers Agency to attend flooding incidents in (i) the Ards Borough Council; and (ii) the Strangford constituency in (a) August 2009; (b) September 2009; and (c) October 2009. (AQW 2977/10)

**Minister of Agriculture and Rural Development:** DARD Rivers Agency can confirm that during the period August 2009 to October 2009 five calls for assistance at flooding incidents in the Ards Borough Council area were received. These calls were all received in September 2009. Outside of the Council area, but still within the Strangford constituency area, no further calls were received.

### Set-aside Land

**Mr S Gardiner** asked the Minister of Agriculture and Rural Development how much set-aside land there is in each Parliamentary constituency. (AQW 2983/10)

**Minister of Agriculture and Rural Development:** In 2008, the set-aside rate was reduced to zero and the requirement to set-aside land was abolished altogether with effect from 1 January 2009. However, producers may still voluntarily set land aside. A total of 334.79 hectares of land was declared by farmers on 2009 Single Application Forms as being in set aside use.

The Department does not hold Single Application details on a constituency basis. The data is currently held by county/postcode. A list of the total land areas declared as being in set aside use by farm businesses located in each post code area is attached at Annex A.

#### ANNEX A

| Farm Business in Post Code | Land Area Declared in Set-aside Use (Hectares ) |
|----------------------------|---|
| BT1                        | 0.41  |
| BT19                       | 2.28  |
| BT22                       | 7.3   |
| BT23                       | 8.79  |
| BT24                       | 2.27  |
| BT25                       | 7.23  |
| BT26                       | 16.89   |
| BT27                       | 33.95   |
| BT28                       | 3.22  |
| BT29                       | 3.32  |
| BT30                       | 17.67   |
| BT32                       | 9.57  |
| BT34                       | 10.62   |
| BT35                       | 2.75  |
| BT39                       | 2.22  |
| BT41                       | 28.31   |
| BT43                       | 5.98  |
| BT44                       | 2.64  |
| BT45                       | 17.3  |
| BT47                       | 31.33   |
| BT48                       | 3.08  |
| BT49                       | 6.52  |

| Farm Business in Post Code | Land Area Declared in Set-aside Use (Hectares ) |
|----------------------------|---|
| BT51                       | 0.37  |
| BT52                       | 6.75  |
| BT54                       | 0.78  |
| BT60                       | 3.76  |
| BT61                       | 5.11  |
| BT62                       | 26.93   |
| BT63                       | 5.26  |
| BT66                       | 2.78  |
| BT67                       | 11.77   |
| BT68                       | 3.23  |
| BT69                       | 1.18  |
| BT70                       | 2.6   |
| BT71                       | 5.4   |
| BT74                       | 0.92  |
| BT78                       | 23.79   |
| BT79                       | 0.74  |
| BT8                        | 2.02  |
| BT81                       | 1.81  |
| BT82                       | 3.05  |
| BT92                       | 0.55  |
| BT93                       | 0.24  |
| Other                      | 2.1   |
| <b>Total Area Used</b>     | <b>334.79 Hectares</b>                          |

### Emergency Funds from Europe for Farmers

**Mr P McGlone** asked the Minister of Agriculture and Rural Development, following the recent extreme rainfall and flooding, what applications her Department has made for emergency funds from Europe for farmers and people living in rural areas. (AQW 3178/10)

**Minister of Agriculture and Rural Development:** The extreme flooding which has particularly impacted upon the north of Ireland, has created great inconvenience to people here. My thoughts are with everyone affected and my heart goes out to the farmers and those living in rural areas who have suffered disruption as a result.

There are currently no Executive compensation schemes available for crop or other losses. However, I intend to raise the issue of the financial loss to farmers etc with my Executive colleagues. I have considered all avenues for financial support from Europe, including State Aid and the European Union Solidarity Fund (EUSF). The primary requirement for state aid is that DARD must have evidence that farmers have lost more than 30% of their average annual production compared with the last 3 years. Under the EUSF, a Member State must demonstrate that it has suffered a “major natural disaster” defined in Britain’s case as constituting over £2 billion of damage or 0.6% of Gross National Income - approximately £9 million, therefore these are not feasible in the circumstances

Farmers may also be able to pursue support through their insurers for any flood damage to property, and I would strongly urge all those affected, to do so as soon as possible.

## Horses: Transporting of

**Mr B Armstrong** asked the Minister of Agriculture and Rural Development, pursuant to AQW 2568/10, whether a Certificate of Competence test only applies to licensed hauliers, or if it applies to any person transporting horses, including people who are moving their own stock and people travelling to and from equestrian events. (AQW 3239/10)

**Minister of Agriculture and Rural Development:** As required by Article 6(5) of Council Regulation EC 1/2005 on the protection of animals during transport and related operations, from 5 January 2008 every person who drives or acts as an attendant on a road vehicle transporting domestic Equidae, cattle, sheep, goats, pigs or poultry, on a journey over 65km in connection with an economic activity, should hold a certificate of competence. An economic activity is considered to be any transport of animals undertaken as part of a business or commercial activity, which aims at achieving financial gain, whether direct or indirect, for any person or company involved with the transport.

Exclusions from the scope of the Regulation include journeys where the transport is not in connection with an economic activity, for seasonal transhumance purposes (the moving of animals to and from seasonal pasture over relatively short distances), transportation to or from veterinary practices or clinics under veterinary advice, or an individual animal (fit for the intended journey) accompanied by its owner or other responsible person or pet animals accompanied by their owner on a journey.

The following kinds of journey are not considered to be connected to an economic activity:-

- Pet animals taken to or from a specialist show or competition, where the primary purpose is for pleasure or competition.
- The transport of horses and ponies by their owner for the purpose of riding or showing or competing for pleasure. However, if a person transports horses to such an event and was paid for undertaking the transport, this would be within the scope of the EU Regulation.

My Department has designated several bodies to examine for and award certificates of competence. These bodies include An Teagasc in the south of Ireland, and the Road Haulage Association, the National Proficiency Training Council and the British Driving Society in the north of Ireland and in Britain.

Full details, forms and guidance notes are available on the Department's website.

## DEPARTMENT OF CULTURE, ARTS AND LEISURE

### Ulster-Scots Culture

**Mr D McKay** asked the Minister of Culture, Arts and Leisure what is his Department's definition of Ulster-Scots 'culture'. (AQW 2895/10)

**Minister of Culture, Arts and Leisure (Mr N McCausland):** As defined in the North/South Co-operation (Implementation Bodies) (Northern Ireland) Order 1999 'Ulster-Scots cultural issues' relate to the cultural traditions of the part of the population of Northern Ireland and the border counties which is of Scottish ancestry and the influence of their cultural traditions on others, both within the island of Ireland and the rest of the world.

### West Tyrone: Public Sector Jobs in

**Mr B McElduff** asked the Minister of Culture, Arts and Leisure to detail the number, the location, the grade and the posts within his Department currently located in (a) the Omagh District; and (b) the Strabane District; and to outline his Department's plans to increase the number of public sector jobs in West Tyrone. (AQW 2935/10)

**Minister of Culture, Arts and Leisure:** My Department has no offices located in either Omagh or Strabane. At this time DCAL has no plans to increase the number of public sector jobs in West Tyrone.



### Amateur Sports Clubs

**Mr A Ross** asked the Minister of Culture, Arts and Leisure what funding schemes are available through his Department for amateur sports clubs. (AQW 2974/10)

**Minister of Culture, Arts and Leisure:** Sport Northern Ireland (SNI) is responsible for the development of sport in Northern Ireland including the distribution of funding. Amateur sports clubs are eligible to apply to SNI for funding on the same basis as any other type of sports club and can seek to access a range of club based funding programmes. These include a new Awards for Sport scheme which recently opened for applications

### Civil Servants Earnings

**Mr J Craig** asked the Minister of Culture, Arts and Leisure how many civil servants in his Department earn more than the Minister, inclusive of salaries, bonuses and any paid positions on outside bodies. (AQW 2997/10)

**Minister of Culture, Arts and Leisure:** The term civil servants encompasses members of the Northern Ireland Civil Service, including the Senior Civil Service and, under a special arrangement, Special Advisors to Ministers. Salaries for civil servants are determined in pay scales relative to the appropriate grading structure. The grading structures are underpinned by job evaluation methodologies. Civil Service salaries paid in 2008-2009 have been used for the purpose of this comparison.

The Ministerial salary used for comparison purposes in this response is the annual salary payable in 2008-2009 to a Ministerial Office Holder of £37,801 plus the basic annual salary payable to a Member of the Legislative Assembly of £43,101, a total of £80,902. My Department had two civil servants earning more than this combined figure in 2008-09.

### New Library Headquarters

**Mr P J Bradley** asked the Minister of Culture, Arts and Leisure what progress has been made in identifying a location for the new library headquarters; and when he expects construction to begin. (AQW 3035/10)

**Minister of Culture, Arts and Leisure:** Libraries NI are currently carrying out an Economic Appraisal to identify a permanent location for the organisation's headquarters.

The following options are being considered:

- Utilisation of spare accommodation in Libraries NI buildings
- Rental of public sector accommodation
- Rental of private sector accommodation

A new building is not currently being considered as an option.

Libraries NI anticipate that the Economic Appraisal will be completed early in 2010. The appraisal including the recommended location will then be forwarded to the Department for approval.

### Ulster-Scots Agency

**Mr T Lunn** asked the Minister of Culture, Arts and Leisure how much money the Ulster Scots Agency spent on renting offices in (i) Belfast; and (ii) Newtownards, in each of the last three years. (AQW 3037/10)

**Minister of Culture, Arts and Leisure:** In the last three years the Ulster-Scots Agency has paid the following amounts towards the rental of its offices in Belfast, 2007 - £28,101.50; 2008 - £77,849.75 and 2009 - £119,798.39. The increase in rent is due to the new office accommodation now used by the Ulster-Scots Agency at 68-72 Great Victoria Street, Belfast which is significantly larger than the previous premises rented at Franklin House.

The Agency does not have any offices in Newtownards.

### Ulster-Scots Agency

**Mr T Lunn** asked the Minister of Culture, Arts and Leisure for how long has the Ulster Scots Agency been renting offices in (i) Belfast; and (ii) Newtownards. (AQW 3038/10)

**Minister of Culture, Arts and Leisure:** Since its establishment in 1999 the Ulster-Scots Agency has been renting office accommodation in Belfast. The Agency does not rent offices in Newtownards.

### Ulster-Scots Agency

**Mr T Lunn** asked the Minister of Culture, Arts and Leisure for how long have the Ulster Scots Agency offices in (i) Belfast; and (ii) Newtownards been operational. (AQW 3039/10)

**Minister of Culture, Arts and Leisure:** The Ulster-Scots Agency's office in Belfast has been operational since 1999. The Ulster-Scots Agency does not have office accommodation in Newtownards.

### Maze Multi-Sports Project

**Mr B Armstrong** asked the Minister of Culture, Arts and Leisure, following the discontinuation of the Maze multi-sports project, how much funding is available for the development of separate stadia for (i) football; (ii) rugby; and (iii) gaelic games; and how much funding has each of these sports sought to date. (AQW 3050/10)

**Minister of Culture, Arts and Leisure:** On 26 June 2009 when my predecessor took his recommendations on progressing stadium development to the Northern Ireland Executive it was noted that the indicative funding package from Government was £110m. The final funding package will be determined following consideration of a recently produced Outline Business Case on stadium development. This will be subject to normal budgetary processes.

Any allocation of funding to the Governing Bodies will not be determined until the outcome of the Outline Business Case has been reviewed by my Department and subsequently approved by the Department of Finance and Personnel and the Executive.

### Libraries NI December Events Brochure

**Mr D Bradley** asked the Minister of Culture, Arts and Leisure (i) how many copies of the flawed Libraries NI December Events brochure were printed, and at what cost; and (ii) how many copies were reprinted, and at what cost. (AQW 3193/10)

**Minister of Culture, Arts and Leisure:**

- (i) 8000 copies of the Libraries NI December Events brochure were initially printed at a cost of £710
- (ii) 8000 copies of the brochure were reprinted at a cost of £700

## DEPARTMENT OF EDUCATION

### Private Schools: Funding for

**Mr J Shannon** asked the Minister of Education if she has consulted with her counterpart in the Irish Government about why funding for private schools in the Republic of Ireland has been cut; and is this likely to be replicated in primary and secondary schools across all sectors, including Irish-medium schools and specialist schools in Northern Ireland. (AQW 2380/10)

**Minister of Education (Ms C Ruane):** Creidim gur chóir go ndéileálfai le gach earnáil fud fad oileán na hÉireann ar mhodh cothrom. Tá sé faoi chúram rialtas na hÉireann cinntí a dhéanamh ar chaiteachas ar scoileanna sa Deisceart.

I believe that all sectors throughout the island of Ireland should be treated in a fair and equal manner. Decisions on spending for schools in the south are properly a matter for the Irish Government to determine, however I can confirm that I have recently written to the Minister for Education and Science to request an update in relation to the block grant for protestant fee paying schools.

I continue to engage with all Churches and education sectors to ensure equality for all sectors. For schools in the north, my spending decisions seek to ensure that all our children and young people have the opportunity to fulfil their full potential through quality education services. Central to this is fair and equitable funding, within finite resources available for funding all schools.

I will continue to seek the support of all parties in the Assembly to endorse my efforts to secure additional funding for Education.

### Education and Skills Authority

**Mr K Robinson** asked the Minister of Education how much money has been spent to date on (i) salaries; (ii) accommodation; (iii) support services; and (iv) all other costs in preparation for the take over of education functions by the Education and Skills Authority. (AQW 2817/10)

**Minister of Education:** I ndiaidh chinneadh an Choiste Feidhmiúcháin chun an Údarás um Oideachas agus Scileanna a bhunú ó 1 Eanáir 2010, tá sonraí leagtha amach sa tábla thíos den chaiteachas a tabhaíodh go dtí seo mar ullmhúchán dona bhunú.

Based on the Executive's decision to establish the Education and Skills Authority from 1 January 2010 details of expenditure incurred to date in preparation are set out in the table below

| Expenditure Category | Total Expenditure *<br>£'000 |
|----------------------|------------------------------|
| Salaries             | 5,434                        |
| Accommodation        | 359                          |
| Support Services     | 670                          |
| Other Costs          | 727                          |
| <b>Total</b>         | <b>7,190</b>                 |

\* expenditure disclosed up to 31 October 2009

### Capital Spend on Projects

**Mr J Shannon** asked the Minister of Education to detail her Department's total capital spend on projects this year to date in each constituency. (AQW 2829/10)

**Minister of Education:** The table below provides a detailed breakdown of capital spend to date on major school projects in each constituency, for the current financial year.

| Constituency  | £ (000's) |
|---------------|-----------|
| Belfast East  | 31650     |
| Belfast North | 297       |
| Belfast South | 100       |
| Belfast West  | 3570      |
| East Antrim   | 0         |
| East Derry    | 403       |

| Constituency             | £ (000's) |
|--------------------------|-----------|
| Fermanagh & South Tyrone | 753       |
| Foyle                    | 1730      |
| Lagan Valley             | 1414      |
| Mid Ulster               | 155       |
| Newry & Armagh           | 5251      |
| North Antrim             | 1258      |
| North Down               | 1209      |
| South Antrim             | 1884      |
| South Down               | 1777      |
| Strangford               | 183       |
| Upper Bann               | 2580      |
| West Tyrone              | 512       |

Ní féidir an leibhéal cruinne céanna a sholáthar le haghaidh caiteachais chaipitiúil ar mhionthionscadail chaipitil. Bheadh sé am-íditheach d'fheidhmeannaigh agus bheadh costas díréireach i gceist leis an eolas seo a fháil.

It has not been possible to provide a similar level of detail for capital spend on minor capital projects. To do so would be a very time consuming exercise for officials and the costs incurred would be disproportionate to the information requested. It has, however, been possible to provide details of the total capital spend on minor capital projects to date in the current financial year, which is £23,024,000.

### Common Entrance Assessment Tests

**Mr P J Bradley** asked the Minister of Education what assurance she can give to pupils who have followed her advice by not participating in the Common Entrance Assessment tests and GL Assessment tests. (AQW 2836/10)

**Minister of Education:** Níor chóir go mbeadh ar aon pháiste teist a dhéanamh d'fhonn teacht ar an ardchaighdeán iarbhuideoeachais atá siad i dteideal a fháil. Léiríonn an taithí a bhí ag tíortha ar fud an domhain nach n-éilítear córas roghnaíoch le sármhaitheas acadúil a bhaint amach, agus tá an Fhionlainn ina sampla maith de seo.

No child should have to sit a test in order to access a quality post-primary education to which they are entitled. Experience in countries throughout the world demonstrates that academic excellence does not require a selective system, Finland is a very good example. Transfer 2010 is my Department's policy for the transfer of children from primary to post-primary school and it recommends that transfer should not involve academic testing.

This guidance will deliver an effective and fair system of post-primary transfer. It will also deliver a system of post-primary transfer that helps to answer the wider and desperately urgent reform agenda embracing demographic decline and school sustainability, the delivery of the Entitlement Framework and tackling under-achievement.

### Capital Spend on Projects

**Mr J Shannon** asked the Minister of Education to detail her Department's projected total capital spend on projects in 2010/11 in each constituency. (AQW 2888/10)

**Minister of Education:** Ní féidir freagra a thabhairt ar an cheist ag an am seo siocair go mbeidh éifeacht ag aon tionscadal a fhaofar idir seo agus deireadh na bliana ar an chaiteachas iomlán don bhliain airgeadais 2010/11.

It is not possible to provide an answer to this question at this time as any projects approved between now and the end of the year will have an impact on the total spend in 2010/11. In addition I have commissioned a review of all proposed capital projects to validate that they are consistent with my policy framework and hence will be viable and sustainable in the long term. The outcome of this review will inform priorities for investment which will impact on projected capital spend in 2010/11.



### Civil Servants' Earnings

**Mr J Craig** asked the Minister of Education how many civil servants in her Department earn more than the Minister, inclusive of salaries, bonuses and any paid positions on outside bodies. (AQW 2953/10)

**Minister of Education:** Tá cúigear státseirbhíseach sa Roinn Oideachais a thuillean níos mó airgid ná an tAire faoi láthair.

There are currently 5 civil servants in the Department of Education who earn more than the Minister.

### Newry Grammar Schools

**Mr P J Bradley** asked the Minister of Education what assessment she has made of the contribution made to education by Newry Grammar schools (i) the Sacred Heart; (ii) Our Lady's; (iii) Abbey Christian Brothers; and (iv) St. Colman's College; and whether she can give an assurance that the planned changes to the entrance process will not impact on the levels of academic achievement in these schools. (AQW 3034/10)

**Minister of Education:** Bhí ról suntasach ag gach ceann de na scoileanna ar an Iúr ar ghnóthachtáil oideachasúil agus ar fhorbairt phearsanta pháistí an cheantair thar na blianta.

All of the schools in Newry have made a significant contribution to educational achievement and personal development of children in the area over many years. I am confident that my Department's transfer policy, Transfer 2010, will enhance equality and excellence for all. Indeed this policy will make sure that the educational experience of all children is improved by ensuring that primary

schools focus on teaching the revised curriculum, without the distraction of teaching to a test, and there will be better equality of access for all children to high quality education in their local area without the stress of unnecessary tests.

Academic excellence is entirely possible without using a breakaway test, as can be evidenced by examining the performance of non-selective education systems throughout the world.

### Irish Signage in Education Buildings

**Mr J Shannon** asked the Minister of Education why she is promoting internal signage in Irish within education buildings, including Irish signage for toilets. (AQW 3045/10)

**Minister of Education:** Cruthaíonn an Chairt Eorpach do Theangacha Réigiúnda nó Mionlaigh oibleagáidai ar an rialtas teangacha, cosúil leis an Ghaeilge, a chosaint agus a chur chun cinn mar chuid dár n-oidhreacht chultúrtha. Tá oibleagáidí reachtúla agam faoi Chomhaontú Aoine an Chéasta agus faoi Chomhaontú Chill Rímhinn agus tá sé de rún agam iad a chomhlíonadh.

The European Charter for Regional or Minority Languages places obligations on government to protect and promote languages such as Irish as part of our cultural heritage. I also have statutory duties under the Good Friday Agreement and the St Andrew's Agreement and I intend to fulfil these.

### Irish-Language Funding

**Mr J Shannon** asked the Minister of Education for her assessment on the level of funding for Irish Language schools and Irish translations which serve 5000 of the 300,000 school population. (AQW 3048/10)

**Minister of Education:** All grant-aided schools are funded under the Common Funding Formula, which is made up of a range of factors developed to reflect the main costs associated with schools. Funding is distributed on a consistent and equitable basis to ensure that all schools with similar circumstances receive similar levels of funding to address identified need. The Formula also includes factors which recognise the distinctive features of individual schools and certain pupils that give rise to significant and unavoidable costs.

Irish-medium schools and Irish-medium units attached to host English-medium schools have additional costs associated with their particular type of provision and the Formula provides for extra support for these schools and units to reflect the costs associated with the development / translation of curricular materials and to recognise the additional costs incurred in teaching English at Key Stage 2.

Soláthraíonn mo Roinn aistriúcháin ar dhoiciméid agus ar ábhair eile le freastal ar éileamh na ndaltaí, na dtuismitheoirí agus aon duine eile a bhfuil an Ghaeilge mar chéadteanga acu. An rud is éigean a dhéanamh ná cearta comhionann a thabhairt do pháistí a bhfuil an Ghaeilge acu agus a thugtar do pháistí a labhraíonn Béarla. Féachann An Chairt Eorpach do Theangacha Réigiúnacha nó Mionlaigh, Comhaontú Chill Rímhinn agus Comhaontú Aoine an Chéasta le hurraim agus cosaint a thabhairt don Ghaeilge agus tá rún agam mo chuid dualgas a chomhlíonadh sa chomhthéacs seo.

My Department provides translations of documents and other material to meet the demands of pupils, parents and others who use Irish as their first language. There must be equal rights afforded to our Irish and English speaking children. The European Charter for Regional or Minority Languages, the St. Andrews Agreement and the Good Friday Agreement all seek to respect and protect Irish and I intend to fulfil my obligations in this regard.

I therefore consider the level of funding to the Irish Medium Sector is in line with their assessed needs.

## **Every School A Good School: The Way Forward for Special Educational Needs and Inclusion**

**Mr J Dallat** asked the Minister of Education how much she expects to save through the implementation of ‘Every School a Good School - The Way Forward for Special Educational Needs and Inclusion’. (AQO 453/10)

**Minister of Education:** Molann na moltaí sa doiciméad comhairliúcháin ‘Gach Scoil ina Scoil Mhaith – An Bealach Chun Tosaigh do Riachtanais Speisialta Oideachais agus Chuimsiú’ Pleananna Tacaíochta Comhordaithe agus Pleananna Foghlama Pearsanta a thabhairt isteach le déileáil le coisc ar an bhfoghlaim. Dhíreodh na moltaí ar an suíomh agus ar mhonatóireacht na dtorthaí do pháistí; próiseas a meastar nach ndéileálar go cuí leis sa chóras reatha.

The proposals contained in the consultation document ‘Every School a Good School – The Way Forward for Special Educational Needs and Inclusion propose to introduce Co-ordinated Support Plans and Personal Learning Plans to address barriers to learning. A Co-ordinated Support Plan, for children and young people with complex or multiple needs, or a Personal Learning Plan for all other SEN children, as well as setting out the special educational needs assessed and how these are to be addressed, would additionally focus on the setting and monitoring of outcomes for children, a process which is considered not adequately captured in the current system.

The Review also focuses on the need for early identification of SEN and early intervention to ensure that children can receive the assistance they need as soon as possible to help them reach their full potential.

Currently many children face lengthy delays before they reach the stage where a statutory assessment of their needs can be undertaken by an Education and Library Board.

This delay is unacceptable and the Review proposals aim to enable more mainstream schools to meet the special educational needs of SEN pupils through the effective use of school based interventions and through the advice available to them from a range of professionals.

The Review’s proposals are also designed to ensure that funding allocated to special education is used effectively and the resources, which are available, will be used to support children and young people with special educational needs. It is proposed that schools will have greater discretion in the utilisation of funds to enable them to put in place interventions to support pupils as early as possible.

The proposals call for greater accountability at all levels for the progress and outcomes for children and young people who need support. In order to enhance the existing training provision in the field of special educational needs, I have currently set aside an additional £25million to develop and implement a capacity building programme for all schools, including the pre-school sector. The precise detail of how this will be allocated will be determined by the end of this financial year. This £25m is in addition to the annual funding my Department allocates for SEN which in 2008/09 was £202 million an increase of 9% on the previous year of £185 million.

A fundamental principle of the proposals is to seek to ensure that all children who face barriers to learning will receive the right support at the right time to allow them to develop their skills and abilities to their fullest potential.

### **Every School A Good School: The Way Forward for Special Educational Needs and Inclusion**

**Mr P J Bradley** asked the Minister of Education what legislative changes will be needed to implement the proposals in the consultation document 'Every School a Good School - The Way Forward for Special Educational Needs and Inclusion'. (AQO 454/10)

**Minister of Education:** Síníodh an tréimhse le haghaidh comhairlithe phoiblí do na moltaí sa doiciméad comhairlithe 'Gach Scoil ina Scoil Mhaith- An Bealach chun Tosaigh do Riachtanais Speisialta Oideachais agus Chuimsiú', tréimhse a chríochnaíonn ar an chéad lá is tríocha de mhí Eanáir.

The policy proposals contained in the consultation document 'Every School a Good School – The Way Forward for SEN and Inclusion' have undergone an extended period of public consultation, which finishes on 31 January 2010.

Decisions around any changes to the existing legislative framework for special educational needs can only be considered following full analysis of the consultation responses and the detailed development of lower level policies. It will only be at that stage when any future legislative changes required can be set out.

### **Teachers: False Allegations**

**Mr G Robinson** asked the Minister of Education what action her Department has taken to ensure that teachers are protected against false allegations from pupils or parents. (AQO 455/10)

**Minister of Education:** Bíonn freagracht as cosaint mhúinteoirí i gcoinne líomhaintí bréagacha ar fhóistoirí, is é sin Bord Gobharnóirí na scoile ina bhfuil siad fostaithe.

Responsibility for the protection of teachers against false allegations rests with their employers, i.e. the Board of Governors of the school in which they are employed.

There are agreed procedures in place that provide for Principals and Boards of Governors to investigate complaints against teachers. The Principal (or the Board of Governors if the allegation is against the Principal) will conduct a preliminary investigation to determine whether there is a case to answer. Where an allegation is found to be false, the formal disciplinary procedure is not invoked and no further action taken.

Any allegation of child abuse made by a child, or by a person on their behalf, must be treated seriously by school authorities and in line with established procedures. Where the allegation is made against a member of staff it may take an investigation by social services or the police to determine that it is false. Schools should give equal consideration to the needs of the staff member and the child in such situations. The motivation behind the allegation may indicate a cause for concern about the child's welfare and a requirement for some type of therapeutic intervention. The support needs of the staff member in the aftermath of such an allegation should also be addressed by the school authorities. Where a formal referral is made to the police or social services and the teacher is subsequently exonerated, no record of the complaint or action taken is retained on the teacher's file.

### **Newcomer Children**

**Mr D O'Loan** asked the Minister of Education to outline what specific new projects have been proposed to her Department in relation to approaches on the integration of newcomer children in schools; and for her assessment of these. (AQO 456/10)

**Minister of Education:** Le blianta beaga anuas, bhí deis againn fáilte a chur roimh chuid mhór núíosach, a roghnaigh teacht chuig an oileán seo le bheith ag obair agus a dteaghlaigh a thógáil ann. Tá sárú na bacadh teanga ar cheann de na príomhdhúshláin maidir le rochtain ar an gcuraclam, ach is gné thábhachtach de shocrú isteach i bpobal nua í cairde a dhéanamh.

Over recent years, we have been given the opportunity to welcome many newcomers, who have chosen to work and raise their families all over Ireland. Overcoming the language barrier to access the curriculum is one of the main challenges, but making new friends and being accepted in school are important aspects of settling in a new community.

My Department has worked hard in partnership with schools, the Education and Library Boards, non government organisations and drawing on experience throughout Ireland and Scotland in particular to find the best strategies to support our newcomer pupils.

This has brought about the development of the Inclusion and Diversity Service, a regional service within the Education and Library Boards which provides support to schools through its diversity officers, interpreting and translating services, a multi-lingual website and a toolkit for primary schools.

In April 2009, I launched the policy 'Every School a Good School – Supporting Newcomer Pupils'. The policy outlines the framework that has been put in place, through the various support services of the Inclusion and Diversity Service, to ensure that newcomer pupils receive the support they need to access the curriculum and enjoy an inclusive environment in all areas of school life, so that they can fulfil their potential.

Since then my Department has received one proposal from the Inclusion and Diversity Service on a north/south school coordinator training tool for primary and post-primary schools. This is currently under consideration.

### **Every School A Good School: The Way Forward for Special Educational Needs and Inclusion**

**Mrs M Bradley** asked the Minister of Education if children who currently have statements of special educational needs could lose that status if the proposals contained in 'Every School a Good School - The Way Forward for Special Educational Needs and Inclusion' are implemented. (AQO 457/10)

**Minister of Education:** Molann na tograí sa doiciméad comhairlithe 'Gach Scoil ina Scoil Mhaith- An Bealach chun Tosaigh do Riachtanais Speisialta Oideachais agus Chuimsiú' Pleananna Tacaíochta Comhordaithe agus Pleananna Foghlama Pearsanta le déileáil leis na baic ar fhoghlaím.

The proposals contained in the consultation document 'Every School a Good School – The Way Forward for Special Educational Needs and Inclusion propose to introduce Co-ordinated Support Plans and Personal Learning Plans to address barriers to learning . A Co-ordinated Support Plan, for children and young people with complex or multiple needs, or a Personal Learning Plan for all other SEN children, as well as setting out the special educational needs assessed and how these are to addressed, would additionally focus on the setting

and monitoring of outcomes for children, a process which is considered not adequately captured in the current system.

Currently many children face lengthy delays before they reach the stage where a statutory assessment of their needs can be undertaken by an Education and Library Board.

This delay is unacceptable and the Review proposals aim to enable more mainstream schools to meet the special educational needs of SEN pupils through the effective use of school based interventions and through the advice available to them from a range of professionals.

Key tenets of the Review proposals are for early identification of pupils' needs, followed by appropriate early intervention to reduce the barriers to learning.

Depending on the responses received to the current consultation process, further consideration will be given to the best way to meet the special education needs of children and young people, including those who currently have statements. Further detailed proposals can then be made to determine whether this can best be achieved through a statement or an alternative improved process.

### **Castlewellan Irish-Language Primary School**

**Mr J Wells** asked the Minister of Education if she has any plans to investigate, with Castlewellan Irish Language Primary School, the address given on their recent planning application. (AQO 458/10)

**Minister of Education:** Níl sé ar intinn agam an t-iaratas ar chead pleanála a iniúchadh maidir leis an suíomh le haghaidh Bhunscoil Bheanna Boirche i gCaisleán Uidhilín.

I have no plans to investigate the recent application for planning permission in respect of the site for Bunscoil Bheanna Boirche in Castlewellan.



InaG made a planning application to Down District Council, part of this included ordinance survey location maps from which came the official name of the site.

### Lagan College

**Mr B Wilson** asked the Minister of Education to provide an update on the building of the new school at Lagan College. (AQO 460/10)

**Minister of Education:** Thug mé cuairt le déanaí ar Cholaíste an Lagáin le bualadh le múinteoirí agus daltaí, agus le feiceáil le mo dhá shúil féin staid reatha na scoile.

I recently visited Lagan College and had the opportunity to meet with teachers and pupils and to see at first hand the current condition of the school.

My department has recently received revised costs for this project. We will now evaluate this bid in line with recently revised guidance. I remain hopeful that a satisfactory outcome can be achieved.

### Controlled Schools

**Mr S Moutray** asked the Minister of Education how many primary schools and post-primary schools in the controlled sector have closed since September 2006. (AQO 461/10)

**Minister of Education:** Ó mhí Mheán Fómhair 2006, druideadh 17 mbunscoil rialaithe agus 7 iarbhunscoil rialaithe. I rith na tréimhse seo, d'fhaomh mé druidim 5 bhunscoil agus 2 iarbhunscoil san earnáil Chaitliceach faoi chothabháil, 1 bhunscoil agus 2 aonad in earnáil na Gaelscolaíochta agus 2 bhunscoil agus 1 iarbhunscoil san earnáil Imeachta. Druideadh 2 scoil speisialta agus 2 naíolann fosta.

Since September 2006, 17 controlled primary schools and 7 controlled post-primary schools have closed. During this period, I have also approved the closure of 5 primary schools and 2 post-primary schools in the Catholic maintained sector, 1 primary school and 2 units in the Irish-medium sector and 2 primary schools and 1 post primary school in the Integrated sector. 2 special schools and 2 nurseries have also closed.

There have been a total of 7 amalgamation schemes involving 17 schools. Of these 17 schools, 9 were in the controlled sector and 8 were in the maintained sector. These amalgamations resulted in 8 new primary schools, 4 in the controlled sector and 4 in the maintained sector. There have been no closures in the post-primary sector, as a result of amalgamation during this time.

## DEPARTMENT FOR EMPLOYMENT AND LEARNING

### Civil Servants' Earnings

**Mr J Craig** asked the Minister for Employment and Learning how many civil servants in his Department earn more than the Minister, inclusive of salaries, bonuses and any paid positions on outside bodies. (AQW 2956/10)

**Minister for Employment and Learning (Sir Reg Empey):** The Ministerial salary used for comparison purposes in this response is the annual salary payable in 2008-2009 to a Ministerial Office Holder of £37,801, plus the basic annual salary payable to a Member of the Legislative Assembly of £43,101. Civil Service salaries paid in 2008-2009 have been used for the purpose of this comparison.

2 Civil Servants currently employed in this Department earned more than the Minister in the 2008/2009 year, inclusive of salaries and bonuses.

### Green Economy

**Mr B McCrea** asked the Minister for Employment and Learning what action his Department is taking to promote placements in the green economy. (AQO 466/10)

**Minister for Employment and Learning:** My Department is funding a pilot project with Bryson House and Belfast City Council to provide up to 50 temporary jobs in the Green Economy. The scheme will focus on improving environmental quality in the Belfast area. This scheme is modelled on the Future Jobs Fund in Great Britain where the Department for Work and Pensions has secured funding of £1.5bn to create 150,000 jobs in the next 2 years. We hope to begin in January and, if the scheme proves successful locally, we will seek to expand it to other areas if resources are available.

### Holylands Stakeholder Forum

**Ms A Lo** asked the Minister for Employment and Learning for an update on the Holyland Forum Action Plan. (AQO 467/10)

**Minister for Employment and Learning:** The Action Plan which was issued to stakeholders at the Holyland Stakeholder Forum on 28 October details what is currently happening, what is planned in the short, medium and long term and identifies those responsible for taking these actions forward.

The Action Plan includes;

- Existing and proposed initiatives on alcohol promotion and sensible drinking.
- Proposals for increased Policing powers.
- Proposals for more effective management of HMOs.
- Improved university induction processes for students.
- And a more strategic oversight management role for Belfast City Council's Holyland Inter-Agency Group.

The Action Plan is not intended to be a quick fix to the problems in the Holyland. Some of the proposed solutions involve changes in legislation and these take time to put into practice.

I would like to take the opportunity to thank all the agencies involved, and especially the Belfast City Council, for their contribution to the Action Plan.

A number of the actions identified in the Plan have already taken place, including additional wardens being available in the area over the Halloween period and funding secured to install re-deployable CCTV, and I want to assure you that I intend to monitor progress closely.

### Steps to Work: Childcare

**Ms M Anderson** asked the Minister for Employment and Learning how many parents have availed of assistance with childcare costs within the Steps to Work programme. (AQO 468/10)

**Minister for Employment and Learning:** Since the introduction of the Steps to Work programme on 29 September 2008 until 9 November 2009, 402 parents have availed of assistance with childcare costs while participating on that programme. In addition, to the 1 November, 148 parents availed of assistance with childcare costs while participating on the New Deal programme.

### Employment Strategy

**Mr D Ford** asked the Minister for Employment and Learning if his Department will introduce an employment strategy. (AQO 469/10)

**Minister for Employment and Learning:** My Department is already actively engaged in labour market policy and has a range of employment, training, skills and further and higher education provision available for individuals. This provision underpins our economy and provides the conditions under which the economy can grow.

My Department is committed to contributing to the development of dynamic economy through promotion of learning, preparing people for work and enhancing the skills base in Northern Ireland. To that end it has developed a number of strategies including the Skills strategy and FE strategy which encompass a large number of programmes.

## University Awards

**Mr F Cobain** asked the Minister for Employment and Learning to outline the recent successes of Queen's University and the University of Ulster in the national awards to universities. (AQO 470/10)

**Minister for Employment and Learning:** Both Queen's University, Belfast and the University of Ulster were recognised at the recent Times Higher Education Awards ceremony in London.

Queen's University was named Entrepreneurial University of the Year. The judges cited the university's strong leadership and vision, real student engagement and clear impact in terms of successfully commercialising its research, particularly through its impressive portfolio of successful spin out companies.

The University of Ulster's Step-Up programme was shortlisted in the Widening Participation Initiative of the Year category. It is a significant achievement that Step-Up was one of just 6 programmes from across the United Kingdom shortlisted for this prestigious higher education award.

## Progress 2 Work

**Mrs C McGill** asked the Minister for Employment and Learning how many people have signed up for the Progress 2 Work programme since its inception. (AQO 471/10)

**Minister for Employment and Learning:** The Department, through the pilot progress2work programme, provides specialist employability support to people claiming working age benefits, who are experiencing significant difficulty in accessing the labour market as a result of having a history of drug or alcohol misuse; being homeless; or are ex-offenders/ex-prisoners. At 30 September 2009, a total of 903 clients had started on the programme since the pilot rolled out in November 2005.

## Tuition Fees

**Mr D McNarry** asked the Minister for Employment and Learning to provide an update on the independent review of tuition fees. (AQO 472/10)

**Minister for Employment and Learning:** I have recently received an interim report from Joanne Stuart, independent chairperson of the review of variable fees and student finance arrangements.

I am currently considering the report's findings and I look forward to bringing my recommendations forward to the Committee for Employment and Learning and other stakeholders in due course.

## ICT Future Skills

**Mrs D Kelly** asked the Minister for Employment and Learning, in relation to the ICT Future Skills and Action Plan Progress Report, what assessment he has made of the possible lessons that could be learned from the Independent Review on Economic Policy to increase development and innovation in this area. (AQO 474/10)

**Minister for Employment and Learning:** The Independent Review of Economic Policy recommends that the links between DETI, Invest NI and DEL are strengthened in line with existing structures such as that of the Future Skills Action Group for ICT. This group brings together Government, Further and Higher Education and employers to help address the skill needs of the sector. Following the success of this model, Future Skills Action Groups have been established for the Hospitality and Tourism and the Financial Services sectors.

## Apprenticeships

**Mr J Dallat** asked the Minister for Employment and Learning for an update on the effectiveness of the programme-led apprenticeships programme; and what assistance his Department can provide to ensure its success. (AQO 475/10)

**Minister for Employment and Learning:** Between the introduction of the Programme-Led Apprenticeships in September 2009 and 16 November 2009, 2,871 school leavers have enrolled on the provision. Without this intervention, I would have been fearful of a significant rise in the number of young people who are not in

education, employment or training, and to that extent the programme has been effective. But, as for all policy initiatives, I will want to consider the effectiveness of the programme after it has been running for a longer period.

By design, the Programme follows the same Level 2 Framework and qualifications that are used in the Employer-Led Apprenticeship. While participants spend more time within the training organisations, the emphasis is very much on skills acquisition, including a work placement where possible, to reinforce and utilise the skills acquired. The benefit of this approach is that should a young person secure employment at any time during his / her training, he/she can progress seamlessly to the Employer-Led Programme.

While on the Programme-Led Apprenticeship programme, trainees receive a non means-tested Educational Maintenance Allowance of £40 per week as well as help with travel and childcare costs.

One of the important issues central to this programme is the provision of suitable work placements for trainees, to enable them to achieve the NVQ element of the apprenticeship framework. While providers continue to work hard on this dimension, it is proving difficult in some instances, and my Department is currently considering this issue. In addition, following recent discussions with my Department, nine Government departments and Translink have recently offered to provide over 120 placement opportunities in a range of occupational areas. It is too early to comment on the uptake of these placements.

The Department will continue to provide support and guidance to Suppliers on the delivery of this programme.

### **Autism: 'Don't Write Me Off'**

**Mrs M O'Neill** asked the Minister for Employment and Learning what action he intends to take in relation to the National Autistic Society's 'Don't Write Me Off' campaign. (AQO 476/10)

**Minister for Employment and Learning:** My Department is fully aware of the 'Don't Write Me Off' campaign. I am confident that the programmes and services in place address the issues raised in relation to employment in this campaign.

The Department has a range of programmes and services to assist people with disabilities, including those with Autistic Spectrum Disorder, find and keep suitable employment.

The Department delivers the Pathways to Work programme which includes the Work Preparation Programme and Condition Management Programme to help people with health conditions and disabilities including those with Autistic Syndrome Disorder. The programme is delivered by specially trained Advisers who help new claimants on Incapacity Benefit and Employment and Support Allowance consider work options and provide help and support to seek and obtain work. This programme is open on a voluntary basis to those already in receipt of Incapacity Benefit. Pathways to Work eligible customers may also volunteer to participate in the Steps to Work Programme.

Other programmes include Access to Work (NI), Workable (NI), New Deal for Disabled People and the Job Introduction Scheme.

The particular programme that is appropriate for each individual is discussed and agreed with an Adviser based in local Jobs and Benefits Offices/Jobcentres across Northern Ireland. All Advisers receive awareness training in Autistic Spectrum Disorder.

## **DEPARTMENT OF ENTERPRISE, TRADE AND INVESTMENT**

### **Larne: Jobs Created in**

**Mr D Hilditch** asked the Minister of Enterprise, Trade and Investment how many jobs have been created in the Larne area in the last three years. (AQW 2863/10)

**Minister of Enterprise, Trade and Investment (Mrs A Foster):** During the three financial years 2006/07 to 2008/09 Invest NI assisted a range of employment-related projects which expect to create 306 new jobs and safeguard 31 existing jobs in the Larne District Council Area (DCA).



In addition, there is a job creation impact through Invest NI funding of Enterprise Northern Ireland in the Enterprise Development Programme (formerly the Start a Business programme). This is expected to create over 200 jobs in Larne DCA through locally-owned business start up projects over the same period.

### **Phoenix Gas Application to take Natural Gas to Saintfield**

**Mr J Shannon** asked the Minister of Enterprise, Trade and Investment to provide an update on the Phoenix Gas application to the Utility Regulator to take natural gas to Saintfield. (AQW 2911/10)

**Minister of Enterprise, Trade and Investment:** In July 2009, Phoenix Natural Gas applied to the Utility Regulator for a licence to extend its natural gas licensed area to include Saintfield in Co. Down. The Utility Regulator and Phoenix have however been unable to reach agreement on the terms of this licence extension.

Phoenix informed the Utility Regulator on 4 November 2009 that the company intended to withdraw its licence extension application to Saintfield, at this time. It is hoped that agreement between Phoenix and the Utility Regulator on the terms of a licence extension will eventually be reached.

### **Gas Extension Study**

**Mr J Shannon** asked the Minister of Enterprise, Trade and Investment why the gas extension study did not include areas such as east Down. (AQW 2913/10)

**Minister of Enterprise, Trade and Investment:** An outline proposal for providing natural gas to the East Down / Downpatrick area was developed by Phoenix Natural Gas, and so this discrete area was not included in the ongoing natural gas network extension study which is focused on the West and parts of the North-West of Northern Ireland where gas is not available. It is expected that the results of the study will provide useful and relevant findings for development of the gas industry more widely in Northern Ireland, including areas not included within the remit of the study, such as East Down.

### **Rose Energy Application**

**Mr T Burns** asked the Minister of Enterprise, Trade and Investment to provide an update on the Rose Energy application for Invest NI support. (AQW 2923/10)

**Minister of Enterprise, Trade and Investment:** Invest NI continues to evaluate this project and the due diligence process is at an advanced stage. The outcome of this will determine if, and to what extent an offer of financial support will be made.

### **East Antrim: Small Businesses in**

**Mr K Robinson** asked the Minister of Enterprise, Trade and Investment, pursuant to AQW 2276/10 and AQW 1361/10, what steps she will take to increase the number of viable small businesses based in East Antrim. (AQW 2933/10)

**Minister of Enterprise, Trade and Investment:** Invest NI continues to offer a wide range of support to encourage the growth and development of the small business sector both in East Antrim and across Northern Ireland. Some specific activities include:-

The Enterprise Development Programmes, which were launched in April this year and comprises the Go for It and Growth programmes. These replaced the Start a Business programme and provide a comprehensive range of support and advice for new businesses at various stages in their life-cycle. Participants on the Go for It programme are offered training in a number of key areas including Finance, Marketing, Human Resources and business planning. Those businesses demonstrating the greatest potential for growth can subsequently avail of further one to one mentoring or receive follow up advice and guidance on issues specific to their new venture via a range of business clinics. To date over 150 participants in East Antrim have indicated that they intend to participate in the Start Up strand with over 40 already proceeding to start up.

The Propel Programme, has been designed to support entrepreneurs with an innovative hi-growth concept capable of becoming a significant export business and employer in Northern Ireland. The programme offers support for the preparation of an investor ready business plan whilst utilising available incubation space throughout Northern Ireland.

The Growth Accelerator Programme is aimed at assisting SMEs to grow faster in export markets. Areas of support include marketing costs, specialist consultancy and key worker salaries.

In terms of assisting small businesses to cope with the impact of the economic downturn, the Short Term Aid Scheme can provide businesses with financial assistance to enable the retention of key staff while they plan, and where necessary, restructure for the future and prepare to take advantage of the upturn. The Accelerated Support Fund can also offer enhanced support to Invest NI Clients to facilitate a tactical response to current circumstances and the removal of constraints to growth, viability and competitiveness brought about by current economic conditions.

### US Companies: Investment by

**Mr S Hamilton** asked the Minister of Enterprise, Trade and Investment to list (i) each investment there has been in Northern Ireland by U.S companies this calendar year to date; (ii) the jobs created as a result of this investment; and (iii) the monetary value of each investment. (AQW 3012/10)

**Minister of Enterprise, Trade and Investment:** This response is based on those US-owned projects which have been assisted by Invest NI. Invest NI does not assist projects which only serve the local marketplace e.g. those involved in retail and distribution activities. We, therefore, do not have information relating to investment made by US-owned businesses in these sectors.

In response to point (i) the table below shows those US-owned businesses that have received an offer(s) of assistance from Invest NI during the period 1st January to 31st October 2009. The number of 'New Jobs' promoted as a result of these projects is included in response to point (ii), and represents the number of jobs expected to be created. The 'Total Planned Investment' answers point (iii) and represents the estimated total cost of these projects to the business. The associated assistance offered by Invest NI in support of these projects is also included for information.

#### INVEST NI ASSISTANCE OFFERED (OVER £10K) TO US-OWNED BUSINESSES (JAN – OCT 09)

| Business Name                      | Assistance Offered (£) | Total Planned Investment (£) | New Jobs |
|------------------------------------|------------------------|------------------------------|----------|
| 3m United Kingdom Plc              | 39,583                 | 158,330                      | -        |
| Allstate Northern Ireland Limited  | 11,864                 | 15,561                       | -        |
| Broadsoft International Inc        | 99,000                 | 920,000                      | 10       |
| Cirdan Limited                     | 39,456                 | 98,640                       | 2        |
| Crane Stockham Valve Ltd           | 188,500                | 1,532,000                    | 10       |
| Crossbows Optical Ltd              | 92,405                 | 231,012                      | -        |
| Dynamic Air Engineering Uk Limited | 72,000                 | 559,750                      | 6        |
| F G Wilson (Engineering) Ltd       | 103,609                | 311,558                      | -        |
| Finlay Hydrascreens (Omagh) Ltd    | 188,951                | 755,807                      | -        |
| Heartsine Technologies Ltd         | 34,324                 | 85,675                       | -        |
| Mimix Europe Ltd                   | 75,770                 | 174,907                      | -        |
| Nacco Materials Handling Ltd       | 1,039,511              | 3,701,768                    | -        |
| Navinet                            | 944,000                | 4,358,000                    | 59       |
| Nicobrand Ltd                      | 40,365                 | 160,666                      | -        |
| Nyse Technologies Development Ltd  | 9,578,364              | 35,950,000                   | 400      |
| Perfecseal Ltd                     | 234,036                | 696,788                      | -        |

| Business Name                              | Assistance Offered (£) | Total Planned Investment (£) | New Jobs |
|--|------------------------|------------------------------|----------|
| Powerscreen International Distribution Ltd | 122,465                | 489,859                      | -        |
| Qwizdom Uk Ltd                             | 57,585                 | 143,963                      | -        |
| Terex Gb Limited                           | 90,251                 | 361,007                      | -        |

**Notes:**

1. Some of the assistance offered may not be paid if projects are not fully delivered by the client.
2. Total Planned Investment includes Total Assistance Offered.
3. Assistance provided that does not promote new jobs is targeted at innovation based activities such as training, research and development, trade development and technology and process development. Although not directly related to job creation, these capability development activities will underpin business competitiveness leading eventually to growth and employment opportunities.

There have been a number of other offers of assistance made to US-owned business during this period; however, these offers have not yet been publicly announced and to include them in this response could prejudice the commercial interests of our clients.

## Economically Inactive People

**Mr S Hamilton** asked the Minister of Enterprise, Trade and Investment the number of economically inactive people in each of the last five years. (AQW 3057/10)

**Minister of Enterprise, Trade and Investment:** The table below provides the estimated<sup>1</sup> total number of economically inactive people in Northern Ireland, aged 16 & over and of working age, in each of the last five years.

### SEASONALLY ADJUSTED NUMBER OF ECONOMICALLY INACTIVE<sup>2</sup> PERSONS IN NI, 2005 - 2009

| Period       | Total Economically Inactive<br>Aged 16+ | Total Economically Inactive<br>Working Age <sup>3</sup> |
|--------------|---|---|
| Jul-Sep 2005 | 523,000                                 | 282,000   |
| Jul-Sep 2006 | 535,000                                 | 290,000   |
| Jul-Sep 2007 | 545,000                                 | 294,000   |
| Jul-Sep 2008 | 552,000                                 | 295,000   |
| Jul-Sep 2009 | 575,000                                 | 314,000   |

- 1 The LFS is a sample survey and the estimate has an associated degree of sampling error.
- 2 The economically inactive are those people who are neither in employment nor unemployed. This group includes, for example, all those who are looking after the family/home, retired, sick/disabled or in full-time education etc.
- 3 Working age refers to females aged 16 to 59 and males aged 16 to 64.

**Source:** Northern Ireland Labour Force Survey (LFS).

## Public Authorities or Government Departments: Jobs in

**Ms J McCann** asked the Minister of Enterprise, Trade and Investment to list the total number of full-time, permanent jobs currently provided by public authorities, or Government Departments, in each parliamentary constituency. (AQW 3061/10)

**Minister of Enterprise, Trade and Investment:** The latest source of information on total public sector jobs at sub Northern Ireland level is the September 2007 Census of Employment. The number of full-time jobs by parliamentary constituency area is included in the table below, however information on permanent and temporary jobs is not available from the Census of Employment.

**FULL-TIME PUBLIC SECTOR EMPLOYEE JOBS BY PARLIAMENTARY CONSTITUENCY AREA**

| Parliamentary Constituency | Full-time Public Sector Employee Jobs |
|----------------------------|---------------------------------------|
| Belfast East               | 9769                                  |
| Belfast North              | 11456                                 |
| Belfast South              | 25003                                 |
| Belfast West               | 10027                                 |
| East Antrim                | 2874                                  |
| East Londonderry           | 5852                                  |
| Fermanagh & South Tyrone   | 5705                                  |
| Foyle                      | 10651                                 |
| Lagan Valley               | 6662                                  |
| Mid Ulster                 | 3046                                  |
| Newry & Armagh             | 8138                                  |
| North Antrim               | 6087                                  |
| North Down                 | 4093                                  |
| South Antrim               | 7385                                  |
| South Down                 | 4480                                  |
| Strangford                 | 5538                                  |
| Upper Bann                 | 7458                                  |
| West Tyrone                | 5737                                  |
| <b>Total</b>               | <b>139961</b>                         |

\* Please note that full-time employees are those who normally work more than 30 hours per week

Source: NI Census of Employment, September 2007

**People with Two or More Jobs**

**Mr G Savage** asked the Minister of Enterprise, Trade and Investment for an estimate of how many people currently have two or more jobs. (AQW 3084/10)

**Minister of Enterprise, Trade and Investment:** Latest Labour Force Survey (LFS) data, from the period July – September 2009, estimate<sup>1</sup> that there are 26,000 people in Northern Ireland who have at least two jobs.

<sup>1</sup> The LFS is a sample survey and the estimates from it are therefore subject to sampling error.

**Public Authorities or Government Departments: Jobs in**

**Ms J McCann** asked the Minister of Enterprise, Trade and Investment to list the total number of (i) part-time; and (ii) temporary jobs currently provided by public authorities, or Government Departments, in each parliamentary constituency. (AQW 3093/10)

**Minister of Enterprise, Trade and Investment:** The latest source of information on total public sector jobs at sub Northern Ireland level is the September 2007 Census of Employment. The number of part-time jobs by parliamentary constituency area is included in the table below, however information on permanent and temporary jobs is not available from the Census of Employment.



**PART-TIME PUBLIC SECTOR EMPLOYEE JOBS BY PARLIAMENTARY CONSTITUENCY AREA**

| Parliamentary Constituency | Part-time Public Sector Employee Jobs |
|----------------------------|---------------------------------------|
| Belfast East               | 3277                                  |
| Belfast North              | 4387                                  |
| Belfast South              | 8001                                  |
| Belfast West               | 6252                                  |
| East Antrim                | 2098                                  |
| East Londonderry           | 3190                                  |
| Fermanagh & South Tyrone   | 4180                                  |
| Foyle                      | 4525                                  |
| Lagan Valley               | 4316                                  |
| Mid Ulster                 | 3245                                  |
| Newry & Armagh             | 6611                                  |
| North Antrim               | 3878                                  |
| North Down                 | 2116                                  |
| South Antrim               | 4709                                  |
| South Down                 | 3109                                  |
| Strangford                 | 4877                                  |
| Upper Bann                 | 5857                                  |
| West Tyrone                | 3085                                  |
| <b>Total</b>               | <b>77713</b>                          |

\* Please note that part-time employees are those who normally work 30 hours per week or less

Source: NI Census of Employment, September 2007

**Strangford Constituency: Small Businesses in**

**Mr J Shannon** asked the Minister of Enterprise, Trade and Investment how many small businesses have (i) been set up; and (ii) gone out of business in the Strangford constituency, in the last year. (AQW 3140/10)

**Minister of Enterprise, Trade and Investment:** It is not possible to provide the numbers of small business that have i) been set up; and ii) gone out of business in Strangford constituency, in the last year. However, the latest available data published by the Office for National Statistics from the Inter Departmental Business Register provides the numbers of business births<sup>1</sup> and deaths<sup>2</sup> in Northern Ireland by District Council in 2008 by employment size.

The following tables provide a summary of those District Councils which comprise the Strangford Parliamentary Constituency Area:

**TABLE 1- COUNT OF BUSINESS BIRTHS IN 2008 BY DISTRICT COUNCIL AND EMPLOYMENT SIZE**

|                  | Employment Sizeband |       |         |      |       |
|------------------|---------------------|-------|---------|------|-------|
|                  | 0 - 4               | 5 - 9 | 10 - 19 | 20 + | Total |
| Ards             | 190                 | 10    | 10      | 5    | 215   |
| Castlereagh      | 145                 | 10    | 10      | 0    | 165   |
| Down             | 165                 | 15    | 10      | 0    | 190   |
| Northern Ireland | 5,120               | 360   | 145     | 65   | 5,690 |

TABLE 2 - COUNT OF BUSINESS DEATHS IN 2008 BY DISTRICT COUNCIL AND EMPLOYMENT SIZE

|                  | Employment Sizeband |       |         |      |       |
|------------------|---------------------|-------|---------|------|-------|
|                  | 0 - 4               | 5 - 9 | 10 - 19 | 20 + | Total |
| Ards             | 150                 | 25    | 5       | 5    | 185   |
| Castlereagh      | 75                  | 5     | 5       | 0    | 85    |
| Down             | 140                 | 15    | 10      | 5    | 170   |
| Northern Ireland | 3,775               | 425   | 150     | 55   | 4,405 |

1. A birth is identified as a business that was present (i.e. had VAT or PAYE activity) in year t, but did not exist in year t-1 or t-2. Births are identified by making comparison of annual active population files and identifying those present in the latest file, but not the two previous ones.
2. A death is defined as a business that was on the active file in year t, but was no longer present in the active file in t+1 and t+2.
3. Further published tables of business births and deaths of all NI District Councils can be accessed at the following link: [http://www.statistics.gov.uk/downloads/theme\\_commerce/Business-Demography-2008.xls](http://www.statistics.gov.uk/downloads/theme_commerce/Business-Demography-2008.xls)
4. The Inter-Departmental Business Register contains information on all businesses in the United Kingdom which are either VAT registered or operating a PAYE scheme. As a result this answer will exclude those smaller businesses which do not exceed the VAT threshold or are VAT exempt.
5. Business births and deaths Information is only available at the district council level and as such, the Northern Ireland Census of Employment 2007 has been used to provide an indication of the extent of the overlap between the Strangford Parliamentary constituency and the Ards, Castlereagh and Down District Council areas. The latest figures indicate that 92% of employees in Ards District council, 44% of employees in Castlereagh Council and 9% of employees in Down District Council were located in Strangford Parliamentary constituency area. It should be noted however that the Census of Employment is a measure of the number of employee jobs rather than the number of businesses.

### Invest NI: Rose Energy

**Ms J McCann** asked the Minister of Enterprise, Trade and Investment for an update on the Rose Energy application for Invest NI funding for the proposed plant at Glenavy. (AQO 484/10)

**Minister of Enterprise, Trade and Investment:** Invest NI continues to evaluate this project and the due diligence process is at an advanced stage. The outcome of this will determine if, and to what extent an offer of financial support will be made.

### INTERREG IV

**Mr M Brady** asked the Minister of Enterprise, Trade and Investment what action her Department is taking to ensure that cross-border groups awaiting Interreg 4 funding do not have to terminate their projects. (AQO 485/10)

**Minister of Enterprise, Trade and Investment:** My Department is committed to working with the Special EU Programmes Body and DFP, as their sponsoring Department, to expedite the INTERREG IVA approvals process.

So far we have had limited visibility of the multi annual plan component projects submitted by the cross border groups. Of the 40 or so enterprise and tourism related projects in the pipeline, to date the Special EU Programmes Body has presented the Department with 4 cases for final consideration.

At a recent meeting with one of the five cross border groups, East Border Region, I made a commitment that my officials would meet with each of the groups to assist them in shaping projects in a way which increases their chances of success when they eventually come to us for approval. This offer of early engagement was very positively received, and meetings with three of the groups have been arranged to take place this week.

### Northern Ireland Tourist Board: Printing and Postage Costs

**Mr D Kennedy** asked the Minister of Enterprise, Trade and Investment the total cost of printing and postage for the Northern Ireland Tourist Board's direct mail initiative 'The View' in a six-monthly format from September 2004 until June 2007; and in seasonal format from Winter 2007 - Winter 2009. (AQO 486/10)

**Minister of Enterprise, Trade and Investment:** From March 2005 until June 2007 the total cost of postage and print for 'The View' in a six-monthly format was £14,326.03. Figures are not available prior to this date.

The total cost of postage and print for 'The View' from Winter 2007 – Winter 2009 was £12,458.47.

### Cross-border Day Trippers

**Rev Dr R Coulter** asked the Minister of Enterprise, Trade and Investment how many day-trippers from the Republic of Ireland visited Northern Ireland over the last three years; and for an estimate of the total amount spent by these visitors over this period. (AQO 487/10)

**Minister of Enterprise, Trade and Investment:** Information on the number of day-trippers from the Republic of Ireland visiting Northern Ireland is not collected via any DETI or NITB survey and therefore relevant figures are not available.

My Department has, however implemented a series of campaigns promoting Northern Ireland as a destination for short breaks and day-trips, ensuring exposure in the Republic of Ireland across the whole of 2009 and in the previous three years. NITB's 2009 Autumn campaign is currently underway.

Data from the Republic of Ireland Central Statistics Office show that overnight visitor numbers from the Republic of Ireland increased by 35% between 2005 and 2008 to 367,000, with revenue generated by these visitors increasing by two thirds over the period to reach £50 million in 2008.

2009 has seen significant growth in overnight visitors from the Republic of Ireland, with a 31% increase in visitor numbers during the first half of the year and a corresponding 37% increase in spend.

### Economy

**Lord Morrow** asked the Minister of Enterprise, Trade and Investment for her assessment of the current state of the economy and to outline how she has supported the economy over the past twelve months. (AQO 488/10)

**Minister of Enterprise, Trade and Investment:** It is clear that Northern Ireland is still experiencing significant difficulties as a result of the global recession. However, recent statistics produced by my Department indicate that the local economy may be beginning to stabilise.

In particular, it is encouraging to note that claimant count unemployment did not increase during October 2009 – the first month this figure has not risen since February 2008. In addition, service sector output was stable in the second quarter of 2009 and increased in the previous quarter.

Independent forecasts commissioned by my Department suggest that the economy will contract by 4.3% this year, before returning to marginal growth as we move into 2010.

My Department and the Executive have taken a number of important steps to support businesses during the last year. Specifically, Invest NI established a Short Term Aid Scheme and continued to administer other programmes such as the Accelerated Support Fund. Invest NI also ran a series of seminars providing advice for both client and non-client companies on how to deal with the challenges caused by the economic downturn.

I will continue to do all that I can to support businesses, and to help them exploit the opportunities that arise during the upturn. To this end, Invest NI have already begun to devote more resources towards supporting Innovation and R&D in local businesses. It is also in that context that I am currently examining the Independent Review of Economic Policy (IREP) report and the responses from its consultation which recently concluded. I aim to make a statement early in the new year on the next steps with the IREP report.

### Renewable Energy

**Mr L Cree** asked the Minister of Enterprise, Trade and Investment for her assessment of the uncompetitive nature of renewable energy compared to more conventional fuel options; and what action she intends to take to make renewable energy a more realistic option. (AQO 489/10)

**Minister of Enterprise, Trade and Investment:** It is widely accepted that power generation from renewable energy sources is not as competitive as conventional fossil fuel options. This results in the need to provide support to make renewables a more cost effective option. The Renewables Obligation (NIRO) is the market based mechanism used in Northern Ireland to help meet the additional cost of producing electricity from renewable sources.

The levels of support provided under the NIRO vary to take account of the relative costs of the different technologies; with more generous support offered to the less well developed renewable technologies such as wave and tidal. My Department, working closely with the Regulator, is currently commissioning a review of support mechanisms for renewable electricity with a view to ensuring that we have the most cost effective means of maximising the potential of renewable electricity in Northern Ireland.

There is much less understanding of the relative costs of energy for heat as very few statistics are currently available. Therefore, as outlined in the draft Strategic Energy Framework, my Department has just commissioned a substantial piece of work that will examine the potential for deployment of renewable heat in Northern Ireland. If our work indicates that a support mechanism is appropriate for Northern Ireland then a legislative timetable would have to be developed, with legislation likely to be forthcoming in 2011/12.

### Business: Use of Euro

**Mr B McElduff** asked the Minister of Enterprise, Trade and Investment what support, guidance and assistance her Department offers to businesses, shops and other retail outlets to become more Euro friendly. (AQO 490/10)

**Minister of Enterprise, Trade and Investment:** DETI does not currently offer support or advice to shops and other retail outlets.

However, whilst Invest NI's Enterprise Development Programme has no specific module in relation to the Euro or other foreign currency, the training and mentoring support can be tailored to the specific needs of a business if this is identified as an issue for them.

### Business: Electricity Costs

**Dr W McCrea** asked the Minister of Enterprise, Trade and Investment what impact the recent review published by the energy regulator will have on the cost of electricity for businesses. (AQO 491/10)

**Minister of Enterprise, Trade and Investment:** I am very aware of the difficulties being experienced by large energy users as they deal with significant increases in electricity costs, resulting from higher Public Service Obligation and network charges.

On 11 November 2009, the Northern Ireland Authority for Utility Regulation (NIAUR) formally announced an inquiry into how electricity suppliers have communicated with, and set charges for, business electricity customers.

It is expected that the NIAUR inquiry will be concluded in early 2010, hence it is too early to speculate what impact the inquiry will have on the cost of electricity for businesses.

My Department strongly supports the NIAUR inquiry, and would welcome any role the Regulator could play in helping companies' energy managers understand the offers they are receiving from different electricity suppliers.

## DEPARTMENT OF THE ENVIRONMENT

### EU Directives

**Mr A Ross** asked the Minister of the Environment how many EU Directives his Department has (i) received; and (ii) implemented in each of the last three years. (AQW 2722/10)

**Minister of the Environment (Mr E Poots):** The number of EU Directives my Department has (i) received; and (ii) implemented in each of the last three years is set out in the table below.

| Year* | Adopted | Transposed |
|-------|---------|------------|
| 2007  | 5       | 11         |
| 2008  | 8       | 3          |



| Year*        | Adopted   | Transposed |
|--------------|-----------|------------|
| 2009         | 8         | 8          |
| <b>Total</b> | <b>21</b> | <b>22</b>  |

\* Calendar year basis (1 January to 31 December).

For the purposes of this question, the year ‘received’ has been interpreted to mean the year adopted by the European Union. A directive is formally adopted when it is published in the Official Journal of the European Union. Subsequently, departments receive details of the directive and determine what action needs to be taken. This answer includes only those Directives for which my Department has lead responsibility, and does not include Directives transposed on a UK wide basis.

The year ‘implemented’ has been interpreted to mean the year transposed i.e. the date at which enabling legislation is complete. The figure quoted may include Directives which were adopted prior to 2007 as transposition can take place up to 2 years after adoption. Further action in terms of operational implementation may be required by departments, however timescales may be open-ended.

### Audit Office in Local Government

**Mr P Weir** asked the Minister of the Environment what additional role he envisages for the Audit Office in Local Government under the Review of Public Administration. (AQW 2813/10)

**Minister of the Environment:** The additional role envisaged for the Local Government Auditor is to underpin the robustness of the proposed new service delivery and performance improvement regime by providing Ministers and ratepayers with independent assurance that a Council’s Improvement Plan stands up to scrutiny, and independent verification of any improvements. This assurance role could also extend to the operation of Community Planning.

### Planning Permission Applications

**Mr T Elliott** asked the Minister of the Environment what meetings, discussions and correspondence he has had with individuals and organisations regarding an extension to the five year limit on planning permission applications. (AQW 2842/10)

**Minister of the Environment:** During my tenure as Minister of the Environment I have received one piece of correspondence which raised the issue of extending the five year limit on planning permissions.

As indicated in my answer to the Member’s other question (AQW 2843/10) the recent planning reform consultation outlined proposals to reduce the normal duration of planning permissions. Without wishing to pre-empt the process of full analysis of the consultation responses, I can nevertheless advise the Member that of the 163 respondents who replied to this proposal, 87 supported it and 76 opposed it. Eleven respondents specifically called for an extension to the normal 5 year duration of a planning permission.

### Planning Permission Applications

**Mr T Elliott** asked the Minister of the Environment, in light of the continued economic recession, if there will be an extension to the five year limit placed on planning permission applications; and if so, what steps has he taken to have the change in policy reflected in legislation. (AQW 2843/10)

**Minister of the Environment:** I am not minded at this stage to extend the normal duration of planning permission beyond five years. The issue of the duration of planning permission was recently considered in the proposals for reform of the planning system which have been subject to a period of public consultation. The planning reform consultation paper proposed that, rather than being extended, the normal duration of planning permission and consent should be reduced, from five to three years.

Since the close of the consultation my officials have been analysing all the responses received. All views expressed in relation to the issue of the duration of planning permission will of course be fully considered before any final policy decisions are taken.

The Member will appreciate that I do not want to pre-empt the process of full policy analysis and, with this in mind, it is too early for me to be able to indicate what the final policy position on the issue will be. I intend to take my final policy proposals on all of the planning reform measures, including those relating to the duration of planning permission, to the Executive for consideration early in the New Year.

### Arches and Flagpoles

**Mr D McKay** asked the Minister of the Environment to outline when the Planning Service would consider (i) an arch; and (ii) a flagpole to be (a) a permanent; or (b) a temporary structure. (AQW 2893/10)

**Minister of the Environment:** There is no single definition as to when a structure could be considered temporary or at what point it might be considered permanent. It is a matter of judgement taking account of the specific structure in question and the length of time it is erected.

### Civil Servants' Earnings

**Mr J Craig** asked the Minister of the Environment how many civil servants in his Department earn more than the Minister, inclusive of salaries, bonuses and any paid positions on outside bodies. (AQW 2904/10)

**Minister of the Environment:** The term civil servant encompasses members of the Northern Ireland Civil Service including the Senior Civil Service and, under a special arrangement, Special Advisors to Ministers. Salaries for civil servants are determined in pay scales relative to the appropriate grading structure. The grading structures are underpinned by job evaluation methodologies. Civil Service salaries paid in 2008-2009 have been used for the purpose of this comparison.

The Ministerial salary used for comparison purposes in this response is the Office Holder salary payable in 2008-2009 to the DOE Minister of £37,800.96 plus the basic annual salary payable to a Member of the Legislative Assembly of £43,101. Ministers who are also in receipt of a salary as a Member of Parliament have the MLA element of their salary abated by two thirds (£43,101 reduced to £14,368). Consequently, the DOE Minister's salary is the MLA salary of £43,101 plus the Ministerial Office Holder salary of £37,800.96 (£80,901.96 in total).

Therefore in the Department of the Environment the number of civil servants who earn more than the Minister is four (4).

### Environment: White Paper

**Mrs D Kelly** asked the Minister of the Environment when the White Paper on the Environment will be published, given that the NI Environment Agency committed to it being commissioned during the current mandate. (AQW 2905/10)

**Minister of the Environment:** I intend to publish a White Paper on the environment within the lifetime of this Assembly.

### PPS18

**Mr D Kinahan** asked the Minister of the Environment, in relation to Drumdarragh windfarm, for his assessment of the research that indicates that it is presently in breach of the noise limit set out in PPS18; and if he will ensure that cumulative windfarms proposed for the area meet the cumulative windfarm landscape character guidance set out in PPS18. (AQW 2928/10)

**Minister of the Environment:** PPS18 requires that proposed wind farm developments will not cause significant harm to the safety or amenity of any sensitive receptors arising from noise. The report 'The Assessment and Rating of Noise from Wind Farms' (ETSU-R-97) describes a framework for the measurement of wind farm noise. It makes a series of recommendations that can be regarded as relevant guidance on good practice. PPS18 recommends that this ETSU-R-97 guidance should be used in the assessment and rating of noise from wind energy developments. My department is satisfied that the Drumadarragh wind farm proposal complies with the ETSU-R-97 guidelines.

It has been reported to me that an independent study, undertaken on behalf of objectors to the proposed development, indicates acceptable noise levels would be exceeded by the proposal. The results of the study have not been submitted to my department for consideration. I am unable therefore to give any assessment of the research.

In assessing the Drumadarragh proposal my officials have considered the potential cumulative impact on the landscape arising from this proposal and previous planning approvals for other wind farms in the area. I am satisfied that their conclusions are consistent with the guidance set out in PPS18.

### **Legislation on the Creation of National Parks**

**Mr S Gardiner** asked the Minister of the Environment for an indication of the timeline for legislation being brought before the Assembly on the creation of national parks. (AQW 2981/10)

**Minister of the Environment:** I anticipate that National Parks enabling legislation will be brought forward early in the new Assembly.

### **National Park Status**

**Mr S Gardiner** asked the Minister of the Environment if his Department has determined which areas are to be considered for national park status. (AQW 2982/10)

**Minister of the Environment:** I have not determined which areas are to be considered for national park status.

### **Local Government Boundary Review**

**Dr S Farry** asked the Minister of the Environment what consideration he gave to the decision of the British parliamentary convention of legislative bodies to accept the recommendations of the Boundary Commissioner without amendment when determining his approach to the current Local Government Boundary Review process. (AQW 2988/10)

**Minister of the Environment:** The legislation governing the setting of local government boundaries in Northern Ireland permits me, as Minister of the Environment, to make modifications to the recommendations of the Local Government Boundaries Commissioner. The legislation is similar in the rest of the United Kingdom.

Secretaries of State and Electoral Commissions in other jurisdictions have on occasions modified the recommendations of relevant Commissions.

### **PPS7**

**Mr P Weir** asked the Minister of the Environment to outline the timescale for consultation on the three proposed new addenda under PPS7. (AQW 3025/10)

**Minister of the Environment:** The Draft Addendum to PPS 7 on 'Safeguarding the Character of Established Residential Areas' was issued for four months public consultation on Monday 9 November 2009. The consultation period will end on Friday 5 March 2010.

### **Young Drivers**

**Mr B McElduff** asked the Minister of the Environment which education programmes are directed at young drivers; and what structures his Department has in place to promote the road safety agenda. (AQW 3029/10)

**Minister of the Environment:** One of the Department's key responsibilities is to work towards further reducing the number of people killed or seriously injured on our roads each year.

Some of the ways in which we work towards this are to make all road users, drivers and pedestrians alike, aware of their vulnerability on our roads, their responsibilities towards themselves and other road users, and by influencing their attitudes and behaviours when using, or thinking of using, the roads. The Department's Road

Safety Education Officers (RSEOs) promote and deliver road safety education in schools throughout Northern Ireland in line with the Department for Transport Best Practice Guidelines.

Within post-primary schools, RSEOs actively promote the timetabling of Road Traffic Studies and a GCSE in Motor Vehicle and Road User Studies and provide the necessary teaching materials and resources, teacher training, advice and support to deliver these. In the 2008-09 school year, 89 schools offered MVRUS. In addition students aged 17-19 years are offered the opportunity to participate in a driver training scheme.

RSEOs meet teachers regularly and where appropriate deliver interactive road safety sessions to supplement and reinforce the teacher's work. RSEOs also work closely with teachers on specific initiatives. There have been strong links between the Department and the Department of Education (DE) since the mid-1970s

Advertising campaigns address road traffic collision causation factors including speeding, drink driving, driver and pedestrian inattention, and driving under the influence of drugs, as well as injury severity factors, such as failure to wear a seat belt. Campaigns have also been developed to raise awareness among young people of the dangers they face on the roads and also to highlight the increased risk all road users face on the roads over weekend periods. The Department has also recently been involved with online advertising activity, in-game advertising on Xbox Live and a Bluetooth initiative all designed to target young drivers.

The road safety advertising and publicity strategy will continue to deliver a broad mix of messages to all road users, with both existing and new campaigns.

The main structure in place to promote the road safety agenda is the Road Safety Review Group (RSRG). The Group is chaired by a senior official in DOE and includes representatives of DOE's Road Safety Division (RSD), Driver and Vehicle Agency (DVA), DRD, PSNI and DHSSPS. RSRG co-ordinates the activities and initiatives as set out in the Road Safety Strategy for Northern Ireland 2002-2012. The Group is also responsible for monitoring progress against the targets; ensuring current activities remain effective; and developing new initiatives.

The Road Safety Strategy seeks to promote an integrated partnership approach across the statutory road safety agencies and departments and throughout the wider community, engaging for example, voluntary groups, organisations representative of specific road user groups, employers, parents and schools.

## Maintenance Budget

**Mrs M Bradley** asked the Minister of the Environment to detail the maintenance budget variances over the last three years, including the current financial year, in each of the regional areas; and the implications of any reductions. (AQW 3059/10)

**Minister of the Environment:** I understand your question is relating to the Northern Ireland Environment Agency (NIEA). A breakdown of the overall site maintenance expenditure on a region by region basis within NIEA for the last 3 years, (including this year) is shown below:

### NIEA REGIONAL OPERATIONS MAINTENANCE EXPENDITURE

| Region       | 2007/08 | 2008/09 | 2009/10 |
|--------------|---------|---------|---------|
| North        | £357k   | £380k   | £350k*  |
| South East   | £512k   | £608k   | £415k*  |
| Central      | £538k   | £548k   | £320k*  |
| West         | £381k   | £302k   | £230k*  |
| Annual total | £1788k  | £1838k  | £1315k* |

\* Current budget

This reduction in funding for the current financial year has obliged site managers to focus on priority maintenance works.



### Single Waste Authority

**Mr R Beggs** asked the Minister of the Environment to detail the estimated savings, calculated by PricewaterhouseCoopers, which could be achieved with the creation of a Single Waste Authority; and if a Single Waste Authority could be achieved with or without the reconfiguration of Local Councils under the Review of Public Administration. (AQW 3077/10)

**Minister of the Environment:** The Economic Appraisal of Local Government Service Delivery produced by PricewaterhouseCoopers (PwC) did not include an estimate of the savings that could be achieved with the creation of a Single Waste Disposal Authority. However, the potential efficiencies will be identified as part of the design work around this new organisation which is being taken forward by my Department.

The main benefit of a Single Waste Disposal Authority would be a centralised disposal function which could potentially generate savings through economies of scale, providing enhanced purchasing power and taking responsibility for facilitating integrated waste management planning. The potential savings should arise as a consequence of replacing three Waste Management Groups with a single Authority. Whilst it is envisaged that an Authority should be established in tandem with the RPA timetable, it is not an essential requirement.

### George Best Belfast City Airport

**Ms D Purvis** asked the Minister of the Environment whether the George Best Belfast City Airport has sought his Department's approval to remove the 'Seats For Sale' limit in its planning agreement. (AQW 3083/10)

**Minister of the Environment:** The George Best Belfast City Airport has requested that the seats for sale restriction be removed from the 2008 modified Planning Agreement between the airport and my Department.

### George Best Belfast City Airport

**Ms D Purvis** asked the Minister of the Environment whether he intends to approve the request from the George Best Belfast City Airport to remove the current cap on flights, which is part of the airport's planning agreement and designation as a city airport. (AQW 3180/10)

**Minister of the Environment:** I can confirm that George Best Belfast City Airport has requested the removal of the 2 Million cap on the number of 'seats for sale' that can be offered from the airport. My Department is presently seeking legal advice as to whether it can consider this request.

## DEPARTMENT OF FINANCE AND PERSONNEL

### Civil Service Overtime

**Mr T Burns** asked the Minister of Finance and Personnel to detail the total amount paid for overtime throughout the Civil Service in each of the last five years. (AQW 2649/10)

**Minister of Finance and Personnel (Mr S Wilson):** The total amount paid by the eleven Northern Ireland Civil Service departments (and their agencies) to non-industrial and industrial staff in respect of overtime for the last five financial years is set out in the table below.

| Financial Year | Total       |
|----------------|-------------|
| 2004/05        | £20,403,474 |
| 2005/06        | £21,365,841 |
| 2006/07        | £21,075,985 |
| 2007/08        | £17,245,675 |

| Financial Year | Total       |
|----------------|-------------|
| 2008/09        | £15,656,381 |

### Rates Increases

**Mr T Elliott** asked the Minister of Finance and Personnel how much, on average, ratepayers in Co. Fermanagh would have to pay if their rates were increased by 20% on the 2008/09 levels. (AQW 2811/10)

**Minister of Finance and Personnel:** Ratepayers in any district council area can pay rates on a wide variety of properties which include: households, individual car parking spaces, retail warehouses and in some areas even power stations and airports. There is no such thing as a typical ratepayer and to provide a average payment would be both meaningless and misleading.

### West Tyrone: Public Sector Jobs

**Mr B McElduff** asked the Minister of Finance and Personnel to detail the number, the location, the grade and the posts within his Department currently located in (i) the Omagh District; and (ii) the Strabane District; and to outline his Department's plans to increase the number of public sector jobs in West Tyrone. (AQW 2880/10)

**Minister of Finance and Personnel:** Figures have been provided in the attached table in relation to the number, the grade and the posts within DFP currently located in the Omagh District and the Strabane District areas.

On the wider issue of location of public sector jobs, I have already responded to your Assembly Question AQW 1118/10 that in my opinion, given the current economic climate and the significant pressures on public spending, it is not affordable to implement the recommendations of the independent Report, nor is this the time to set aside normal value for money principles. It is a matter, however, that will have to be considered by the Executive and I am keen to have a discussion at the Executive as soon as possible.

#### OMAGH DISTRICT – NUMBER OF DFP POSTS

ALL OMAGH POSTS ARE LOCATED AT BOAZ HOUSE.

|                                 |           |
|---------------------------------|-----------|
| Administrative Assistant        | 1         |
| Administrative Officer          | 25        |
| Assistant Valuer                | 3         |
| Executive Officer I             | 1         |
| Executive Officer II            | 6         |
| Graduate Trainee Valuer         | 3         |
| Higher Map and Charting Officer | 1         |
| Mapping and Charting Officer    | 7         |
| Map and Charting Tech Grade     | 1         |
| Senior Valuer (G7)              | 1         |
| Staff Officer                   | 1         |
| Valuer I                        | 6         |
| Valuer II                       | 5         |
|                                 |           |
| <b>Total</b>                    | <b>61</b> |

#### Strabane District – Number of DFP Posts

DFP currently have 0 Posts in Strabane.

### Civil Servants' Earnings

**Mr J Craig** asked the Minister of Finance and Personnel how many civil servants in his Department earn more than the Minister, inclusive of salaries, bonuses and any paid positions on outside bodies. (AQW 2909/10)

**Minister of Finance and Personnel:** There are 98 civil servants in DFP that earn more than the Minister's (abated) salary.

The term 'civil servants' encompasses members of the Northern Ireland Civil Service including the Senior Civil Service and, under a special arrangement, Special Advisors to Ministers. Salaries for civil servants are determined in pay scales relative to the appropriate grading structure. The grading structures are underpinned by job evaluation methodologies. Civil Service salaries paid in 2008-2009 have been used for the purpose of this comparison.

The Ministerial salary used for comparison purposes in this response is the annual salary payable in 2008-2009 to a Ministerial Office Holder of £37,801 plus the basic annual salary payable to a Member of the Legislative Assembly of £43,101. Ministers who are also in receipt of a salary as a Member of Parliament have the MLA element of their salary abated by two thirds (£43,101 reduced to £14,368). Any salary payable as an MP has not been taken into account in this comparison. Only the abated MLA salary of £14,368 plus the Ministerial Office Holder salary of £37,801 (£52,169 in total) has been applied.

### EU Interreg IVA Funds

**Mr D Kinahan** asked the Minister of Finance and Personnel for an update on the status of EU Interreg IVA funds for local authority groupings in Northern Ireland and the Irish Republic; and to detail the timetable for distribution of those funds. (AQW 2927/10)

**Minister of Finance and Personnel:** All local authority groups have submitted and had approved multi annual plans setting out the strategic development plans for their regions. Individual projects from within these plans are currently being developed and progressed through the INTERREG IVA assessment procedure. Projects that meet the agreed selection requirements will be issued with letters of offer and can begin spending. The first such letters of offer are expected to issue before the end of this year. Others will follow in the first 6 months of next year. The precise timetable will depend on the timing and quality of the applications being made in relation to the Programme requirements.

### Civil Service Posts: Applicants

**Mr T Elliott** asked the Minister of Finance and Personnel, pursuant to AQW 2668/10, (i) if his Department considers an act of terrorism committed in the Northern Ireland conflict as a criminal offence; and (ii) if applicants for Civil Service posts are required to disclose on their application forms if they have a conviction for a terrorist act. (AQW 2931/10)

**Minister of Finance and Personnel:** The vetting processes adopted by the NICS when determining a person's suitability for appointment make no distinction between convictions for terrorist/scheduled offences and any other criminal offences. Applicants for NICS posts are not required to disclose on their application forms if they have criminal convictions of any sort. Criminal record checks are only carried out at the stage when the candidate is being considered for appointment.

### Stress-related Sick Leave

**Mr A Bresland** asked the Minister of Finance and Personnel how many civil servants in each Department, have been on stress-related sick leave in (i) 2005/06; (ii) 2006/07; (iii) 2007/08; (iv) 2008/09; and (v) 2009/10 to date, broken down by (a) grade; (b) gender; and (c) age. (AQW 2942/10)

**Minister of Finance and Personnel:** The information requested is set out in the attached tables. However, in answering the question, I would wish to highlight the following points:

- The information relating to the period 2005 to 2008 has been produced using archive data from the Human Resource Management System. This system used the International Classification of Diseases codes for

recording illnesses. Stress-related illnesses were categorised as Psychiatric / Psychological illnesses, which included illnesses such as reaction to severe stress, anxiety disorders, depressive disorders and life management difficulties.

- A new sickness absence recording system was introduced in 2008. Stress-related illnesses are now categorised and reported as Anxiety/Stress/Depression/Other Psychiatric Illnesses.
- The information relates to non-industrial staff only. Departments traditionally operated different methods for recording industrial sickness absence. However, following the introduction of HRConnect, a common system for recording sickness absence is now in place and such information will be available in future.
- Year-to-date information is not currently available.

**NUMBER OF NON-INDUSTRIAL CIVIL SERVANTS WITH A STRESS RELATED SICK ABSENCE IN THE FINANCIAL YEARS 2005/06 TO 2008/09 BY DEPARTMENT AND GENDER**

| Department    | Gender       | 2005/06     | 2006/07    | 2007/08    | 2008/09    |
|---------------|--------------|-------------|------------|------------|------------|
| <b>DARD</b>   | F            | 109         | 107        | 96         | 73         |
|               | M            | 73          | 47         | 53         | 36         |
|               | <b>Total</b> | <b>182</b>  | <b>154</b> | <b>149</b> | <b>109</b> |
| <b>DCAL</b>   | F            | 12          | 15         | 16         | 10         |
|               | M            | 14          | 19         | 23         | 4          |
|               | <b>Total</b> | <b>26</b>   | <b>34</b>  | <b>39</b>  | <b>14</b>  |
| <b>DE</b>     | F            | 41          | 43         | 26         | 16         |
|               | M            | 12          | 14         | 12         | 10         |
|               | <b>Total</b> | <b>53</b>   | <b>57</b>  | <b>38</b>  | <b>26</b>  |
| <b>DETI</b>   | F            | 25          | 32         | 29         | 15         |
|               | M            | 14          | 15         | 12         | 9          |
|               | <b>Total</b> | <b>39</b>   | <b>47</b>  | <b>41</b>  | <b>24</b>  |
| <b>DFP</b>    | F            | 141         | 124        | 130        | 106        |
|               | M            | 97          | 96         | 83         | 68         |
|               | <b>Total</b> | <b>238</b>  | <b>220</b> | <b>213</b> | <b>174</b> |
| <b>DEL</b>    | F            | 119         | 132        | 118        | 99         |
|               | M            | 43          | 33         | 33         | 24         |
|               | <b>Total</b> | <b>162</b>  | <b>165</b> | <b>151</b> | <b>123</b> |
| <b>DHSSPS</b> | F            | 44          | 45         | 37         | 23         |
|               | M            | 17          | 16         | 12         | 9          |
|               | <b>Total</b> | <b>61</b>   | <b>61</b>  | <b>49</b>  | <b>32</b>  |
| <b>DOE</b>    | F            | 98          | 128        | 108        | 78         |
|               | M            | 51          | 60         | 57         | 30         |
|               | <b>Total</b> | <b>149</b>  | <b>188</b> | <b>165</b> | <b>108</b> |
| <b>DRD</b>    | F            | 84          | 82         | 48         | 29         |
|               | M            | 75          | 68         | 43         | 31         |
|               | <b>Total</b> | <b>159</b>  | <b>150</b> | <b>91</b>  | <b>60</b>  |
| <b>DSD</b>    | F            | 693         | 635        | 599        | 514        |
|               | M            | 340         | 319        | 296        | 245        |
|               | <b>Total</b> | <b>1033</b> | <b>954</b> | <b>895</b> | <b>759</b> |



| Department    | Gender       | 2005/06     | 2006/07     | 2007/08     | 2008/09     |
|---------------|--------------|-------------|-------------|-------------|-------------|
| <b>OFMDFM</b> | F            | 6           | 20          | 26          | 4           |
|               | M            | 3           | 10          | 9           | 2           |
|               | <b>Total</b> | <b>9</b>    | <b>30</b>   | <b>35</b>   | <b>6</b>    |
| <b>Total</b>  | F            | 1372        | 1363        | 1233        | 967         |
|               | M            | 739         | 697         | 633         | 468         |
|               | <b>Total</b> | <b>2111</b> | <b>2060</b> | <b>1866</b> | <b>1435</b> |

**NUMBER OF NON-INDUSTRIAL CIVIL SERVANTS ON STRESS RELATED SICK LEAVE IN THE FINANCIAL YEARS 2005/06 TO 2008/09 BY DEPARTMENT AND AGE GROUP**

| Department  | Age Group    | 2005/06    | 2006/07    | 2007/08    | 2008/09    |
|-------------|--------------|------------|------------|------------|------------|
| <b>DARD</b> | 16 - 24      | 15         | 11         | 13         | 7          |
|             | 25 - 34      | 50         | 34         | 32         | 25         |
|             | 35 - 44      | 63         | 55         | 46         | 25         |
|             | 45 - 54      | 42         | 45         | 42         | 40         |
|             | 55+          | 12         | 9          | 16         | 12         |
|             | <b>Total</b> | <b>182</b> | <b>154</b> | <b>149</b> | <b>109</b> |
| <b>DCAL</b> | 16 - 24      | 2          | 3          | 2          | 3          |
|             | 25 - 34      | 5          | 6          | 7          | 1          |
|             | 35 - 44      | 8          | 4          | 7          | 3          |
|             | 45 - 54      | 9          | 18         | 15         | 4          |
|             | 55+          | 2          | 3          | 8          | 3          |
|             | <b>Total</b> | <b>26</b>  | <b>34</b>  | <b>39</b>  | <b>14</b>  |
| <b>DE</b>   | 16 - 24      | 7          | 9          | 2          | 0          |
|             | 25 - 34      | 9          | 8          | 4          | 7          |
|             | 35 - 44      | 20         | 22         | 17         | 11         |
|             | 45 - 54      | 13         | 12         | 9          | 6          |
|             | 55+          | 4          | 6          | 6          | 2          |
|             | <b>Total</b> | <b>53</b>  | <b>57</b>  | <b>38</b>  | <b>26</b>  |
| <b>DETI</b> | 16 - 24      | 1          | 1          | 4          | 2          |
|             | 25 - 34      | 8          | 11         | 10         | 6          |
|             | 35 - 44      | 17         | 14         | 14         | 9          |
|             | 45 - 54      | 11         | 19         | 8          | 6          |
|             | 55+          | 2          | 2          | 5          | 1          |
|             | <b>Total</b> | <b>39</b>  | <b>47</b>  | <b>41</b>  | <b>24</b>  |
| <b>DFP</b>  | 16 - 24      | 22         | 16         | 17         | 16         |
|             | 25 - 34      | 55         | 59         | 65         | 45         |
|             | 35 - 44      | 72         | 64         | 56         | 47         |
|             | 45 - 54      | 70         | 62         | 53         | 48         |
|             | 55+          | 19         | 19         | 22         | 18         |
|             | <b>Total</b> | <b>238</b> | <b>220</b> | <b>213</b> | <b>174</b> |

| Department    | Age Group    | 2005/06     | 2006/07    | 2007/08    | 2008/09    |
|---------------|--------------|-------------|------------|------------|------------|
| <b>DEL</b>    | 16 - 24      | 14          | 12         | 8          | 7          |
|               | 25 - 34      | 34          | 34         | 22         | 21         |
|               | 35 - 44      | 56          | 52         | 49         | 40         |
|               | 45 - 54      | 51          | 51         | 62         | 48         |
|               | 55+          | 7           | 16         | 10         | 7          |
|               | <b>Total</b> | <b>162</b>  | <b>165</b> | <b>151</b> | <b>123</b> |
| <b>DHSSPS</b> | 16 - 24      | 8           | 5          | 1          | 3          |
|               | 25 - 34      | 8           | 13         | 3          | 3          |
|               | 35 - 44      | 17          | 14         | 20         | 10         |
|               | 45 - 54      | 17          | 22         | 19         | 13         |
|               | 55+          | 11          | 7          | 6          | 3          |
|               | <b>Total</b> | <b>61</b>   | <b>61</b>  | <b>49</b>  | <b>32</b>  |
| <b>DOE</b>    | 16 - 24      | 14          | 15         | 19         | 3          |
|               | 25 - 34      | 39          | 58         | 42         | 25         |
|               | 35 - 44      | 50          | 53         | 54         | 34         |
|               | 45 - 54      | 31          | 43         | 35         | 44         |
|               | 55+          | 15          | 19         | 15         | 2          |
|               | <b>Total</b> | <b>149</b>  | <b>188</b> | <b>165</b> | <b>108</b> |
| <b>DRD</b>    | 16 - 24      | 13          | 15         | 9          | 7          |
|               | 25 - 34      | 21          | 22         | 17         | 15         |
|               | 35 - 44      | 52          | 54         | 26         | 10         |
|               | 45 - 54      | 48          | 48         | 24         | 20         |
|               | 55+          | 25          | 11         | 15         | 8          |
|               | <b>Total</b> | <b>159</b>  | <b>150</b> | <b>91</b>  | <b>60</b>  |
| <b>DSD</b>    | 16 - 24      | 152         | 136        | 114        | 70         |
|               | 25 - 34      | 299         | 289        | 250        | 224        |
|               | 35 - 44      | 341         | 272        | 274        | 220        |
|               | 45 - 54      | 199         | 202        | 209        | 208        |
|               | 55+          | 42          | 55         | 48         | 37         |
|               | <b>Total</b> | <b>1033</b> | <b>954</b> | <b>895</b> | <b>759</b> |
| <b>OFMDFM</b> | 16 - 24      | 0           | 2          | 1          | 0          |
|               | 25 - 34      | 1           | 5          | 5          | 1          |
|               | 35 - 44      | 4           | 6          | 10         | 4          |
|               | 45 - 54      | 3           | 14         | 15         | 1          |
|               | 55+          | 1           | 3          | 4          | 0          |
|               | <b>Total</b> | <b>9</b>    | <b>30</b>  | <b>35</b>  | <b>6</b>   |

| Department   | Age Group    | 2005/06     | 2006/07     | 2007/08     | 2008/09     |
|--------------|--------------|-------------|-------------|-------------|-------------|
| <b>Total</b> | 16 - 24      | 248         | 225         | 190         | 118         |
|              | 25 - 34      | 529         | 539         | 457         | 373         |
|              | 35 - 44      | 700         | 610         | 573         | 413         |
|              | 45 - 54      | 494         | 536         | 491         | 438         |
|              | 55+          | 140         | 150         | 155         | 93          |
|              | <b>Total</b> | <b>2111</b> | <b>2060</b> | <b>1866</b> | <b>1435</b> |

**NUMBER OF NON-INDUSTRIAL CIVIL SERVANTS ON STRESS RELATED SICK LEAVE IN THE FINANCIAL YEARS 2005/06 TO 2008/09 BY DEPARTMENT AND GRADE**

| Department  | Grade        | 2005/06    | 2006/07    | 2007/08    | 2008/09    |
|-------------|--------------|------------|------------|------------|------------|
| <b>DARD</b> | G7+          | 5          | 4          | 13         | 8          |
|             | DP           | 8          | 5          | 5          | 6          |
|             | SO           | 14         | 17         | 22         | 18         |
|             | EOI          | 30         | 21         | 21         | 15         |
|             | EOII         | 29         | 29         | 25         | 15         |
|             | AO           | 57         | 46         | 39         | 23         |
|             | AA           | 39         | 32         | 24         | 24         |
|             | <b>Total</b> | <b>182</b> | <b>154</b> | <b>149</b> | <b>109</b> |
| <b>DCAL</b> | G7+          | 1          | 4          | 4          | 1          |
|             | DP           | 2          | 3          | 3          | 1          |
|             | SO           | 5          | 6          | 7          | 2          |
|             | EOI          | 6          | 8          | 9          | 1          |
|             | EOII         | 2          | 4          | 2          | 3          |
|             | AO           | 8          | 5          | 7          | 4          |
|             | AA           | 2          | 4          | 7          | 2          |
|             | <b>Total</b> | <b>26</b>  | <b>34</b>  | <b>39</b>  | <b>14</b>  |
| <b>DE</b>   | G7+          | 4          | 2          | 2          | 1          |
|             | DP           | 2          | 3          | 1          | 2          |
|             | SO           | 3          | 6          | 7          | 0          |
|             | EOI          | 4          | 7          | 4          | 5          |
|             | EOII         | 8          | 14         | 9          | 5          |
|             | AO           | 21         | 17         | 12         | 11         |
|             | AA           | 11         | 8          | 3          | 2          |
|             | <b>Total</b> | <b>53</b>  | <b>57</b>  | <b>38</b>  | <b>26</b>  |
| <b>DETI</b> | G7+          | 0          | 3          | 2          | 0          |
|             | DP           | 5          | 5          | 3          | 4          |
|             | SO           | 6          | 3          | 5          | 5          |
|             | EOI          | 10         | 10         | 7          | 2          |
|             | EOII         | 3          | 8          | 4          | 4          |
|             | AO           | 10         | 13         | 10         | 6          |

| Department    | Grade        | 2005/06    | 2006/07    | 2007/08    | 2008/09    |
|---------------|--------------|------------|------------|------------|------------|
| <b>DETI</b>   | AA           | 5          | 5          | 10         | 3          |
|               | <b>Total</b> | <b>39</b>  | <b>47</b>  | <b>41</b>  | <b>24</b>  |
| <b>DFP</b>    | G7+          | 7          | 8          | 8          | 4          |
|               | DP           | 15         | 20         | 13         | 11         |
|               | SO           | 23         | 22         | 26         | 22         |
|               | EOI          | 34         | 25         | 17         | 20         |
|               | EOII         | 36         | 27         | 27         | 32         |
|               | AO           | 87         | 80         | 87         | 72         |
|               | AA           | 36         | 38         | 35         | 13         |
|               | <b>Total</b> | <b>238</b> | <b>220</b> | <b>213</b> | <b>174</b> |
| <b>DEL</b>    | G7+          | 2          | 1          | 2          | 3          |
|               | DP           | 6          | 9          | 5          | 4          |
|               | SO           | 11         | 15         | 8          | 10         |
|               | EOI          | 30         | 26         | 25         | 20         |
|               | EOII         | 35         | 48         | 47         | 43         |
|               | AO           | 65         | 49         | 53         | 40         |
|               | AA           | 13         | 17         | 11         | 3          |
|               | <b>Total</b> | <b>162</b> | <b>165</b> | <b>151</b> | <b>123</b> |
| <b>DHSSPS</b> | G7+          | 4          | 3          | 5          | 3          |
|               | DP           | 7          | 3          | 5          | 3          |
|               | SO           | 8          | 10         | 9          | 4          |
|               | EOI          | 4          | 8          | 9          | 5          |
|               | EOII         | 9          | 12         | 8          | 6          |
|               | AO           | 15         | 12         | 6          | 5          |
|               | AA           | 14         | 13         | 7          | 6          |
|               | <b>Total</b> | <b>61</b>  | <b>61</b>  | <b>49</b>  | <b>32</b>  |
| <b>DOE</b>    | G7+          | 7          | 3          | 4          | 3          |
|               | DP           | 10         | 8          | 8          | 7          |
|               | SO           | 10         | 14         | 13         | 13         |
|               | EOI          | 20         | 19         | 27         | 11         |
|               | EOII         | 12         | 18         | 19         | 10         |
|               | AO           | 69         | 88         | 63         | 50         |
|               | AA           | 21         | 38         | 31         | 14         |
|               | <b>Total</b> | <b>149</b> | <b>188</b> | <b>165</b> | <b>108</b> |
| <b>DRD</b>    | G7+          | 6          | 2          | 0          | 3          |
|               | DP           | 9          | 6          | 2          | 0          |
|               | SO           | 22         | 12         | 15         | 7          |
|               | EOI          | 30         | 39         | 18         | 12         |
|               | EOII         | 14         | 19         | 10         | 5          |



| Department    | Grade        | 2005/06     | 2006/07     | 2007/08     | 2008/09     |
|---------------|--------------|-------------|-------------|-------------|-------------|
| <b>DRD</b>    | AO           | 46          | 36          | 18          | 14          |
|               | AA           | 32          | 36          | 28          | 19          |
|               | <b>Total</b> | <b>159</b>  | <b>150</b>  | <b>91</b>   | <b>60</b>   |
| <b>DSD</b>    | G7+          | 5           | 6           | 7           | 4           |
|               | DP           | 5           | 5           | 15          | 12          |
|               | SO           | 27          | 17          | 30          | 27          |
|               | EOI          | 69          | 64          | 64          | 49          |
|               | EOII         | 251         | 225         | 220         | 200         |
|               | AO           | 529         | 527         | 475         | 393         |
|               | AA           | 147         | 110         | 84          | 74          |
|               | <b>Total</b> | <b>1033</b> | <b>954</b>  | <b>895</b>  | <b>759</b>  |
| <b>OFMDFM</b> | G7+          | 0           | 4           | 4           | 1           |
|               | DP           | 2           | 2           | 1           | 0           |
|               | SO           | 1           | 3           | 6           | 0           |
|               | EOI          | 1           | 4           | 5           | 2           |
|               | EOII         | 2           | 7           | 8           | 2           |
|               | AO           | 2           | 9           | 9           | 1           |
|               | AA           | 1           | 1           | 2           | 0           |
|               | <b>Total</b> | <b>9</b>    | <b>30</b>   | <b>35</b>   | <b>6</b>    |
| <b>Total</b>  | G7+          | 41          | 40          | 51          | 31          |
|               | DP           | 71          | 69          | 61          | 50          |
|               | SO           | 130         | 125         | 148         | 108         |
|               | EOI          | 238         | 231         | 206         | 142         |
|               | EOII         | 401         | 411         | 379         | 325         |
|               | AO           | 909         | 882         | 779         | 619         |
|               | AA           | 321         | 302         | 242         | 160         |
|               | <b>Total</b> | <b>2111</b> | <b>2060</b> | <b>1866</b> | <b>1435</b> |

### Rates Arrears

**Mr D O'Loan** asked the Minister of Finance and Personnel to detail the amount of rates arrears discovered as a result of the recent exercise with District Councils examining properties recorded as vacant, broken down by (i) domestic; (ii) non-domestic; (iii) District Council area; and (iv) by the year to which the rates apply; and to report on the collection of these outstanding rates. (AQW 2978/10)

**Minister of Finance and Personnel:** The value of rate bills issued to date as a result of the vacancy inspections by councils in late 2008 and early 2009 is shown in the attached table

Land & Property Services records the full value of each bill on the date that it is issued. This is required to operate the Penny Product Regulations, which determine payment to district councils on the basis of billing date. Land & Property Services cannot report on specific collection performance for the bills issued as a result of this particular exercise. This is because many of the monies are due from ratepayers who also have other amounts outstanding for various properties, and collection and recovery action is progressed at ratepayer (rather than bill) level. Nevertheless, the normal billing and recovery procedures (final reminders and court actions, alongside the opportunity for ratepayers to approach LPS to agree a payment arrangement) apply for the rate bills issued as a

result of this exercise, and overall rate collection for 2008-2009 was 92.4%, and for 2009-2010 is expected to be in excess of 95%.

Land & Property Services continues to work closely with district councils to ensure that the occupancy status of all properties is correctly recorded.

| Council       | Domestic (£)     | Non Domestic (£) | Total bills issued<br>2008/09 (£) | Domestic (£)     | Non Domestic (£) | Total bills issued<br>2009/10 (£) |
|---------------|------------------|------------------|-----------------------------------|------------------|------------------|-----------------------------------|
| Antrim        | 177,397          | 199,566          | 376,963                           | 7,292            | 0                | 7,292                             |
| Ards          | 320,363          | 85,543           | 405,906                           | 40,713           | 5,534            | 46,247                            |
| Armagh        | 355,735          | 10,814           | 366,549                           | 159,523          | 1,249            | 160,772                           |
| Ballymena     | 233,882          | 609,551          | 843,433                           | 100,898          | 0                | 100,898                           |
| Ballymoney    | 31,360           | 0                | 31,360                            | 1,569            | 0                | 1,569                             |
| Banbridge     | 221,723          | 25,526           | 247,249                           | 4,360            | 18,157           | 22,517                            |
| Belfast       | 1,913,320        | 3,642,787        | 5,556,107                         | 978,760          | 1,670,322        | 2,649,082                         |
| Carrickfergus | 174,447          | 43,171           | 217,618                           | 43,330           | 1,785            | 45,115                            |
| Castlereagh   | 269,274          | 6,013            | 275,287                           | 49,952           | 0                | 49,952                            |
| Coleraine     | 240,721          | 225,069          | 465,790                           | 208,385          | 153,202          | 361,587                           |
| Cookstown     | 157,208          | 203,051          | 360,259                           | 29,157           | 62,546           | 91,703                            |
| Craigavon     | 47,223           | 52,235           | 99,458                            | 338,673          | 209,240          | 547,913                           |
| Down          | 299,930          | 156,658          | 456,588                           | 55,087           | 0                | 55,087                            |
| Dungannon     | 6,401            | 64,593           | 70,994                            | -515             | 142,707          | 142,192                           |
| Fermanagh     | 385,324          | 286,750          | 672,074                           | 66,355           | 93,169           | 159,524                           |
| Larne         | 168,975          | 130,955          | 299,930                           | 20,510           | 60,015           | 80,525                            |
| Limavady      | 95,194           | 1,472            | 96,666                            | 59,698           | 0                | 59,698                            |
| Lisburn       | 651,308          | 429,130          | 1,080,438                         | 123,802          | 0                | 123,802                           |
| Derry         | 416,463          | 895,911          | 1,312,374                         | 87,600           | 183,816          | 271,416                           |
| Moyle         | 163,861          | 901              | 164,762                           | 33,006           | 21,232           | 54,238                            |
| Newry         | 55,030           | 364,877          | 419,907                           | 207,583          | 542,529          | 750,112                           |
| Newtownabbey  | 652,640          | 1,795,192        | 2,447,832                         | 131,240          | 66,282           | 197,522                           |
| North Down    | 416,242          | 175,887          | 592,129                           | 118,357          | 298,526          | 416,883                           |
| Omagh         | 167,250          | 101,481          | 268,731                           | 25,481           | 0                | 25,481                            |
| Strabane      | 201,426          | 50,723           | 252,149                           | 20,376           | 1,192            | 21,568                            |
| <b>Total</b>  | <b>7,822,697</b> | <b>9,557,856</b> | <b>17,380,553</b>                 | <b>2,911,192</b> | <b>3,531,503</b> | <b>6,442,695</b>                  |

**Notes:**

1. Magherafelt Council chose not to participate in the exercise; LPS is taking forward vacancy inspections in this Council area
2. The table only includes bills issued as a result of council inspections; LPS continues to use other data sources to raise rate bills

### Civil Service Equal Pay

**Mr D O'Loan** asked the Minister of Finance and Personnel if he will ensure that relevant NIO staff will benefit from the equal pay settlement agreed for the NI Civil Service, including back pay. (AQW 2987/10)

**Minister of Finance and Personnel:** Following the delegation of pay and grading, the NIO has separate pay and grading arrangements and therefore the NIO is not joined to the equal pay issue facing the Northern Ireland Departments in relation to the disparity between administrative and technical grades

### Policy Framework in Northern Ireland

**Dr S Farry** asked the Minister of Finance and Personnel to report on the policy framework in Northern Ireland, including legal barriers to the use of government bonds for raising revenue. (AQW 2991/10)

**Minister of Finance and Personnel:** Where the statutory power to borrow for specific purposes exists, there is legislative provision for the issue of Treasury Bills and other securities as a means of borrowing.

However, the key issue in respect of additional borrowing by the Executive is that it would count towards the UK Public Sector Net Cash Requirement. Under the terms of the Statement of Funding Policy, any additional borrowing by the Executive would be offset by a reduction in the Block Grant from Treasury.

This is the main practical barrier to the use of bonds as there would be no increase in the short-term spending power of the Executive, whilst at the same time incurring a longer-term liability in respect of both the principal and interest payments.

In addition, there is also the more general issue of intergenerational equity in seeking the balance between today's capital investment needs against the costs that this will impose going forward, which places a limit on the amount of borrowing that is appropriate.

Although there may not be legal barriers to the use of government bonds for raising funding, the imprudence of such an action is the main consideration.

### Civil Service Equal Pay

**Mr P Ramsey** asked the Minister of Finance and Personnel to outline progress in the Civil Service equal pay claim; and when he expects to announce a resolution. (AQW 3001/10)

**Minister of Finance and Personnel:** Following the Executive's agreement to my recommendations regarding a proposal aimed at settling the NICS equal pay claims, I instructed my officials to make a formal offer to NIPSA. That offer was made to NIPSA on 23 November. The details of the proposal are contained in a letter to NIPSA which may be found at [www.dfpni.gov.uk/pay](http://www.dfpni.gov.uk/pay)

NIPSA have stated that they will recommend the offer to staff and will now engage in the process of consulting with its members on whether they wish to accept the offer. Once we know the outcome of that consultation, and whether NIPSA members are willing to accept the offer, I will make a full Statement to the Assembly.

### Departmental Underspend

**Mr S Hamilton** asked the Minister of Finance and Personnel the total departmental underspend in (i) monetary; and (ii) percentage terms in each of the last ten years. (AQW 3058/10)

**Minister of Finance and Personnel:** The attached table sets out total departmental underspends in respect of resource and capital expenditure for the last seven financial years. Information on underspends is not available prior to this period.

The figures are for Departmental DEL and are based on the Provisional Outturn figures provided by departments around May/June of each year.

The figures for 2001-02 and 2002-03 are based on Stage 1 of the transfer to Resource Accounting and Budgeting and so are not directly comparable with the following years which are prepared on a Stage 2 basis.

**DEPARTMENTAL DEL UNDERSPENDS**

|                  | 2001-02<br>RAB<br>Stage 1 |            | 2002-03<br>RAB<br>Stage 1 |            | 2003-04<br>RAB<br>Stage 2 |            | 2004-05<br>RAB<br>Stage 2 |            | 2005-06<br>RAB<br>Stage 2 |            | 2006-07<br>RAB<br>Stage 2 |            | 2007-08<br>RAB<br>Stage 2 |            | 2008-09<br>RAB<br>Stage 2 |            |
|------------------|---------------------------|------------|---------------------------|------------|---------------------------|------------|---------------------------|------------|---------------------------|------------|---------------------------|------------|---------------------------|------------|---------------------------|------------|
|                  | £m                        | %          | £m                        | %          | £m                        | %          | £m                        | %          | £m                        | %          | £m                        | %          | £m                        | %          | £m                        | %          |
| Resource         | 117.5                     | 2.2        | 108.7                     | 1.9        | 160.2                     | 2.4        | 117.9                     | 1.7        | 150.6                     | 2.0        | 158.8                     | 2.1        | 176.8                     | 2.1        | 43.8                      | 0.5        |
| Capital          | 80.8                      | 10.7       | 99.6                      | 13.0       | 170.0                     | 19.9       | 171.8                     | 15.0       | 224.5                     | 18.2       | 96.7                      | 8.8        | 75.9                      | 6.3        | -16.6 <sup>i</sup>        | -1.1       |
| <b>Total DEL</b> | <b>198.3</b>              | <b>3.2</b> | <b>208.3</b>              | <b>3.1</b> | <b>330.2</b>              | <b>4.4</b> | <b>289.7</b>              | <b>3.5</b> | <b>378.1</b>              | <b>4.4</b> | <b>255.5</b>              | <b>2.9</b> | <b>252.7</b>              | <b>2.6</b> | <b>27.2</b>               | <b>0.3</b> |

**Civil Service Equal Pay**

**Mr A Ross** asked the Minister of Finance and Personnel for an update on the Civil Service Equal Pay claim.  
(AQW 3065/10)

**Minister of Finance and Personnel:** Following the Executive's agreement to my recommendations regarding a proposal aimed at settling the NICS equal pay claims, I instructed my officials to make a formal offer to NIPSA. That offer was made to NIPSA on 23 November. The details of the proposal are contained in a letter to NIPSA which may be found at [www.dfpni.gov.uk/pay](http://www.dfpni.gov.uk/pay)

NIPSA have stated that they will recommend the offer to staff and will now engage in the process of consulting with its members on whether they wish to accept the offer. Once we know the outcome of that consultation, and whether NIPSA members are willing to accept the offer, I will make a full Statement to the Assembly.

**Equal Pay Offer**

**Mr A McQuillan** asked the Minister of Finance and Personnel how long he estimates it will take to make payments under the equal pay offer, should NIPSA accept the proposed settlement.  
(AQW 3072/10)

**Minister of Finance and Personnel:** NIPSA are currently consulting their members to determine if the settlement is acceptable. Should the offer be acceptable to staff, there will be a detailed and lengthy process to be followed before payments could be made. The precise details of the process and the timescales are currently being developed but it is my intention that it should not take any longer than is absolutely necessary.

**DEPARTMENT OF HEALTH, SOCIAL SERVICES AND PUBLIC SAFETY****NI Fire and Rescue Service: Unauthorised Salary Increases**

**Lord Morrow** asked the Minister of Health, Social Services and Public Safety (i) if the unauthorised salary increases paid to NI Fire and Rescue Service senior officers has been repaid; (ii) when each individual concerned made the repayments; and (iii) if disciplinary action has been, or will be taken, in relation to this matter.  
(AQW 705/10)

**Minister of Health, Social Services and Public Safety (Mr M McGimpsey):** The repayment by senior officers of unauthorised salary increases is a contractual matter for the Northern Ireland Fire and Rescue Service (NIFRS) and those officers affected. I am satisfied that the NIFRS board has put in place appropriate arrangements to ensure that a similar situation does not occur in the future.



### GP Out of Hours Centres

**Mr T Gallagher** asked the Minister of Health, Social Services and Public Safety to detail the total cost of operating GP Out of Hours centres in each Health and Social Care Trust area in 2007/08 and 2008/09.

(AQW 1957/10)

**Minister of Health, Social Services and Public Safety:** The total cost of operating GP Out-of-Hours Centres in each Health and Social Care Trust area in 2007/08 was provided in the response to AQW 2615/09.

Costs relating to 2008/09 are detailed below.

| Health and Social Care Trust Area | 2008/09<br>£'000 |
|-----------------------------------|------------------|
| Belfast HSC Trust area            | 3,510            |
| Northern HSC Trust area           | 5,020            |
| South Eastern HSC Trust area      | 3,698            |
| Southern HSC Trust area           | 4,333            |
| Western HSC Trust area            | 5,498            |
| NIAS                              | N/A              |
| <b>Overall Total</b>              | <b>22,059</b>    |

Source: Health and Social Care Board

### 'Life' Mobile Unit

**Mr D Hilditch** asked the Minister of Health, Social Services and Public Safety for her assessment of the "Life" mobile unit that visits primary schools.

(AQW 2778/10)

**Minister of Health, Social Services and Public Safety:** The Life Education Project works in partnership with schools and teachers to provide a series of health and drug education programmes that are appropriate for school children from nursery to Primary 7. The programmes take place in a specially designed mobile classroom, equipped to provide a stimulating and exciting environment in which to explore a range of health-related issues such issues as bullying, managing emotions, healthy eating, substance misuse, assertiveness and normative education. A range of positive techniques and strategies are used to enable children to develop the confidence and skills needed to make informed health choices.

One scheme in the South East Antrim Area is operated and core funded by the North Eastern Education and Library Board, and receives a small amount of funding from the Northern Investing for Health Partnership. A further programme is currently operated by the South Eastern Health and Social Care Trust in the North Down and Ards area.

### Swine Flu Vaccination

**Lord Morrow** asked the Minister of Health, Social Services and Public Safety for his assessment of the Birmingham Health Trust scheme which is paying bonuses to GPs who sign-up patients for the swine flu vaccination; and if he intends to introduce this in Northern Ireland.

(AQW 2797/10)

**Minister of Health, Social Services and Public Safety:** The Heart of Birmingham Teaching Primary Care Trust will be implementing the nationally agreed arrangements for swine flu vaccinations with its GPs and will not be offering an incentivised bonus scheme.

GP Practices in Northern Ireland receive the nationally agreed fee for administering swine flu vaccinations.

### Emergency Ambulances

**Mr G Robinson** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 1847/10, if engine replacement and regular maintenance is sufficient to keep emergency ambulances in operational condition, when high mileage and age causes vehicular deterioration that cannot be repaired. (AQW 2800/10)

**Minister of Health, Social Services and Public Safety:** The mechanical maintenance of the emergency ambulance fleet is an operational matter for the Northern Ireland Ambulance Service (NIAS).

NIAS has advised that the service regime for its vehicles exceeds manufacturers' recommendations.

### Ambulance Performance Standards

**Mr G Robinson** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 1848/10, if he is aware that ambulance crews believe that the 'platinum ten minutes' is a performance standard, rather than the "concept" to which he refers. (AQW 2801/10)

**Minister of Health, Social Services and Public Safety:** Ambulance crews are fully aware that the Northern Ireland Ambulance Service (NIAS) performance is measured against a more exacting 8 minute target. For 2009/10, NIAS must respond to an average of 70% of Category A (life-threatening) calls within this target, increasing to an average of 72.5% by March 2010 (and not less than 65% in any Local Commissioning Group (LCG) area). NIAS's cumulative Northern Ireland performance up to week ended 8 November 2009 was 73.3% and 70.8% in the Western LCG area.

### Causeway Hospital: Visitor Access

**Mr G Robinson** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 2212/10, (i) if misleading information about visitor access at the Causeway Hospital was supplied; and (ii) if he will make a public apology to those visitors who were denied access on 17 and 18 October 2009. (AQW 2802/10)

**Minister of Health, Social Services and Public Safety:** No-one was refused entry to the hospital site on 17 and 18 October 2009

### Dynamic Tactical Deployment Plan

**Mr G Robinson** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 2213/10, if the dynamic tactical deployment plan is an electronic based system. (AQW 2803/10)

**Minister of Health, Social Services and Public Safety:** Yes.

### Ambulance Resources

**Mr G Robinson** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 2213/10, what ambulance resources are deployed to cover the Limavady area when the emergency ambulance based in Limavady is deployed out of its local area. (AQW 2804/10)

**Minister of Health, Social Services and Public Safety:** I refer the Member back to the answer I gave to AQW 2213/10 on 9 November 2009.

### Bladder/Urinary Specialists

**Mr A Ross** asked the Minister of Health, Social Services and Public Safety how many bladder/urinary specialists currently work in the Health Service. (AQW 2805/10)

**Minister of Health, Social Services and Public Safety:** The information requested is provided in the table below.

**BLADDER/URINARY SPECIALISTS IN HEALTH & SOCIAL CARE AT NOVEMBER 2009**

| Grade of Specialist   | Headcount | WTE          |
|-----------------------|-----------|--------------|
| Consultant            | 23        | 23.00        |
| Doctor – other grades | 13        | 12.00        |
| Specialist Nurse      | 18        | 16.02        |
| <b>Total</b>          | <b>54</b> | <b>51.02</b> |

Source: Health & Social Care Trusts

**Notes:**

1. WTE = whole-time equivalent.

**Bladder/Urinary Specialist**

**Mr A Ross** asked the Minister of Health, Social Services and Public Safety when a replacement will be in place for the bladder/urinary specialist in Antrim Area Hospital. (AQW 2807/10)

**Minister of Health, Social Services and Public Safety:** The Northern Health and Social Care Trust has confirmed that currently all urology patients are referred to the urology service at Causeway Hospital.

Antrim Area Hospital does not provide a specialist urology service. Previously, there was a surgeon with an interest in urology; however, he retired in March 2008.

**Bladder/Urinary Specialist**

**Mr A Ross** asked the Minister of Health, Social Services and Public Safety what travel and accommodation assistance is offered to patients living in East Antrim who are given an early morning appointment to see a bladder/urinary specialist in the Causeway Hospital. (AQW 2808/10)

**Minister of Health, Social Services and Public Safety:** The Travelling Expenses and Remission of Charges Regulations (Northern Ireland) 2004 set out the criteria for the payment of travel expenses.

**Swine Flu Vaccination**

**Mr J Craig** asked the Minister of Health, Social Services and Public Safety what percentage of Health Service staff have refused the swine flu vaccination. (AQW 2823/10)

**Minister of Health, Social Services and Public Safety:** As part of the swine flu vaccination programme, Health and Social Care members of staff are encouraged voluntarily to attend a vaccination clinic. The reasons for members of staff failing to attend are not known; therefore information on staff who specifically refused the vaccine does not exist.

**Regulation of Sunbeds**

**Mrs C Hanna** asked the Minister of Health, Social Services and Public Safety if a decision has been reached on the regulation of sunbeds, following the recent conference, consultation and research group led by his Department. (AQW 2835/10)

**Minister of Health, Social Services and Public Safety:** On 19 November 2009, I issued a public consultation to seek the views on a range of possible measures for regulating the sunbed industry in Northern Ireland, with particular regard to the need to protect the health of children and young people under the age of 18. The closing date is 19 February 2010.

### Stress-related Sick Leave

**Mr G Robinson** asked the Minister of Health, Social Services and Public Safety to detail the number of man hours of stress-related sick leave taken by ambulance crews in each of the last three years. (AQW 2845/10)

**Minister of Health, Social Services and Public Safety:** The information requested is not held centrally.

### Cancelled Clinics

**Mr A Easton** asked the Minister of Health, Social Services and Public Safety to detail the cost to the Health Service of cancelled clinics in each of the last three years. (AQW 2846/10)

**Minister of Health, Social Services and Public Safety:** I refer the member to the answer previously given to AQW 4528/09. The cost of clinics that have been cancelled is not available centrally.

### Minor Ailments Scheme

**Mr A Easton** asked the Minister of Health, Social Services and Public Safety when the review of the Minor Ailments Scheme for pharmacists will take place. (AQW 2848/10)

**Minister of Health, Social Services and Public Safety:** In accordance with the agreement reached with the Pharmaceutical Contractors Committee in late 2008, the community pharmacy minor ailments scheme will be evaluated early in 2010.

### Minor Ailments Scheme

**Mr A Easton** asked the Minister of Health, Social Services and Public Safety if he is planning more financial flexibility for pharmacists under the Minor Ailments Scheme. (AQW 2849/10)

**Minister of Health, Social Services and Public Safety:** The Minor Ailments Scheme is a demand-led service remunerated on a sliding scale basis dependent on the number of consultations delivered. In the absence of an agreed new pharmacy contract the budget for minor ailments is ring fenced to ensure continued delivery of the service and does not therefore allow for any financial flexibility.

### Service Provision to Patients

**Mr A Easton** asked the Minister of Health, Social Services and Public Safety if he intends to increase service provision to patients under any new pharmacy contract. (AQW 2850/10)

**Minister of Health, Social Services and Public Safety:** As agreed with the Pharmaceutical profession, the new pharmacy contract will focus on the health needs of the patient. The contract will build upon the current position that every health service prescription will be dispensed promptly, competently and safely.

Over and above this there is a need for the provision of a wider range of services to patients. Subject to negotiation, it is therefore intended that the new contract will allow pharmacies to offer help in a range of areas.

### Fire and Rescue Service: Attacks on

**Lord Morrow** asked the Minister of Health, Social Services and Public Safety to detail (i) the number of attacks on Fire and Rescue Service vehicles; and (ii) the total cost of repair of these vehicles, broken down by division, in each of the last two years. (AQW 2851/10)

**Minister of Health, Social Services and Public Safety:** The tables below detail the number of attacks on Northern Ireland Fire & Rescue Service vehicles and the costs of repair broken down by Area Command, in each of the last 2 years.



TABLE 1 – NUMBER OF ATTACKS ON VEHICLES

|              | Eastern Area | Northern Area | Southern Area | Western Area | Total |
|--------------|--------------|---------------|---------------|--------------|-------|
| 2007         | 22           | 7             | 8             | 5            | 42    |
| 2008         | 20           | 6             | 4             | 6            | 36    |
| 2009 to date | 14           | 4             | 6             | 8            | 32    |

TABLE 2 – COST OF VEHICLE REPAIRS

|              | Eastern | Northern | Southern | Western | Total   |
|--------------|---------|----------|----------|---------|---------|
| 2007         | £12,650 | £4,025   | £4,600   | £2,875  | £24,150 |
| 2008         | £11,500 | £3,450   | £2,300   | £3,450  | £20,700 |
| 2009 to date | £8,050  | £2,300   | £3,450   | £4,600  | £18,400 |

### Fire and Rescue Service: Attacks on

**Lord Morrow** asked the Minister of Health, Social Services and Public Safety to detail the number of staff who have been injured in attacks against the Fire and Rescue Service, broken down by division, in each of the last two years. (AQW 2852/10)

**Minister of Health, Social Services and Public Safety:** The table below details the number of NIFRS personnel injured in attacks, broken down by Command Area, in each of the last 2 years.

| Injury to Personnel (Attacks) |              |               |               |              |       |
|-------------------------------|--------------|---------------|---------------|--------------|-------|
|                               | Eastern Area | Northern Area | Southern Area | Western Area | Total |
| 2008                          | 6            | -             | -             | -            | 6     |
| 2009 to date                  | 2            | -             | 2             | -            | 4     |

### Swine Flu Vaccination

**Mr A Ross** asked the Minister of Health, Social Services and Public Safety for the most up-to-date figures on how many people have received the swine flu vaccination, broken down by constituency. (AQW 2859/10)

**Minister of Health, Social Services and Public Safety:** By 14 November approximately 31,300 people in priority groups have been given the swine flu vaccination in Trusts across Northern Ireland. The total number of people who have received the vaccination from their GP is not available yet. It will not be possible to break down the vaccination figures by constituency.

### Swine Flu Vaccination

**Mr A Ross** asked the Minister of Health, Social Services and Public Safety how many people who are entitled to receive the swine flu vaccination in each constituency have refused it. (AQW 2862/10)

**Minister of Health, Social Services and Public Safety:** Vaccination is not compulsory and people attend for vaccination on a voluntary basis. They may not attend for a range of reasons. There is no means of assessing the proportion of those not attending who are choosing to refuse to be vaccinated. As a result data on refusals does not exist.

### Outpatient Clinic Appointments

**Mr J Spratt** asked the Minister of Health, Social Services and Public Safety how many out-patient clinic appointments were cancelled at Belfast City Hospital in each of the last three years. (AQW 2867/10)

**Minister of Health, Social Services and Public Safety:** I refer the Member to the answer I gave to AQW 2414/10.

### GP-held Medical Files

**Mr I McCrea** asked the Minister of Health, Social Services and Public Safety what rights patients have to view their GP-held medical files. (AQW 2872/10)

**Minister of Health, Social Services and Public Safety:** The Data Protection Act (DPA) 1998 provides any individual a right of access to records containing information about them. This includes patient access to medical files held by their GP.

Patients may not be allowed to access their records if healthcare professionals believe that information in the records is likely to cause serious harm to the patient or another person. Where the record includes details about third parties, these may be removed.

### Swine Flu

**Mr D Simpson** asked the Minister of Health, Social Services and Public Safety how many people in total were admitted to hospital with swine flu in each of the last six months; and to provide a breakdown down by hospital. (AQW 2873/10)

**Minister of Health, Social Services and Public Safety:** A total of 484 people have been admitted to hospitals in Northern Ireland with a clinical diagnosis of swine flu since 1st September 2009. The table below provides a breakdown of admissions by hospital in each month since September 2009.

|              | Admissions to Hospital via A&E with a Clinical Diagnosis of Swine Flu |              |                |
|--------------|---|--------------|----------------|
|              | September 2009  | October 2009 | November* 2009 |
| Altnagelvin  | 14  | 22           | -              |
| Antrim       | 8   | 31           | 19             |
| BCH          | -   | 0            | -              |
| Causeway     | -   | -            | -              |
| Craigavon    | 12  | 68           | 29             |
| Daisy Hill   | -   | 6            | -              |
| Downe        | -   | -            | -              |
| Erne         | -   | 0            | -              |
| Lagan Valley | 5   | 8            | 6              |
| Mater        | 6   | 10           | 5              |
| Mid Ulster   | -   | -            | 0              |
| RBHSC        | 20  | 39           | 16             |
| RVH          | 22  | 25           | 19             |
| Ulster       | 15  | 29           | 15             |

**Note:** Data is confidential. Cells with a value between 1 and 4 are anonymised and represented by a dash in the table.

\* Latest Date Available – 19th November 2009

## Swine Flu

**Mr D Simpson** asked the Minister of Health, Social Services and Public Safety to detail (i) the average daily admission rate of patients with swine flu for each hospital; and (ii) the highest daily admission rate of patients with swine flu for each hospital, in each of the last three months. (AQW 2874/10)

**Minister of Health, Social Services and Public Safety:** The average number of admissions to each hospital each day with a clinical diagnosis of swine flu in each of the last three months is given in table (i). The highest daily number of admissions to each hospital each month with a clinical diagnosis of swine flu in each of the last three months is given in table (ii).

**TABLE (I): AVERAGE DAILY ADMISSIONS TO HOSPITAL WITH A CLINICAL DIAGNOSIS OF SWINE FLU BY MONTH AND HOSPITAL.**

|              | Average Daily Admissions to Hospital via A&E each month with a Clinical Diagnosis of Swine Flu |              |               |
|--------------|--|--------------|---------------|
|              | September 2009   | October 2009 | November 2009 |
| Altnagelvin  | 0  | 1            | 0             |
| Antrim       | 0  | 1            | 1             |
| BCH          | 0  | 0            | 0             |
| Causeway     | 0  | 0            | 0             |
| Craigavon    | 0  | 2            | 2             |
| Daisy Hill   | 0  | 0            | 0             |
| Downe        | 0  | 0            | 0             |
| Erne         | 0  | 0            | 0             |
| Lagan Valley | 0  | 0            | 0             |
| Mater        | 0  | 0            | 0             |
| Mid Ulster   | 0  | 0            | 0             |
| RBHSC        | 1  | 1            | 1             |
| RVH          | 1  | 1            | 1             |
| Ulster       | 1  | 1            | 1             |

**TABLE (II): HIGHEST DAILY ADMISSIONS TO HOSPITAL WITH A CLINICAL DIAGNOSIS OF SWINE FLU IN EACH MONTH BY HOSPITAL.**

|              | Highest Number of Daily Admissions to Hospital via A&E in each month with a Clinical Diagnosis of Swine Flu |              |               |
|--------------|---|--------------|---------------|
|              | September 2009  | October 2009 | November 2009 |
| Altnagelvin  | 2   | 3            | 1             |
| Antrim       | 1   | 6            | 3             |
| BCH          | 2   | 0            | 1             |
| Causeway     | 1   | 1            | 1             |
| Craigavon    | 2   | 9            | 3             |
| Daisy Hill   | 1   | 1            | 1             |
| Downe        | 1   | 1            | 1             |
| Erne         | 2   | 0            | 1             |
| Lagan Valley | 1   | 2            | 2             |
| Mater        | 1   | 3            | 2             |
| Mid Ulster   | 1   | 1            | 0             |

|        | Highest Number of Daily Admissions to Hospital via A&E<br>in each month with a Clinical Diagnosis of Swine Flu |              |               |
|--------|--|--------------|---------------|
|        | September 2009   | October 2009 | November 2009 |
| RBHSC  | 3  | 7            | 2             |
| RVH    | 2  | 2            | 2             |
| Ulster | 3  | 3            | 3             |

### Swine Flu

**Mr D Simpson** asked the Minister of Health, Social Services and Public Safety how many deaths have occurred this year to date from swine flu in each Health and Social Care Trust area. (AQW 2875/10)

**Minister of Health, Social Services and Public Safety:** Thirteen deaths have occurred this year to date from swine flu in Northern Ireland. There were also two additional deaths of people from Northern Ireland who died outside of Northern Ireland while suffering from the virus. In order to safeguard the privacy of the families of the deceased, information on the number of deaths that have occurred from swine flu in each Health and Social Care Trust area is not presented.

### Swine Flu

**Mr D Simpson** asked the Minister of Health, Social Services and Public Safety what procedures are in place in each hospital to isolate swine flu patients. (AQW 2876/10)

**Minister of Health, Social Services and Public Safety:** The Department has issued Guidance for Pandemic Influenza: Infection Control in Hospitals, Community and Primary Care Settings for use by infection control staff in hospitals.

Preventing the spread of any infectious disease to other vulnerable patients in hospital is a high priority. All hospitals have infection control procedures in place. Local risk assessment is undertaken to reduce the risk of exposure to infection, including the H1N1 virus, and minimise the risk of spread to other patients.

### West Tyrone: Public Sector Jobs

**Mr B McElduff** asked the Minister of Health, Social Services and Public Safety to detail the number, the location, the grade and the posts within his Department currently located in (i) the Omagh District; and (ii) the Strabane District; and to outline his Department's plans to increase the number of public sector jobs in West Tyrone. (AQW 2878/10)

**Minister of Health, Social Services and Public Safety:** DHSSPS have no posts in the Omagh or Strabane Districts.

The Department currently has no plans to increase the number of Departmental posts in West Tyrone.

### Air Ambulance Service

**Mr P McGlone** asked the Minister of Health, Social Services and Public Safety to detail any discussions held by his Department on the provision of an air-ambulance service; and the organisations involved in these discussions. (AQW 2883/10)

**Minister of Health, Social Services and Public Safety:** My officials have met with representatives of the charities Ireland Air Ambulance (IAA) and the Province of Ulster Air Ambulance (PUAA). On each occasion, officials have made clear the Department's established policy position that the priority for some years to come must be to invest in modernising ground ambulance services to enable the Northern Ireland Ambulance Service (NIAS) to improve its response to emergency life-threatening calls in line with its performance targets.



### Capital Spend on Projects

**Mr J Shannon** asked the Minister of Health, Social Services and Public Safety to detail the capital spend by his Department on projects during this financial year to date, broken down by constituency. (AQW 2885/10)

**Minister of Health, Social Services and Public Safety:** Information is not available by parliamentary constituency.

### Capital Spend on Projects

**Mr J Shannon** asked the Minister of Health, Social Services and Public Safety to detail his Department's proposed capital spend on projects for the 2010/11 financial year. (AQW 2887/10)

**Minister of Health, Social Services and Public Safety:** I am unable to finalise my capital plans for the 2010/11 financial year pending the outcome of the ongoing budget review exercise to address capital over-commitments at NI Block level in that year.

### Special Clostridium Difficile Wards

**Lord Morrow** asked the Minister of Health, Social Services and Public Safety how many patients in special clostridium difficile wards have died whilst in these wards of causes other than C. diff, or where C. diff was not a contributory factor, in each of the last three years, and if possible broken down by hospital. (AQW 2906/10)

**Minister of Health, Social Services and Public Safety:** The information requested is not available.

### Civil Servants' Earnings

**Mr J Craig** asked the Minister of Health, Social Services and Public Safety how many civil servants in his Department earn more than the Minister, inclusive of salaries, bonuses and any paid positions on outside bodies. (AQW 2908/10)

**Minister of Health, Social Services and Public Safety:** A total of 15 civil servants within my Department earned more than the Minister in 2008-09. The salary information available in relation to civil servants includes salaries and bonuses. Information relating to remuneration for paid positions on outside bodies is not available.

The Ministerial salary used for comparison purposes in this response is the annual salary payable in 2008-2009 to a Ministerial Office Holder of £37,801 plus the basic annual salary payable to a Member of the Legislative Assembly of £43,101.

### Swine Flu Vaccination

**Mr P Weir** asked the Minister of Health, Social Services and Public Safety for a breakdown by age group of the number of people who have received the swine flu vaccination to date. (AQW 2917/10)

**Minister of Health, Social Services and Public Safety:** The total number of people who have received the vaccination from their GP is not available yet. The vaccination figures for GPs are divided by those in the priority groups above 65 and those below 65. Therefore the only age division that will be available is over 65 and under 65.

### Swine Flu

**Mr P Weir** asked the Minister of Health, Social Services and Public Safety for a breakdown by age group of the number of people admitted to hospital with swine flu to date. (AQW 2918/10)

**Minister of Health, Social Services and Public Safety:** The number of people admitted to hospital in Northern Ireland to date (between 1st September 2009 and 19th November 2009) via A&E with a clinical diagnosis of swine flu broken down by age group is given in the table below:

| Age Band     | Number of Admissions to Hospital via A&E<br>with a Clinical Diagnosis of Swine Flu |
|--------------|--|
| Under 1      | 65   |
| 1-4          | 74   |
| 5-14         | 67   |
| 15-44        | 144  |
| 45-64        | 83   |
| 65-74        | 30   |
| 75+          | 21   |
| <b>Total</b> | <b>484</b>   |

### Air Ambulance Service

**Mr K McCarthy** asked the Minister of Health, Social Services and Public Safety if his Department would support an air ambulance service if funding was found from outside the Executive. (AQW 2941/10)

**Minister of Health, Social Services and Public Safety:** I am aware that a number of voluntary organisations are proposing to establish an air ambulance service in Northern Ireland with funding derived exclusively from charitable donations. In reality however any such service would most likely be staffed by health service medics and paramedics and their engagement in this activity would represent an opportunity cost to their employing Trusts.

Quite apart from these operational considerations any proposal to establish an air ambulance service would have to convincingly demonstrate that sufficient demand exists to justify the need for such a service. In my view the priority for some years to come must continue to be focussed on the need to invest in modernising ground ambulance services to enable the Northern Ireland Ambulance Service to improve its response to emergency life-threatening calls in line with its performance targets.

### Swine Flu Vaccination

**Mr P Weir** asked the Minister of Health, Social Services and Public Safety how the priority categories were decided for swine flu vaccination. (AQW 2955/10)

**Minister of Health, Social Services and Public Safety:** I can confirm the priority categories for the swine flu vaccination programme are the same across the UK.

### Swine Flu Vaccination

**Mr P Weir** asked the Minister of Health, Social Services and Public Safety if the priority categories for swine flu vaccination are the same throughout the UK. (AQW 2957/10)

**Minister of Health, Social Services and Public Safety:** I can confirm the priority categories for the swine flu vaccination programme are the same across the UK.

### Swine Flu Vaccination

**Mr P Weir** asked the Minister of Health, Social Services and Public Safety to outline any practical restrictions that were faced in the production, supply or distribution of the swine flu vaccination. (AQW 2958/10)

**Minister of Health, Social Services and Public Safety:** The main practical restrictions affecting the production, supply and distribution of swine flu vaccine in Northern Ireland are: the inherent complexity and duration of the multi-step manufacturing and testing processes, given that the vaccine must meet all quality control standards; the volume of vaccine needed; uncertainty as to the quantities of vaccine that will be delivered

to the UK each week, which impacts on the planning for Northern Ireland; and extremely tight turnaround times to arrange for the vaccine supplied to be split, under pharmaceutical conditions, and re-packed and distributed to every Trust and GP Practice in Northern Ireland on a weekly basis.

In spite of these constraints the swine flu vaccination programme is being rolled out swiftly and successfully to the designated priority groups.

### Carers' Organisations: Service Level Agreement

**Mrs D Kelly** asked the Minister of Health, Social Services and Public Safety to outline the current service level agreement for each carers' organisation in the Southern Health and Social Care Trust area; and for the date of the most recent review. (AQW 2959/10)

**Minister of Health, Social Services and Public Safety:** The following table sets out information regarding the services received by the Southern HSC Trust from the generic and client specific carers' organisations within the Trust area, as well as the dates of the most recent reviews.

| Name of Group                              | Type of Service  | Date of Last Review     |
|--|--|-------------------------|
| <b>Generic Carers Organisations</b>        |  |                         |
| Craigavon & Banbridge Carers               | To facilitate provision of information and support to carers residing in localities of Banbridge and Portadown.  | 24/09/2008              |
| Lurgan Carers                              | To co-ordinate and develop a range of services to support carers in the Lurgan area and specially develop and maintain a Training for Carers programme.  | 24/06/2009              |
| Newry & Mourne Carers                      | To facilitate the development of respite/ support services for carers of the elderly, disabled, those with learning disabilities or the mentally ill living in the Newry and Mourne Area.              | 20/11/2009              |
| Armagh & Dungannon Carers                  | To facilitate the development of services for carers living in the Armagh and Dungannon Area.  | 13/10/2009              |
| <b>Client Specific Carer Organisations</b> |  |                         |
| Parents Council                            | The Trust is currently in negotiations with the Southern Area Parents Council to develop a new parent/carer support contract for Children with Disability.   |                         |
| Headway (Newry)                            | Provision of flexible carer support services in the area of physical and sensory disability  | To be reviewed Dec 2009 |
| CAUSE                                      | To support carers of mental health service users, providing respite, advice, information and support in response to specific needs for support of carers and help relieve pressure of the caring role. | 05/10/2009              |
| Mental Health Forum (Newry & Mourne)       | To facilitate the development of support services to carers of mental health service users living in the Newry and Mourne locality.  | 01/04/2008              |
| Young Carers Projects                      | Provision of services tailored to the needs of young carers. Project tender has been awarded to Action for Children for a period of 3 years.   | To be reviewed annually |

### Carers' Organisations: Budget Awarded

**Mrs D Kelly** asked the Minister of Health, Social Services and Public Safety to detail the budget awarded by the Southern Health and Social Care Trust to each carers' organisation in each of the last three years. (AQW 2960/10)

**Minister of Health, Social Services and Public Safety:** The following table sets out the levels of funding provided by the Southern HSC Trust to the generic and client specific carers' organisations within the Trust area over the last three years, and the proposed funding for 2010/2011.

|  | Funding provided (£) |         |         | Proposed Funding (£) |
|--|----------------------|---------|---------|----------------------|
|  | 2007/08              | 2008/09 | 2009/10 | 2010/11              |
| <b>Generic Carers Organisations</b>        |                      |         |         |                      |
| Craigavon & Banbridge Carers Support Group | 68,664               | 51,465  | 36,565  | 32,290               |
| Lurgan Carers Support Group                | 16,708               | 8,580   | 17,159  | 15,150               |
| Newry & Mourne Carers Support Group        | 43,384               | 44,555  | 44,555  | 39,350               |
| Armagh Carers Support Group                | -                    | 15,000  | 30,000  | 26,490               |

|  | Funding provided (£) |         |         | Proposed Funding (£) |
|--|----------------------|---------|---------|----------------------|
|  | 2007/08              | 2008/09 | 2009/10 | 2010/11              |
| <b>Client Specific Carer Organisations</b> |                      |         |         |                      |
| Parents Council                            | -                    | 3,360   | -       | 15,000               |
| Headway (Newry)                            | -                    | 6,250   | 15,000  | -                    |
| CAUSE                                      | 18,000               | 15,000  | 22,500  | 45,000               |
| Mental Health Forum (Newry & Mourne)       | 25,210               | 25,890  | 25,890  | 25,890               |
| Young Carers Projects                      | -                    | 292,850 | 300,172 | 306,175              |

The Trust also contributes £15,500 yearly to ADAPT, an eating disorder carers support group. While not being an organisation purely for carers, a substantial amount of the organisation's work is aimed at awareness raising, education and support and information for carers.

### Carers' Organisations: Budget Awarded

**Mrs D Kelly** asked the Minister of Health, Social Services and Public Safety to detail the proposed budget for each of the carers' organisations in the Southern Health and Social Care Trust area for the financial year 2010-2011.

(AQW 2962/10)

**Minister of Health, Social Services and Public Safety:** The following table sets out the levels of funding provided by the Southern HSC Trust to the generic and client specific carers' organisations within the Trust area over the last three years, and the proposed funding for 2010/2011.

|  | Funding provided (£) |         |         | Proposed Funding (£) |
|--|----------------------|---------|---------|----------------------|
|  | 2007/08              | 2008/09 | 2009/10 | 2010/11              |
| <b>Generic Carers Organisations</b>        |                      |         |         |                      |
| Craigavon & Banbridge Carers Support Group | 68,664               | 51,465  | 36,565  | 32,290               |
| Lurgan Carers Support Group                | 16,708               | 8,580   | 17,159  | 15,150               |
| Newry & Mourne Carers Support Group        | 43,384               | 44,555  | 44,555  | 39,350               |
| Armagh Carers Support Group                | -                    | 15,000  | 30,000  | 26,490               |

|  | Funding provided (£) |         |         | Proposed Funding (£) |
|--|----------------------|---------|---------|----------------------|
|  | 2007/08              | 2008/09 | 2009/10 | 2010/11              |
| <b>Client Specific Carer Organisations</b> |                      |         |         |                      |
| Parents Council                            | -                    | 3,360   | -       | 15,000               |
| Headway (Newry)                            | -                    | 6,250   | 15,000  | -                    |



|                                      | Funding provided (£) |         |         | Proposed Funding (£) |
|--------------------------------------|----------------------|---------|---------|----------------------|
|                                      | 2007/08              | 2008/09 | 2009/10 | 2010/11              |
| CAUSE                                | 18,000               | 15,000  | 22,500  | 45,000               |
| Mental Health Forum (Newry & Mourne) | 25,210               | 25,890  | 25,890  | 25,890               |
| Young Carers Projects                | -                    | 292,850 | 300,172 | 306,175              |

The Trust also contributes £15,500 yearly to ADAPT, an eating disorder carers support group. While not being an organisation purely for carers, a substantial amount of the organisation's work is aimed at awareness raising, education and support and information for carers.

### Ards Hospital Building

**Mr A Easton** asked the Minister of Health, Social Services and Public Safety what proportion of the Ards Hospital building is not currently in use. (AQW 2965/10)

**Minister of Health, Social Services and Public Safety:** Ards Hospital comprises a number of buildings. The South Eastern Health and Social Care Trust advise that 14% of Ards Hospital is not occupied. This 14% relates to The Gatehouse and The Old House buildings, and a small percentage of McKelvey Unit which the Trust plans to re-utilise.

### Bangor Hospital Building

**Mr A Easton** asked the Minister of Health, Social Services and Public Safety what proportion of the Bangor Hospital building is not currently in use. (AQW 2966/10)

**Minister of Health, Social Services and Public Safety:** The South Eastern Health and Social Care Trust advise that part of the Connor Wing is not occupied.

### Social Workers: Travel Cost Arrangements

**Mr A Easton** asked the Minister of Health, Social Services and Public Safety what travel cost arrangements are currently in place for social workers. (AQW 2970/10)

**Minister of Health, Social Services and Public Safety:** Social Workers employed in the Health and Social Care are currently paid mileage allowances for business travel in line with the Agenda for Change arrangements. Details of these arrangements are set out in Section 17 and Annex L of the Agenda for Change Terms and Conditions Handbook. A copy of the Handbook is available at <http://www.nhsemployers.org>

### Health Service Advisers

**Mr A Easton** asked the Minister of Health, Social Services and Public Safety to detail the cost to the Health Service of paying for advisers in each of the last three years. (AQW 2971/10)

**Minister of Health, Social Services and Public Safety:** The term 'advisers' is interpreted in this question as meaning 'external consultants' as defined by DFP guidance. Over the past three years, the related expenditure in the Health Service (including HSC Trusts, Boards, NDPBs and Special Agencies) was as follows:-

| Year    | £          |
|---------|------------|
| 2008/09 | £779,847   |
| 2007/08 | £660,444   |
| 2006/07 | £1,476,919 |

### Statistics on Self-harm

**Mrs M O'Neill** asked the Minister of Health, Social Services and Public Safety to detail the statistics held by his Department on self-harm in the Mid-Ulster area in (i) 2007; (ii) 2008; and (iii) 2009. (AQW 2979/10)

**Minister of Health, Social Services and Public Safety:** The Department holds statistics on the number of emergency admissions to hospital due to self harm by each local government district in the Mid-Ulster area. The figures for 2007 and 2008 are detailed in the table below, however figures for 2009 are not yet available.

| Local Government District | 2007 | 2008 |
|---------------------------|------|------|
| Cookstown                 | 60   | 60   |
| Dungannon                 | 112  | 125  |
| Magherafelt               | 70   | 83   |

**Source:** Hospital Inpatient System

Deaths and discharges have been used to approximate admissions. These figures do not equate to individuals as a person may be admitted to hospital more than once in a year or across a number of years.

### Royal Victoria Hospital Inspection Report

**Mr G Robinson** asked the Minister of Health, Social Services and Public Safety for an assurance that the copy of the Royal Victoria Hospital inspection report of 29 May 2009 that was supplied to media outlets is identical to that seen by Mr Gerry Bond. (AQW 3071/10)

**Minister of Health, Social Services and Public Safety:** The report provided to Mr Bond on 24 November 2009 is the same report that was published on the RQIA website on the same date.

### Swine Flu Vaccination

**Dr A McDonnell** asked the Minister of Health, Social Services and Public Safety whether carers living with a person who is immunocompromised are a priority group for swine flu vaccination; and if so when he expects this group to receive the vaccination. (AQW 3131/10)

**Minister of Health, Social Services and Public Safety:** Household contacts of an immuno-compromised person, which would include

carers who live with an immuno-compromised person, are included as a priority group for the swine flu vaccination programme. The vaccination programme was launched in the province on 21 October 2009. In addition to frontline health and social care staff, the vaccine is also being offered to:

- Individuals aged between 6 months and 65 years in the current seasonal flu clinical at-risk groups;
- All pregnant women;
- Household contacts of immuno-compromised individuals;
- People aged 65 and over in the current seasonal flu clinical at risk groups;

I expect everyone within these priority groups to have been offered the vaccine by mid December.

### Regulation and Quality Improvement Authority's Hospital Hygiene Overview Report

**Mrs I Robinson** asked the Minister of Health, Social Services and Public Safety if he will make a statement to the Assembly on the recent Regulation and Quality Improvement Authority's hospital hygiene overview report. (AQW 3201/10)

**Minister of Health, Social Services and Public Safety:** I have no plans to make a statement to the Assembly on the RQIA's overview report.

### Knockbracken Health Care Park: Rathlin Ward

**Ms D Purvis** asked the Minister of Health, Social Services and Public Safety if all human rights standards were fully reviewed before the decision was made to make the Rathlin ward at Knockbracken Health Care Park a gender mixed ward; and, if staff, patients and carers were consulted on this decision. (AQW 3225/10)

**Minister of Health, Social Services and Public Safety:** The decision to make Rathlin Ward a gender mixed ward is an operational matter for the Trust.

I understand from the Trust that Human Rights standards were considered fully in regards to this decision. Patients in the merged Rathlin Ward will have single room, ensuite accommodation, within separate male and female wings. Women will have a separate quiet room. In addition, those patients who require or request their care to be provided in a male or female-only ward will have their needs met in single sex acute inpatient wards. This is in keeping with national and regional recommendations.

The Trust has also informed me that the consultation process on the decision to merge these wards has already begun and is ongoing for current inpatients and their relatives. The Trust has completed an Equality Impact Screening Assessment on the plans and has consulted with representatives from users and carers groups.

### DEPARTMENT FOR REGIONAL DEVELOPMENT

#### Public Hire Taxis

**Mr D Kinahan** asked the Minister for Regional Development how many parking tickets have been issued to drivers of Public Hire Taxis in Donegall Square North in Belfast, in each of the last 24 months. (AQW 2173/10)

**Minister for Regional Development (Mr C Murphy):** My Department's Roads Service has advised that it is not possible to provide details of how many Penalty Charge Notices (PCNs) that have been issued to drivers of Public Hire Taxis, at this location, as the information is not collated in this format. However, my reply to AQW 2172/10 provides the numbers of PCNs issued in Donegall Square North in each of the last 24 months.

Traffic Attendants issue PCNs when they detect vehicles which are illegally parked. However, Roads Service has advised that it is difficult to issue a PCN to a public-hire taxi as the driver normally stays with the vehicle and, if it is parked illegally, will move off before a PCN can be issued. I am assured that Traffic Attendants do engage with the drivers and attempt to provide enforcement at this location.

#### Unadopted Roads

**Miss M McIlveen** asked the Minister for Regional Development to list (i) unadopted roads; (ii) roads that were adopted in (a) 2007; (b) 2008; and (c) this year to date; and (iii) roads that are planned for adoption within the next six months in the Strangford constituency. (AQW 2689/10)

**Minister for Regional Development:** My Department's Roads Service has provided the following details of unadopted and adopted roads, in the Strangford Constituency.

| (i) Unadopted roads                     |
|---|
| Aldergrange, Newtownards                |
| Ann Street, Newtownards                 |
| Adjacent 75 Belfast Road, Comber        |
| Ardmore Manor, Belfast Road, Ballygowan |
| Ardnalvalley Park, Comber               |
| Ardview Road Primary School, Killinchy  |

|  |
|--|
| Ardview Road, Strangford View, Killinchy             |
| Ballybarnes Meadow, Newtownards                      |
| Bangor Road, Newtownards                             |
| (Bartley's Wood), Greyabbey Road, Ballywalter        |
| Beechvale Road, Killinchy                            |
| Belfast Road, Comber                                 |
| Bowtown Estate, Newtownards                          |
| Bowtown Road (Environment Improvements), Newtownards |
| Bowtown Road, Opposite New School, Newtownards       |
| Bramblewood, Old Shore Road, Newtownards             |
| Briar Park, Well Road, Ballywalter                   |
| Bridgedale Hosiery (Factory Site), Newtownards       |
| Castle Cottages, Carrowdore                          |
| Castle Lane, Comber                                  |
| Castlemeadows, Kircubbin Road, Cloughy               |
| Church Grove, Kircubbin                              |
| 26-40 Church Road, Kilmoody                          |
| Comber Mill, Ballygowan Road, Comber                 |
| Cuan View, Lisbane                                   |
| 1a Demense View, Portaferry                          |
| Dunover Park, Ballywalter                            |
| 20-34 East Street, Newtownards                       |
| Falcon Way, Mountain Road, Newtownards               |
| Fox Hollow, Comber Road, Ballygowan                  |
| Gibson's Lane, Newtownards                           |
| Glenford Road, Newtownards                           |
| Hazelwood Farm, The Straits, Lisbane                 |
| Helen's View Park, Newtownards                       |
| Judes Crescent, Newtownards                          |
| Kalmia Avenue, Newtownards                           |
| Katie Jane's Garden/White Cherry Hill, Killinchy     |
| Laburnum Way, Comber                                 |
| Lakeview, Belfast Road, Newtownards                  |
| Landsdowne Road, Newtownards                         |
| Landsdowne Road, Newtownards                         |
| Larksborough, Newtownards                            |
| Lawson Gardens, Portavogie                           |



|  |
|--|
| Long Island Drive, Kircubbin                 |
| 42 Magherascouse Road, Ballygowan            |
| 252/264 Main Road, Cloughy                   |
| Main Street, Carrowdore                      |
| 23 Main Street (Whitecherry Lane), Killinchy |
| Manse Close, Carrowdore                      |
| Mark and Thomas Street, Newtownards          |
| McBriar Meadow, Main Street, Carrowdore      |
| McKenna Road, Kircubbin                      |
| McKenna Road/Rubane, Kircubbin               |
| McVeigh Meadows, Rubane                      |
| Mountpleasant, Old Belfast Rd, Newtownards   |
| Movilla Mews, Movilla Road, Newtownards      |
| New Court/Close, Portavogie                  |
| North Road, Newtownards                      |
| North Road, Newtownards                      |
| Olivers Close, Ballygalget, Portaferry       |
| Orchard Drive, Whiterock                     |
| Portview Heights, Main Street, Portavogie    |
| Princetoon, Portavogie                       |
| Quarry Road, Lisbane                         |
| Railway Street, Spinners Court, Comber       |
| Rectory Park, Kircubbin                      |
| Salt Water Close, Ballywalter                |
| Scrabo Road, Knightsbridge Inn, Newtownards  |
| Seahaven, Main Road, Portavogie              |
| 96 Shore Road (Caravan Park), Ballyhalbert   |
| Shorelands Main Road, Cloughy                |
| Springfield Road, Portavogie)                |
| Stanfield Court, Newtownards                 |
| Teal Rocks, Newtownards                      |
| Teal Rocks, Portaferry Road, Newtownards     |
| The Beeches Balloo, Killinchy                |
| The Brambles, Stump Road, Ballywalter        |
| The Gables, Ballyphillip Road                |
| The Moatlands (Oak Avenue), Ballyhalbert     |
| The Moatlands, Victoria Road, Ballyhalbert   |

|  |
|--|
| The Stables, Main Street, Carrowdore                               |
| The Tides, Main Road, Portavogie                                   |
| The Willow, Stanvilla Road, Newtownards                            |
| Tullynakill Road, Killinchy  |
| 1-67 Upper Crescent, Comber  |
| Victoria Road, Ballyhalbert  |
| Warnocks Road, Gowland Road, Portavogie                            |
| Westland, Main Road, Portavogie                                    |
| Westpoint Park, Newtownards  |
| Whiterock Road Killinchy   |
| <b>(ii)(a) Roads Adopted in 2007</b>                               |
| Inishanier, Whiterock, Killinchy                                   |
| Ringbuoy Cove, Cloughey  |
| Station Lane, Ballygowan   |
| Stump Road, Dunover Road, Ballywalter                              |
| The Gables, Portaferry   |
| Windmill Hill, Portaferry  |
| <b>(ii)(b) Roads Adopted in 2008</b>                               |
| Cronston Cottages, Newtownards                                     |
| Regency Park, Newtownards  |
| Seahaven, Main Road, Portavogie                                    |
| The Reefs, Stump Road, Ballywalter                                 |
| <b>(ii)(c) Roads Adopted in 2009 to date</b>                       |
| Demesne Avenue/Drive/Crescent, Ballywalter                         |
| <b>(iii) Roads planned for Adoption within the next six months</b> |
| Shore Road, Ballyhalbert   |
| Stump Road, Ballywalter  |
| The Gables, Ballyphilip Road, Portaferry                           |

### Road Bonds

**Miss M McIlveen** asked the Minister for Regional Development to list the roads in the Strangford constituency which have had a road bond for (i) one year; (ii) two years; (iii) three years; and (iv) more than three years, and if possible, please specify the number of years for those more than three years. (AQW 2707/10)

**Minister for Regional Development:** Details of the roads in the Strangford constituency which have had a road bond for one, two and three years are provided in the tables below.

**ROADS IN STRANGFORD CONSTITUENCY THAT HAVE HELD A ROAD BOND FOR ONE YEAR**

|   |  |
|---|--|
| Ballycrochan Road, Bangor (Phase 3)           | Bryansburn Road, Bangor (38-40)                |
| Rathgill Avenue, Bangor (Helm Housing)        | Rockfield Glen, Bangor (Phase 2)               |
| Shaftsbury, Belfast Road, Bangor (Phase 5)    | Stonebridge, Green Road, Conlig (Phases 3 & 4) |
| Dunover Park, Ballywalter                     | Upper Crescent, Comber                         |
| Ardnavey Park, Comber                         | The Cotton, Donaghadee                         |
| Lakeview, Belfast Road, Newtownards (Phase 1) | Lakeview, Belfast Road, Newtownards (Phase 2)  |
| Bangor Road, Newtownards                      | Mark Street and Thomas Street, Newtownards     |
| Olivers Close, Ballygalget                    | Demesne View, Portaferry                       |

**ROADS IN STRANGFORD CONSTITUENCY THAT HAVE HELD A ROAD BOND FOR TWO YEARS**

|   |   |
|---|---|
| Beechfield Avenue, Bangor                         | Crawfordsburn Road, Bangor                        |
| Donaghadee Road, Bangor                           | Fort Road/Grey Point, Helens Bay                  |
| Stonebridge, Green Road, Conlig (Phase 2)         | Ardmore Manor, Belfast Road, Ballygowan           |
| Church Road, Ballygowan                           | Shore Road, Ballyhalbert                          |
| Saltwater Close, Ballyhalbert                     | McBriar Meadow, Main Street, Carrowdore (Phase 1) |
| McBriar Meadow, Main Street, Carrowdore (Phase 2) | Castle Meadows, Kircubbin Road, Cloughey          |
| Rockhill, Warren Road, Donaghadee                 | Church Grove, Kircubbin                           |
| Moss Road, Millisle (Phase 2)                     | Moss Road, Millisle (Phase 3)                     |
| Moss Road, Millisle (Phase 4)                     | Mark Street, Thomas Street, Newtownards           |
| Kalmia Avenue, Newtownards                        | Helens View Park, Newtownards                     |
| The Tides, Main Road, Portavogie                  | Springfield Road, Portavogie                      |

**ROADS IN STRANGFORD CONSTITUENCY THAT HAVE HELD A ROAD BOND FOR THREE YEARS**

|   |   |
|---|---|
| Linen Crescent, Rathgill Parade, Bangor       | Worcester Avenue, Bangor                      |
| Main Street, Carrowdore                       | The Stables, Main Street, Carrowdore          |
| Shorelands, Main Road, Cloughey               | Manor Farm, Moat Street, Donaghadee           |
| East Street, Donaghadee                       | McKenna Road/Rubane Road, Kircubbin (Phase 1) |
| McKenna Road/Rubane Road, Kircubbin (Phase 2) | Ballywalter Road, Millisle (Phase 1)          |
| Ballywalter Road, Millisle (Phase 2)          | Abbey Road, Millisle                          |
| Ballybarnes Meadow, Newtownards               | Lakeview, Belfast Road, Newtownards           |
| The Tides, Main Road, Portavogie              |   |

Details of the roads in the Strangford constituency which have had a road bond for more than three years and the year/s in which they were bonded are provided in the table below.

**ROADS IN STRANGFORD CONSTITUENCY THAT HAVE HELD A ROAD BOND FOR MORE THAN THREE YEARS**

|   |             |
|---|-------------|
| Abbey Place, Holywood                     | 2004        |
| Ashfield Manor, Bangor                    | 2006        |
| Balloo Drive, South Circular Road, Bangor | 1998 & 2006 |
| Ballycrochan Road, Bangor                 | 2005        |
| Ballymacconnell Road, Bangor              | 2003        |
| Balmoral Square, Balmoral Road, Bangor    | 2005        |
| Bangor Road, Conlig                       | 2003        |

|  |                                     |
|--|-------------------------------------|
| Beechfield & Hillfarm, Bangor                  | 2004                                |
| Brooklane, Rathgael Road, Bangor               | 2005                                |
| Clifton Road, Bangor (97-99)                   | 2005                                |
| Cove Bay, Groomsport                           | 2001, 2002 & 2004                   |
| Crawfordsburn Close, Bangor                    | 2002                                |
| Crawfordsburn Road, Bangor (75-79)             | 2004                                |
| Dellmount Avenue, Bangor                       | 2006                                |
| Demense Gate, Demense Road, Holywood           | 2004                                |
| Downshire Lane, Bangor                         | 2003                                |
| Gibsons Green/Willowbrook Park, Bangor         | 2000, 2003 & 2005                   |
| Glen Park, (Bryansburn House), Bangor          | 2001                                |
| Hanover Hill/Close, Bangor                     | 2003                                |
| Kinnegar Drive, Holywood                       | 1994                                |
| Lineybrook Lane, Bangor                        | 2004                                |
| Riverwood Vale, Donaghadee Road, Bangor        | 2005                                |
| Seapark Lane, Holywood                         | 2004                                |
| Shaftsbury, Belfast Road, Bangor               | 2002 & 2003                         |
| Stonebridge, Green Road, Conlig                | 2004 & 2005                         |
| Uprichard Court, Bloomfield Road South, Bangor | 2002 & 2003                         |
| Victoria Drive, Bangor                         | 2006                                |
| Woodcroft Lane, Holywood                       | 2004                                |
| Woodvale Gardens, Bangor                       | 2006                                |
| Fox Hollow, Comber Road, Ballygowan            | 2005                                |
| Bartleys Wood, Greyabbey Road, Ballywalter     | 1995 & 2005                         |
| Edgewater, Millisle Road, Donaghadee           | 2004 & 2005                         |
| Carnmoon, Donaghadee                           | 2005                                |
| Rockhill, Warren Road, Donaghadee              | 2005                                |
| Hazelwood Farm, The Straits, Donaghadee        | 2005                                |
| Moss Road, Millisle                            | 2005                                |
| East Street, Newtownards                       | 2005                                |
| Judes Crescent, Newtownards                    | 2005                                |
| The Gables, Ballyphillip Road, Portaferry      | 2004 & 2005                         |
| Princetoon, Portavogie                         | 2005                                |
| The Moatlands, Ballyhalbert                    | 1998, 2000, 2001, 2002, 2003 & 2004 |
| Shore Road, Ballyhalbert                       | 2004                                |
| The Brambles, Stump Road, Ballywalter          | 2004                                |
| Castle Meadows, Cloughey                       | 2004                                |
| Shorelands, Main Road, Cloughey                | 2004                                |
| Morey Hill, Donaghadee                         | 2004                                |
| The Beeches, Balloo, Killinchy                 | 2001 & 2004                         |



|   |                         |
|---|-------------------------|
| McVeigh Meadows, Rubane, Kircubbin          | 2004                    |
| Castle Meadows, Kircubbin Road, Cloughey    | 2003                    |
| Belfast Road, Comber                        | 2003                    |
| Teal Rocks, Portaferry Road, Newtownards    | 1995, 1996, 1998 & 2003 |
| Bowtown Road, Newtownards                   | 2003                    |
| The Tides, Main Road, Portavogie            | 2001, 2003              |
| Main Street, Carrowdore                     | 2002                    |
| Laburnum Way, Comber                        | 2002                    |
| Castle Lane, Comber                         | 2002                    |
| Longisland Drive, Kircubbin                 | 1996, 1998 & 2002       |
| Warnocks Road, Portavogie                   | 2002                    |
| Orchard Drive, Whiterock                    | 2002                    |
| Railway Street, Spinners Court, Comber      | 2001                    |
| Brackenridge, Donaghadee                    | 1999 & 2001             |
| Seahill, Donaghadee                         | 2001                    |
| Main Street, Killinchy                      | 2001                    |
| Sanctuary Cove, Kircubbin                   | 2001                    |
| Abbey Road, Millisle                        | 1999 & 2001             |
| The Willows, Newtownards                    | 2001                    |
| Lansdowne Road, Newtownards                 | 1998 & 2001             |
| Movilla Mews, Movilla Road, Newtownards     | 2001                    |
| Newcourt, Portavogie                        | 1999 & 2001             |
| Manse Close, Carrowdore                     | 2000                    |
| Cuan View, Lisbane                          | 2000                    |
| Ballywalter Road, Millisle                  | 2000                    |
| Katie Janes Garden, White Cherry, Kircubbin | 1999                    |
| Stanfield Court, Newtownards                | 1999                    |
| Westlands, Main Road, Portavogie            | 1999                    |
| Seahill Park, Donaghadee                    | 1998                    |
| Warren Villas, Donaghadee                   | 1998                    |
| Tern Park, Teal Rocks, Newtownards          | 1998                    |
| Portview Heights, Main Street, Portavogie   | 1993 & 1997             |
| Briar Park, Well Road, Ballywalter          | 1996                    |
| Ann Street, Newtownards                     | 1996                    |
| Aldergrange, Newtownards                    | 1996                    |
| Bramblewood, Old Shore Road, Newtownards    | 1992                    |

## Road Bonds

**Miss M McIlveen** asked the Minister for Regional Development if he intends to introduce a policy or legislation to cover roads which are subject to a road bond and where there has been a delay in achieving the Roads Service standard for adoption. (AQW 2710/10)

**Minister for Regional Development:** I can advise the Member that the following legislation currently exists to ensure that a developer constructs and completes roads to the appropriate adoption standard:

- The Private Streets (NI) Order 1980;
- The Private Streets (Amendment) (NI) Order 1992;
- The Private Streets (Construction) Regulations (NI) 1994; and
- The Private Streets (Construction) (Amendment) Regulations (NI) 2001.

I should further advise that, prior to construction, a developer is required to enter into an agreement with Roads Service to provide the roads, footways, street lighting and sewers. However, should a developer fail to satisfactorily complete street works within a reasonable timescale, the Private Streets legislation allows enforcement action to be taken. The agreement between the developer and Roads Service, which is secured by a bond, allows Roads Service to complete the works should the developer default.

## **A2 between the University of Ulster and Seapark**

**Mr D Hilditch** asked the Minister for Regional Development to provide an update on the progress of the A2 between the University of Ulster and Seapark. (AQW 2779/10)

**Minister for Regional Development:** My Department's Roads Service has advised that following the outcome of a public inquiry, which was held in October 2007, it made two of the Statutory Orders for the A2 Shore Road Greenisland scheme, in October 2008. These were the Intention to Proceed and the Direction Order.

Roads Service is, at present, continuing with the development of the A2 Shore Road Greenisland scheme. A Geotechnical Investigation along the route was completed in June 2009 and an Archaeological Investigation is planned for 2009/10.

The completion of the final Statutory Order, the Vesting Order, and progress of the scheme to procurement, will be dependent on the availability of funding in future years.

## **Road Signage**

**Mr P Weir** asked the Minister for Regional Development what discussions his Department has had with the PSNI regarding changes to road signage to improve road safety. (AQW 2814/10)

**Minister for Regional Development:** My Department's Roads Service has advised that they work closely with the PSNI in order to address a wide range of road safety issues. Discussions may form part of formal routine meetings, or be on an ad-hoc basis to deal with individual items as they arise. These discussions cover all aspects of road safety, including consideration of changes to road signage.

If the Member has concerns about a roads safety issue at a particular location, if he provides me with details, I would be happy to have the matter investigated further.

## **Road Signage**

**Mr P Weir** asked the Minister for Regional Development what consideration is being given to changing guidelines on road signage to improve road safety. (AQW 2815/10)

**Minister for Regional Development:** Traffic signs play a vital role in directing, informing and controlling road users' behaviour in an effort to make the roads as safe as possible for everyone. Safety is therefore a primary consideration when providing signs.

In terms of guidance, my Department's Roads Service generally uses the Traffic Signs Manual, which is applicable for use in England, Scotland, Wales and here in the North. It comprises a number of Chapters, each of which is reviewed periodically. Reviews and reissues of each of the individual Chapters are led by the Department for Transport in London, with Roads Service being a key contributor. Reissues take into account any changes in the approach to signing in the intervening period, many of which will be safety related.

### Disabled Parking Bays: Illegal Parking

**Mr J Craig** asked the Minister for Regional Development how many tickets have been issued to people parking illegally in disabled parking bays in Lisburn, in each of the last five years. (AQW 2826/10)

**Minister for Regional Development:** My Department's Roads Service became responsible for parking enforcement on 30 October 2006, prior to this date parking enforcement was a police function.

Details of Penalty Charge Notices (PCNs) issued to vehicles illegally parked in disabled persons parking spaces in Lisburn, since then, to the end of October 2009, are set out in the table below.

| Period                             | PCNs Issued |
|------------------------------------|-------------|
| 1 November 2006 – 31 December 2006 | 10          |
| 1 January 2007 – 31 December 2007  | 109         |
| 1 January 2008 – 31 December 2008  | 234         |
| 1 January 2009 – 31 October 2009   | 274         |

### Pay and Display Parking

**Mr J Craig** asked the Minister for Regional Development how many parking tickets have been issued in Lisburn since on-street parking pay and display was introduced. (AQW 2827/10)

**Minister for Regional Development:** My Department's Roads Service has advised that on-street pay and display parking was introduced in Lisburn on 28 July 2008. Since then, to 31 October 2009, 11,517 Penalty Charge Notices (PCNs) have been issued in the City. This figure relates to all parking contraventions, including those in on-street pay and display parking bays. It also includes 3,990 PCNs issued in off-street car parks.

### Capital Spend on Projects

**Mr J Shannon** asked the Minister for Regional Development to detail his Department's total capital spend on projects this year to date in each constituency. (AQW 2832/10)

**Minister for Regional Development:** The table below details my Department's total capital spend on projects this year to date within each constituency. The table covers the Department, Translink and Northern Ireland Water (NIW). It is not possible to identify Roads Service capital expenditure on projects, with individual values less than £1m, by Assembly Constituency. Spend in the current financial year by Division to 31 October 2009 is:-

|          |             |
|----------|-------------|
| Northern | £3,440,000  |
| Southern | £3,820,000  |
| Eastern  | £3,860,000  |
| Western  | £1,620,000  |
| Total    | £12,740,000 |

Details of all NIW capital projects have been provided. However, NIW do not hold the information on an Assembly Constituency basis.

| Project Name  | Spend to date £'000 | Constituency  |
|---|---------------------|---|
| <b>DRD: Rapid Transit Project</b>                     | 154                 | West Belfast, East Belfast and into Strangford which borders East Belfast |
| <b>DRD: Roads Service</b>                             |                     |   |
| Strategic Road Improvement Projects                   |                     |   |
| DBFO Package 1 – M1/Westlink and M2 Widening, Belfast | 27,200,000          | Several Constituencies  |
| M2/A26 Ballee Road East Link, Ballymena               | 2,100,000           | North Antrim  |

| Project Name   | Spend to date £'000 | Constituency       |
|--|---------------------|--------------------|
| A2 Broadbridge, Maydown to City of Derry Airport, Londonderry                | 8,000,000           | Foyle              |
| A29 Carland Bridge, Dungannon  | 1,400,000           | Mid Ulster         |
| <b>Local Transport and Safety Measures and Bridge Strengthening</b>          |                     |                    |
| Capital Projects with individual values less than £1m                        | 12,740,000*         | All Constituencies |
| <b>Translink</b>   |                     |                    |
| Dargan Bridge (East) - Replace Switch and sleeper rehabilitation             | 142                 | Belfast North      |
| Points No 600 & Replacement of Insulated Block Joints and expansion switches | 66                  | Belfast North      |
| York Road Fuel Apron   | 2                   | Belfast North      |
| Replacement Compressed Air Systems - York Road                               | 71                  | Belfast North      |
| Oil Dispensing & De sumping System – York Road                               | 42                  | Belfast North      |
| Provision of Jib Crane - York Road   | 1                   | Belfast North      |
| Internal Racking & Mezzanine Floor - Phase II – York Road                    | 9                   | Belfast North      |
| Replacement Lorry for Stores   | 30                  | Belfast North      |
| CCTV at York Road  | 46                  | Belfast North      |
| Yorkgate CCTV System   | 53                  | Belfast North      |
| York Road - Upgrade Power Supply   | 8                   | Belfast North      |
| Fleet Engineering Wheel Press – York Road                                    | 49                  | Belfast North      |
| Replacement Overhead Crane - York Rd   | 23                  | Belfast North      |
| Refurbishment of Workshop & Diesel Shed Floors – York Road                   | 10                  | Belfast North      |
| Provision of Sand Filling Equipment at Fortwilliam                           | 92                  | Belfast North      |
| Powered Pallet Truck - Duncrue St  | 7                   | Belfast North      |
| <b>Total – Belfast North</b>   | <b>651</b>          |                    |
| Assessment of Gas Powered Heating System for Falls Road Brush Paintshop      | 10                  | Belfast West       |
| Falls Road Depot Staff Security Measures                                     | 5                   | Belfast West       |
| Refurbishment of CCTV at Falls Road Depot Phase II                           | 5                   | Belfast West       |
| <b>Total – Belfast West</b>  | <b>20</b>           |                    |
| Refurbishment of CCTV at Short Strand Depot Phase II                         | 21                  | Belfast East       |
| Personal Equipment Lockers for Short Strand                                  | 4                   | Belfast East       |
| <b>Total – Belfast East</b>  | <b>25</b>           |                    |
| New Train Maintenance Facility - Adelaide                                    | 567                 | Belfast South      |
| Botanic Platform Extension   | 10                  | Belfast South      |
| Great Victoria Street Hub Development  | 6                   | Belfast South      |
| Chamber of Commerce House Refurbishment                                      | 2                   | Belfast South      |
| Europa Bus Station - Provision of Traffic Barriers along Bus Lane            | 8                   | Belfast South      |
| Laganside Bus Station- Stand Extension for Double Deckers                    | 7                   | Belfast South      |
| <b>Total – Belfast South</b>   | <b>600</b>          |                    |
| Track Condition Retention Programme - Cross Border                           | 285                 | Cross Border       |
| Enterprise overhaul phase 2  | 294                 | Cross Border Line  |



| Project Name  | Spend to date £'000 | Constituency               |
|---|---------------------|----------------------------|
| Installation 3 x Class 201 Locomotives with NIR Trainbourne Safety Systems                    | 87                  | Cross Border Line          |
| <b>Total – Cross Border</b>   | <b>666</b>          |                            |
| Class 450 Overhaul  | 552                 | East Antrim                |
| Additional Train Capacity   | 331                 | East Antrim                |
| Carrickfergus Park and Ride   | 3                   | East Antrim                |
| Magheramorne Passing Loop Replace Turnouts  | 1                   | East Antrim                |
| Track Condition Retention Programme - Larne Line  | 110                 | East Antrim                |
| Whiteabbey Park and Ride  | 162                 | East Antrim                |
| Downshire - Whitehead Sea Defence Strengthening Section 1                                     | 13                  | East Antrim                |
| Signal CL486 Magheramourne Off Indicator  | 1                   | East Antrim                |
| Depot Pit Modifications - Larne Depot   | 14                  | East Antrim                |
| Provision of Pit Jacks at Larne Depot   | 5                   | East Antrim                |
| Provision of Replacement Air Compressors at Newtownabbey & Falls                              | 6                   | East Antrim                |
| <b>Total – East Antrim</b>  | <b>1,198</b>        |                            |
| Bridge Replacements Section 10 (UB 203, 204, 215)   | 266                 | East Londonderry           |
| Coleraine Fuel Apron  | 5                   | East Londonderry           |
| Coleraine to Derry & Whitehead to Larne - Sea Defences  | 351                 | East Londonderry           |
| Coleraine to Derry Track renewal  | 385                 | East Londonderry           |
| Co Acting Gates at User Worked Crossing - XL 189  | 13                  | East Londonderry           |
| Replacement Fuel Tank - Limavady  | 1                   | East Londonderry           |
| <b>Total – East Londonderry</b>   | <b>1,021</b>        |                            |
| Replacement Power Wash - Enniskillen  | 3                   | Fermanagh and South Tyrone |
| <b>Total – Fermanagh and South Tyrone</b>   | <b>3</b>            |                            |
| Foyle Street Inspectors Bubble  | 5                   | Foyle                      |
| <b>Total – Foyle</b>  | <b>5</b>            |                            |
| Lisburn Automatic Half Barrier Crossings Voltage Drop Standby                                 | 5                   | Lagan Valley               |
| Meeting House Lane Miniature Stop Lights & Glebe Road Manual Crossing Barrier Upgrade Project | 3                   | Lagan Valley               |
| Assessment of Watertower at Lisburn   | 4                   | Lagan Valley               |
| Dagger Road Emergency Works   | 5                   | Lagan Valley               |
| Dromore Bus Depot - feasibility study   | 1                   | Lagan Valley               |
| Lisburn Depot - Provision of New Pay In/Rest Room   | 4                   | Lagan Valley               |
| <b>Total – Lagan Valley</b>   | <b>22</b>           |                            |
| Magherafelt Ulster Bus Workshop - Provision of Gates  | 5                   | Mid Ulster                 |
| <b>Total – Mid Ulster</b>   | <b>5</b>            |                            |
| Newry Railway Station   | 2,414               | Newry and Armagh           |
| UB208 Poyntzpass Strengthening  | 11                  | Newry and Armagh           |
| Newry Bus Station - Basement Tank Bunding   | 14                  | Newry and Armagh           |
| Newry Edward St Bus - Culvert   | 9                   | Newry and Armagh           |

| Project Name   | Spend to date £'000 | Constituency     |
|--|---------------------|------------------|
| Replacement Fuel Tanks - Armagh Bus Depot                                | 13                  | Newry and Armagh |
| Provision of 50 Tonne press at Armagh Depot                              | 2                   | Newry and Armagh |
| CCTV Installation on 3 Irizar Coaches at Newry                           | 7                   | Newry and Armagh |
| Warrenpoint Harbour Authority  | 406                 | Newry and Armagh |
| <b>Total – Newry and Armagh</b>  | <b>2,876</b>        |                  |
| Ballymena Permanent Way / Signalling & Telecommunications store and yard | 27                  | North Antrim     |
| Ballymena Rail Station - roof  | 1                   | North Antrim     |
| Ballymoney footbridge Replacement  | 25                  | North Antrim     |
| Bridge Replacement - Coleraine to Antrim                                 | 761                 | North Antrim     |
| Bridge Refurbishment - Coleraine to Antrim                               | 111                 | North Antrim     |
| Coleraine to Portrush Re-Rail  | 1                   | North Antrim     |
| Killagan Passing Loop - Replace Turnouts                                 | 165                 | North Antrim     |
| Track remedial works programme - Ballymena to Derry                      | 5,297               | North Antrim     |
| Bridge Waterproofing - Ballymena to Coleraine                            | 115                 | North Antrim     |
| Closure of XL191- Gaults User Worked Crossing                            | 1                   | North Antrim     |
| Ballymoney Rail Station - Replacement Roof Covering                      | 53                  | North Antrim     |
| Patsy Martins User Worked Crossing XL 108 & XL109                        | 1                   | North Antrim     |
| Replacement Bulk Storage Tanks at Ballymena                              | 2                   | North Antrim     |
| <b>Total – North Antrim</b>  | <b>6,560</b>        |                  |
| Bangor Line TDM system replacement (Signalling)                          | 101                 | North Down       |
| Bangor west path   | 4                   | North Down       |
| <b>Total – North Down</b>  | <b>105</b>          |                  |
| Antrim Street Lisburn UB282 Bridge Protection Beams                      | 2                   | South Antrim     |
| Track Condition Retention Programme - Derry Line                         | 101                 | South Antrim     |
| Antrim Station Canopy  | 47                  | South Antrim     |
| Antrim Station Signalling Improvements                                   | 43                  | South Antrim     |
| CCTV Systems at Antrim Integrated System                                 | 94                  | South Antrim     |
| Ballyclare Ulster Bus - Upgrade Power Supply for Bus Wash                | 5                   | South Antrim     |
| Replacement Fuel Pump at Ballyclare Depot                                | 3                   | South Antrim     |
| <b>Total – South Antrim</b>  | <b>295</b>          |                  |
| Ballygowan Bus Park  | 4                   | Strangford       |
| <b>Total – Strangford</b>  | <b>4</b>            |                  |
| Bells Row Barrier Relocation   | 2                   | Upper Bann       |
| Money Penny's residual voltage   | 1                   | Upper Bann       |
| Portadown Railway Station Refurbishment                                  | 6                   | Upper Bann       |
| Track Condition Retention Programme - Portadown Line                     | 161                 | Upper Bann       |
| CCTV at Portadown Railway Station Car Park                               | 36                  | Upper Bann       |
| Portadown Sidings Renewal  | 153                 | Upper Bann       |
| Replacement Fuel Tank - Lisburn Infrastructure Yard                      | 11                  | Upper Bann       |

| Project Name  | Spend to date £'000 | Constituency                     |
|---|---------------------|----------------------------------|
| Replacement Roof at Craigavon Workshop  | 1                   | Upper Bann                       |
| <b>Total – Upper Bann</b>   | <b>371</b>          |                                  |
| Replacement Fuel Tanks - Omagh Bus Depot                                      | 23                  | West Tyrone                      |
| <b>Total – West Tyrone</b>  | <b>23</b>           |                                  |
| 4 x Sets of Lifting Jacks for Metro Garages                                   | 63                  | Belfast                          |
| Doubledeck Bus Canopy Protection  | 71                  | Belfast South and Foyle          |
| Upgrade of Signals CL6 & PD88   | 13                  | Belfast South and Upper Bann     |
| Permanent Way Staff Accommodation at 3 Locations                              | 5                   | East Antrim and East Londonderry |
| <b>Total – Projects split across constituencies</b>                           | <b>152</b>          |                                  |
| New Trains Two  | 12,677              | Whole Network                    |
| Platform Extension Programme (6 Car sets)                                     | 203                 | Whole Network                    |
| Class 3000 Phase 1 Overhaul   | 878                 | Whole Network                    |
| Automatic Half Barrier Crossing LED Road Traffic Signals Upgrades             | 72                  | Whole Network                    |
| Bridge Assessment Programme - 6 yearly  | 55                  | Whole Network                    |
| Fencing   | 143                 | Whole Network                    |
| Point Roller Upgrade Programme  | 42                  | Whole Network                    |
| Rock slope remedial works (additional)  | 379                 | Whole Network                    |
| Signal replacement switches upgrade   | 1                   | Whole Network                    |
| Station fencing programme   | 1                   | Whole Network                    |
| Tamping heads   | 220                 | Whole Network                    |
| Track Recording Geometric Equipment   | 6                   | Whole Network                    |
| Track Survey and Data Acquisition   | 239                 | Whole Network                    |
| Train Radio Replacement Project   | 82                  | Whole Network                    |
| User Worked Crossing Miniature Stop Light Provision Phase 1                   | 1                   | Whole Network                    |
| Translink Website Refresh   | 26                  | Whole Network                    |
| Corporate Asset Management system   | 2                   | Whole Network                    |
| Firewall strategy   | 1                   | Whole Network                    |
| Records Management – Electronic Document Record Management System             | 12                  | Whole Network                    |
| Technology refresh IT Infrastructure (PCs / data communications/ peripherals) | 162                 | Whole Network                    |
| Replacement Road Rail Recovery Vehicle  | 15                  | Whole Network                    |
| Train Stop Markers for 4 Door Class 80 Trains                                 | 7                   | Whole Network                    |
| User Worked Crossing Identifications  | 3                   | Whole Network                    |
| Replacement Crewbuses for NIR Permanent way Squads                            | 195                 | Whole Network                    |
| Purchase of Vans, Lorries & Cars for 2009                                     | 85                  | Whole Network                    |
| Retrofit of Vehicle Management Systems on Infrastructure Vehicles             | 21                  | Whole Network                    |
| System of Padlocks at Track Access Gates & Infrastructure Secure Locations    | 14                  | Whole Network                    |
| Pulse Coded Modulation Third Party Transmission Sig Device                    | 51                  | Whole Network                    |

| Project Name  | Spend to date £'000 | Constituency                       |
|---|---------------------|------------------------------------|
| User Worked Crossing - Provision of Trackside Signage                   | 8                   | Whole Network                      |
| Development & Customisation of Safety Management Information System     | 23                  | Whole Network                      |
| E Sourcing Portal   | 10                  | Whole Network                      |
| Implementation of Payment Card Industry Data Security Standard (PCIDSS) | 1                   | Whole Network                      |
| Safe and Secure Storage of Master Records                               | 4                   | Whole Network                      |
| General IT Equipment  | 2                   | Whole Network                      |
| Corporate Geographic Information Deployment                             | 6                   | Whole Network                      |
| <b>Total – Projects that affect the whole Rail Network</b>              | <b>15,647</b>       |                                    |
| Bus Wash  | 224                 | Several Constituencies             |
| Replacement Air Compressors at UB Garages                               | 57                  | Several Constituencies             |
| Installation of Fall Arrest Systems                                     | 57                  | Several Constituencies             |
| <b>Total – Bus projects that fall across several constituencies</b>     | <b>338</b>          |                                    |
| Ulsterbus Fleet Replacement - 64 Single Deck Buses                      | 293                 | All Constituencies                 |
| Ulsterbus Fleet Replacement - 44 Single Decks                           | 1,833               | All Constituencies                 |
| Capital Spares for Electronic Ticketing Machine's                       | 1                   | All Constituencies                 |
| Building Condition Upgrade Programme                                    | 465                 | All Constituencies                 |
| Building Services Upgrade Programme                                     | 37                  | All Constituencies                 |
| BIS Bus Information System  | 7                   | All Constituencies                 |
| Internet Sales and Booking system for UB Tours                          | 21                  | All Constituencies                 |
| Convert Buses from Powered to Manual Access Ramps                       | 18                  | All Constituencies                 |
| Digital Tachographs for Tour Buses                                      | 10                  | All Constituencies                 |
| Ticketing Machines  | 10                  | All Constituencies                 |
| General Plant & Machinery   | 4                   | All Constituencies                 |
| General IT equipment  | 6                   | All Constituencies                 |
| Installation RIBAS (UB) Vehicle Management System                       | 1                   | All Constituencies                 |
| <b>Total – Bus Projects that relate to all constituencies</b>           | <b>2,706</b>        |                                    |
| <b>Overall Total Spend</b>  | <b>33,293</b>       |                                    |
| <b>NIW</b>  |                     | <b>Information not held by NIW</b> |
| Tardree Zone WM Imps  | 963                 |                                    |
| Northern Key Transport Corridor, Ballymena Watermain Scheme             | 1,280               |                                    |
| Dungonnell Command Service Reservoir                                    | 272                 |                                    |
| Frys Road, Ballymena New Watermain                                      | 357                 |                                    |
| Loan Command SR, Inlet Watermain  | 365                 |                                    |
| Old Portglenone Road, Portglenone, Watermain Trunk                      | 277                 |                                    |
| Ballinrees Central Zone Watermain Improvements                          | 1,023               |                                    |
| Altnahinch and Seagahan WTW's Residual Sludge Disposal                  | 2,393               |                                    |
| Portballintrae Zone Wm Improvements                                     | 687                 |                                    |
| Ballycastle Zone Wm Improvements  | 2,524               |                                    |



| Project Name   | Spend to date £'000 | Constituency |
|--|---------------------|--------------|
| Glenlough SR, Ballymoney, New SR                                       | 277                 |              |
| Seagahan WTW   | 2,268               |              |
| Castor Bay/ Shanmoy Zone   | 810                 |              |
| Castor Bay to Dungannon Strategic Trunk Mains                          | 417                 |              |
| Lurgan & Portadown Public Realm Associated Infrastructure Improvements | 475                 |              |
| Waterside Zone Watermain Improvements                                  | 1,187               |              |
| Carmoney East Zone Watermain Improvements                              | 1,887               |              |
| Limavady Zone Watermain Improvements                                   | 1,046               |              |
| Reservoir Rehabilitation Western Area Phase 2                          | 290                 |              |
| Derry City Centre Public Realm Replacement Watermains                  | 563                 |              |
| Reservoir Rehabilitation Programme Phase 3                             | 1,429               |              |
| North Tyrone Zone Watermain Improvements                               | 634                 |              |
| Lough Bradan WTWs Upgrade  | 526                 |              |
| Dunore to Hyde Park Pumping Main Replacement                           | 4,005               |              |
| Belfast City Centre Zone WM Improvements                               | 1,650               |              |
| Whiteabbey Lower, Mains Replacement. Newtownabbey                      | 926                 |              |
| Ballygowan Zone Watermain Improvements                                 | 3,513               |              |
| Mid Down Zone WM Imps  | 3,838               |              |
| Portaferry, Ballyquinton area mains replacment.                        | 819                 |              |
| Lisburn Town Zone Watermain Improvements                               | 654                 |              |
| Lisburn to R.O.I. Border Trunk Road Improvements                       | 483                 |              |
| Aldergrove Sewerage Scheme   | 590                 |              |
| Milltown, Antrim WwTW  | 1,925               |              |
| Glenarm Sewage Pumping Station   | 269                 |              |
| Toome (Creagh) Sewerage Scheme   | 510                 |              |
| Moneymore STW Imps   | 255                 |              |
| Maghera WwTW   | 262                 |              |
| Magherafelt WwTW   | 261                 |              |
| Whitehead, Ballystruder & Ballycarry Rationalisation                   | 277                 |              |
| Ballybogey WWTW  | 620                 |              |
| Bushmills + Portballintrae WwTW  | 2,585               |              |
| Castlerock Road Coleraine - Storm Sewer                                | 592                 |              |
| Coalisland WwTW  | 2,642               |              |
| Moygashel WwTW   | 1,321               |              |
| Hamiltonsbawn WwTW   | 933                 |              |
| Benburb/Milltown - RBC Installations West & South                      | 1,575               |              |
| Castlecaulfield WwTW   | 945                 |              |
| Annaghmore WwTWs   | 498                 |              |
| Gilford Road Portadown Sewerage Upgrades                               | 898                 |              |

| Project Name   | Spend to date £'000 | Constituency |
|--|---------------------|--------------|
| Dungiven WwTW  | 615                 |              |
| Donnybrewer WwTW   | 1,278               |              |
| Ballycoleman, Strabane Flood Alleviation Scheme  | 283                 |              |
| Londonderry Sewer Imps Stage 1 - Victoria Market Pumping Station and Fahan Street Relief Sewer | 279                 |              |
| Londonderry DAP: Storm Screening   | 435                 |              |
| Limavady DAP: Stage 2, Roe Mill Road Sewer Upgrades  | 533                 |              |
| Enniskillen WwTW   | 1,039               |              |
| Enniskillen Drainage Area Plan   | 269                 |              |
| Kensington Gardens Flood Relief  | 442                 |              |
| Belfast Sewers Project   | 17,091              |              |
| Belvoir Park Trunk Sewer   | 626                 |              |
| Lisbarnet WwTW   | 2,032               |              |
| Ormeau Road Storm Separation   | 419                 |              |
| Ballyhalbert WwTW Interim Solution   | 650                 |              |
| Ballyholme (Bangor) DAP Phase 1  | 1,154               |              |
| Lukes Point (Bangor) DAP Phase 1   | 317                 |              |
| Joymount Carrick DAP Phase 1   | 697                 |              |
| Whitehouse DAP Phase 1   | 399                 |              |
| Castle Place / High Street Sewer and Water main Upgrade  | 579                 |              |
| Seahill WwTW   | 576                 |              |
| Downpatrick WwTW   | 3,509               |              |
| Saintfield WwTW  | 741                 |              |
| Comber Rd/Portaferry Rd Newtownards SPS  | 1,051               |              |
| Clough WwTW  | 2,132               |              |
| North Road, Newtownards Storm  | 259                 |              |
| Annahilt WwTW  | 780                 |              |
| Dromara WwTW   | 965                 |              |
| Lower Ballinderry WWTW   | 344                 |              |
| Hugenot drive Lisburn SPS Upgrade  | 459                 |              |
| Pounburn WWTW  | 334                 |              |
| Crossmaglen WwTW   | 1,010               |              |
| Castlewellan WwTW  | 303                 |              |
| Newry Sewerage Networks Improvements   | 281                 |              |
| Charlotte Street/Newry Road Warrenpoint Proposed Sewer Improvements                            | 398                 |              |
| Rathfriland WWTW Inlet Screens and CSOS  | 405                 |              |
| Small WWTWs Priority Upgrades  | 3,545               |              |
| Sum of projects spending less than £250k Apr - Oct 2009  | 14,854              |              |
| <b>Total</b>   | <b>115,879</b>      |              |

### Comber to Dundonald Road: Flooding

**Mr S Hamilton** asked the Minister for Regional Development what action he intends to take to address the persistent flooding along the Comber to Dundonald Road, particularly the flooding at No.142 and 144 Belfast Road. (AQW 2844/10)

**Minister for Regional Development:** My Department's Roads Service has advised that they have been called out to flooding at No. 142 and 144 Belfast Road on two occasions during the recent spell of heavy rain. In both cases the outlet pipe from the gullies at the entrance to these properties, which discharges into a field on the opposite side of the road, appeared to have been blocked by the deliberate actions of a third party. Once the blockage was cleared the drainage system operated as it should and flooding cleared.

Roads Service will continue to monitor the situation at this location closely during wet spells and will take the appropriate course of action to ensure the drainage system remains operational.

I am further advised that Roads Service is also aware of periodic carriageway flooding on the A22 Comber Road, Dundonald in the vicinity of Peartree Hill, during heavy rainfall conditions.

This matter has been investigated and a drainage scheme has been proposed to be undertaken in 2010, dependent upon the availability of finance. However, in the interim, Roads Service will endeavour to undertake all appropriate actions to minimise any problem.

### Meadowbank Avenue, Donaghadee: Damage to the Road Surface

**Mr A Easton** asked the Minister for Regional Development what action he intends to take to ensure that any damage to the road surface at Meadowbank Avenue, Donaghadee, due to construction work, will be repaired. (AQW 2847/10)

**Minister for Regional Development:** My Department's Roads Service has advised that they have been in regular contact with the developer of the site at Meadowbank Avenue, Donaghadee, from the outset of the work. The developer has already carried out some repairs to the carriageway at the request of Roads Service.

In addition, the developer has lodged sums of money, by way of deposits, against any damage caused to public areas as a result of their works. These deposits can be used by Roads Service to carry out repairs, should the developer default from his responsibility.

### Road Gritting

**Mr P Weir** asked the Minister for Regional Development what training is given to external contracted staff who carry out road gritting. (AQW 2854/10)

**Minister for Regional Development:** My Department's Roads Service has advised that its external contract drivers are required to undertake a two-day training course, which covers the operation of the gritter, as well as the mounting and use of the vehicle's snow plough attachment. This training is identical to that given to Road Service staff, who are required to carry out road gritting.

In addition, all drivers undertake a number of "dry runs" over their designated gritting route, to ensure that they become familiar with the route, in advance of any gritting operations.

### Pay and Display Car Parks

**Mr P Weir** asked the Minister for Regional Development how much revenue has been generated by each pay and display car park in North Down, in each of the last five years. (AQW 2855/10)

**Minister for Regional Development:** Details of the revenue generated by the Pay and Display car-parks in North Down, excluding Value Added Tax, are set out in the table below.

| Car Park                    | Financial Year |            |            |            |                 |
|-----------------------------|----------------|------------|------------|------------|-----------------|
|                             | 2005/06        | 2006/07    | 2007/08    | 2008/09    | Apr to Sep 2009 |
| Abbey Street East, Bangor   | £82,740.00     | £55,236.00 | £61,018.98 | £81,925.05 | £29,264.05      |
| Bingham Lane, Bangor        | £56,209.00     | £56,927.00 | £59,481.50 | £59,012.68 | £27,902.93      |
| Castle St, Bangor           | £40,124.00     | £43,459.00 | £47,132.87 | £40,934.91 | £18,370.58      |
| Clifton Road, Bangor*       |                | £8,628.00  | £14,136.65 | £12,710.28 | £6,399.47       |
| Holborn Ave, Bangor         | £44,200.00     | £41,777.00 | £46,900.53 | £45,077.70 | £21,896.51      |
| Mills Rd, Bangor            | £20,698.00     | £24,542.00 | £27,949.19 | £25,465.84 | £10,163.55      |
| The Vennel, Bangor          | £31,218.00     | £34,350.00 | £30,912.36 | £32,897.52 | £ 17,515.42     |
| Church Rd, Holywood         | £78,309.00     | £78,875.00 | £72,320.26 | £61,955.16 | £28,037.41      |
| Hibernia St North, Holywood | £44,331.00     | £48,135.00 | £61,097.24 | £53,343.63 | £25,602.06      |
| Hibernia St South, Holywood | £25,889.00     | £26,815.00 | £23,693.94 | £24,043.61 | £8,547.38       |

\* Charges started in the Clifton Road car park in 2006/07.

You will be aware that Roads Service's parking enforcement contract with NSL Services Group (formerly NCP) commenced at end-October 2006.

I should advise the Member that all revenue generated from car parking charges, along with income from parking penalty charge notices, is used to supplement the overall financing of Roads Service by Central Government and that the cost of managing our off-street car parks, and enforcing the on-street parking restrictions, exceeds the total revenue received.

### Pay and Display Machines

**Mr P Weir** asked the Minister for Regional Development how much it has cost to repair pay and display machines in the North Down constituency in each of the last five years. (AQW 2856/10)

**Minister for Regional Development:** My Department's Roads Service has advised that they do not hold the information requested in a format that would enable them to detail the costs of machine repairs in each of the last five years. However, the costs of maintaining the machines in Bangor and Holywood since the commencement of the parking enforcement contract with NSL Services Group (formerly NCP), on 30 October 2006, are as follows:-

#### 30 OCTOBER 2006 TO 29 OCTOBER 2007

|          |           |
|----------|-----------|
| Bangor   | £6,001.23 |
| Holywood | £3,000.61 |

#### 30 OCTOBER 2007 TO 29 OCTOBER 2008

|          |           |
|----------|-----------|
| Bangor   | £6,800.63 |
| Holywood | £3,400.31 |

#### 30 OCTOBER 2008 TO 30 SEPTEMBER 2009

|          |           |
|----------|-----------|
| Bangor   | £6,322.39 |
| Holywood | £3,161.20 |



### Pay and Display Machines

**Mr P Weir** asked the Minister for Regional Development (i) how many pay and display machines have been out of order in the North Down constituency in the last year; and (ii) for how long. (AQW 2860/10)

**Minister for Regional Development:** My Department's Roads Service has advised that during the period from 1 November 2008 to 31 October 2009, each one of the 18 pay and display machines in the North Down constituency experienced at least one fault that rendered it out of order at some stage.

A total of 433 machine faults were reported in the North Down constituency during last year and the average total length of time that each machine was not operational, as a result of these faults, was 7.7 working days. This equates to approximately 2.5% of the total working time of the machines.

### Olympia Drive, South Belfast: Traffic Calming Measures

**Mr J Spratt** asked the Minister for Regional Development if he has any plans to introduce traffic calming measures in Olympia Drive, South Belfast. (AQW 2865/10)

**Minister for Regional Development:** My Department's Roads Service receives many requests for traffic calming schemes and all proposals are assessed, scored and prioritised as demand greatly exceeds its capacity to provide such measures. I understand that Olympia Drive was initially assessed for the provision of traffic calming measures in October 2007 and the assessment did not score as high as other potential traffic calming schemes. The scheme was also reassessed in November 2008 and this confirmed the results of the original assessment.

However, following a further request in September 2009 for traffic calming measures in Olympia Drive and the surrounding streets from the Greater Village Regeneration Trust, Roads Service agreed to undertake a further traffic survey. It had been claimed that there had been a marked increase to traffic volumes and speed since the November 2008 survey. In order to ensure that the survey equipment was located on the street where it was felt the problem was greatest, the Greater Village Regeneration Trust was asked to identify their preferred survey site. I understand that to date, no response has been received from the Trust and the planned survey has not yet been arranged.

In order to progress this matter, I have asked Mr Tom McCourt, Divisional Roads Manager, Roads Service Eastern Division, to again make contact with the Greater Village Regeneration Trust, to identify their preferred site.

### Queen's Avenue, Magherafelt: Speed Survey

**Mr I McCrea** asked the Minister for Regional Development to detail the results of the recent speed survey carried out on Queen's Avenue, Magherafelt; and what impact this will have on possible traffic calming measures. (AQW 2869/10)

**Minister for Regional Development:** The speed surveys were undertaken in Queens Avenue, Magherafelt in October 2009, prior to a public consultation event for the scheme held in the local leisure centre on 12 November 2009. The recorded 85th percentile speed (the speed at or below which 85% of the traffic is travelling) at Queens Avenue, was 33mph, which is considered to be too high for this residential area.

I can confirm that Queens Avenue is included in my Department's Roads Service's 2009/10 traffic calming works programme. Roads Service proposes to provide flat top ramps at five locations in Queens Avenue, at three locations in Princess Avenue, and at two locations at Kirk Avenue. In addition, a 20mph speed limit will be provided in the area.

It is anticipated that following successful completion of the normal statutory processes, the scheme will be constructed in February or March 2010.

## Road Signage

**Mr P McGlone** asked the Minister for Regional Development to provide an update of his Department's policy on business road signage. (AQW 2884/10)

**Minister for Regional Development:** I can advise the Member that I am currently considering proposals for a relaxation of my Department's Roads Service's policies relating to the provision of traffic signing for businesses.

However, this is not a straightforward issue, as the desire to provide increased levels of signing to businesses has to be balanced against the need to minimise the impact any such increase would have on the environment and road safety. Any change in the policy will need to be fair and equitable, and the facility provided can be justified, from both traffic management and road safety perspectives.

I hope to be in a position to make a decision on this issue in the near future.

## Capital Spend on Projects

**Mr J Shannon** asked the Minister for Regional Development to detail his Department's projected total capital spend on projects in 2010/11 in each constituency. (AQW 2889/10)

**Minister for Regional Development:** The table below details DRD's projected total capital spend on projects in 2010/11 within each constituency. The table covers the Department, Translink and Northern Ireland Water (NIW).

It is not possible to identify the Roads Service capital allocation for Local Transport and Safety Measures and Bridge Strengthening by Assembly Constituency. Figures have been provided by Roads Service Division.

NIW do not hold the information on an Assembly Constituency basis. Details of all capital projects which are considered to be committed have been provided. The allocation of any remaining uncommitted funds in 2010/11 will be dictated by the outcome of the Utility Regulator's Final Determination, currently programmed for publication mid-December 2009.

Figures are estimates and projects will be subject to the availability of funding.

| Projects   | 2010/11<br>£000's | Constituency  |
|--|-------------------|---|
| DRD: Rapid Transit                                       | 6,000             | West Belfast, East Belfast and into Strangford (which borders East Belfast) |
| <b>DRD: Roads Service</b>                                |                   |   |
| *Major Works Schemes                                     |                   |   |
| A2 Broadbridge, Maydown to City of Derry Airport         | 6,000             | Foyle   |
| A29 Carland Bridge, Dungannon                            | 1,500             | Mid Ulster  |
| DBFO Package 2 – A1 Beech Hill Cloghogue, Newry & Mourne | 100,000           | Newry & Armagh  |
| DBFO Package 2 – A4 Dungannon to Ballygawley,            | 86,500            | Fermanagh & South Tyrone  |
| A26/M2 Ballee Road East, Ballymena                       | 500               | North Antrim  |
|  |                   |   |

\* The figures relate to the estimated construction costs for Strategic Road Improvement Schemes and, in the case of Design, Build, Finance and Operate (DBFO) projects, the Permit to Use Payments for 2010/11.

| Projects  | Estimated Capital Spend (in 2010/11)<br>£'000s |
|---|--|
| <b>DRD: Roads Service</b>   |  |
| <b>**Local Transport and Safety Measures and Bridge Strengthening</b> |  |

| <b>Projects</b>   | <b>Estimated Capital Spend (in 2010/11)<br/>£'000s</b> |
|-------------------|--|
| Northern Division | 6,460  |
| Southern Division | 7,500  |
| Eastern Division  | 6,050  |
| Western Division  | 4,610  |

\*\* The figures relate to the estimated capital allocations for 2010/11 on Local Transport and Safety Measures and Bridge Strengthening. It is not possible to identify these allocations by Assembly Constituency.

| <b>Projects</b>   | <b>2010/11<br/>£000's</b> | <b>Constituency</b>    |
|---|---------------------------|------------------------|
| <b>Translink</b>  |                           |                        |
| <b>Buses</b>  |                           |                        |
| New Buses   | 2,628                     | All constituencies     |
| DDA Compliance  | 488                       | All constituencies     |
| Increase depth of depot pits  | 465                       | All constituencies     |
| Travel Centre coaches   | 570                       | All constituencies     |
| Information System Projects   | 1,134                     | All constituencies     |
| CCTV Ulsterbus  | 137                       | Several Constituencies |
| Chamber of Commerce House HQ  | 2,880                     | Belfast South          |
| Cars, Vans, Lorries   | 26                        | All Belfast            |
| <b>Sub Total Buses</b>  | <b>8,328</b>              |                        |
| <b>NI Railways</b>  |                           |                        |
| New Train Phase II  | 20,165                    | Whole Network          |
| Platform Extension Programme  | 2,480                     | Whole Network          |
| Class 3000 Trains Phase 1 Overhaul  | 1,752                     | Whole Network          |
| Bridge Assessment Programme - 6 yearly  | 272                       | Whole Network          |
| Automatic Half Barrier Crossing LED Road Traffic Signals Upgrade                                | 73                        | Whole Network          |
| Information System Projects   | 1,100                     | Whole Network          |
| Ballast Wagons (6)  | 1,725                     | Whole Network          |
| Station fencing programme   | 128                       | Whole Network          |
| Lineside Fencing 2008/09 - 2011/12  | 497                       | Whole Network          |
| Cars, Vans, Lorries   | 144                       | Whole Network          |
| New Train Maintenance Facility - Adelaide   | 17,566                    | Belfast South          |
| Class 450 Trains Overhaul   | 1,058                     | East Antrim            |
| Railway Bridge UB424 Carrickfergus - Edge beams   | 28                        | East Antrim            |
| Bann Bridge, Coleraine UB190 remedial works   | 296                       | East Londonderry       |
| Railway Bridge UB208 Poyntzpass Strengthening   | 352                       | Newry and Armagh       |
| Bells Row Barrier Relocation  | 91                        | Upper Bann             |
| Meeting House Lane Miniature Stop Lights & Glebe Road Manual Controlled Barrier Upgrade Project | 1,442                     | Lagan Valley           |

| <b>Projects</b>  | <b>2010/11<br/>£000's</b> | <b>Constituency</b>           |
|--|---------------------------|-------------------------------|
| York Road to Bleach Green Replacement of Switch & Crossings    | 382                       | Belfast North and East Antrim |
| Ballymena Permanent Way / Signalling & Telecoms store and yard | 1,777                     | North Antrim                  |
| Bangor West path   | 36                        | North Down                    |
| Coleraine Fuel Apron   | 49                        | East Londonderry              |
| Specification for co-acting gates at occupation crossing       | 25                        | East Londonderry              |
| Coleraine to Derry Track renewal                               | 2,978                     | East Londonderry              |
| Closure of Brolly & McConaghy's XL196 User Worked Crossing     | 892                       | East Londonderry              |
| <b>Sub Total Railway Capital</b>                               | <b>55,308</b>             |                               |
| <b>Total</b>   | <b>63,636</b>             |                               |

| <b>Projects</b>   | <b>Estimated Capital Spend<br/>(in 2010/11)<br/>£'000s</b> | <b>Information not held by NIW</b> |
|---|--|------------------------------------|
| <b>NIW</b>  |  |                                    |
| Castor Bay to Dungannon Strategic Trunk Mains               | 1,934  |                                    |
| CTM Extension - Barnetts Park to Purdysburn                 | 830  |                                    |
| Lisburn Town Zone Watermain Improvements                    | 112  |                                    |
| Northern Key Transport Corridor, Ballymena Watermain Scheme | 0  |                                    |
| Belfast City Centre Zone WM Improvements                    | 518  |                                    |
| Dungannon to Ballygawley (A4) Dualling Watermain Diversions | 219  |                                    |
| A2 Shore Road Realignment - Greenisland                     | 845  |                                    |
| Carmoney Water Treatment Works Upgrade                      | 2,500  |                                    |
| Lough Bradan WTWs Upgrade                                   | 1,960  |                                    |
| West Belfast/ North Lisburn                                 | 1,318  |                                    |
| Ballykine Gravity Distribution                              | 1,820  |                                    |
| Dungonnell Command Service Reservoir                        | 382  |                                    |
| Tullaghans SR, Dunloy, New Reservoir                        | 228  |                                    |
| Glenlough SR, Ballymoney, New SR                            | 307  |                                    |
| Altnahinch WTP, Ballymoney, New CWB.                        | 307  |                                    |
| Carland Service Reservoir                                   | 1,168  |                                    |
| Ballyeaston Sewage System Upgrade                           | 200  |                                    |
| Draperstown DAP   | 558  |                                    |
| Derrynoyd Road Draperstown Foul & Storm Sewer Extension     | 25   |                                    |
| Gilford Road Portadown Sewerage Upgrades                    | 96   |                                    |
| Maghaberry Flood Alleviation Projects                       | 70   |                                    |
| Londonderry Sewer Imps Stage 2 - Duke St PS Group Schemes   | 50   |                                    |



| <b>Projects</b>   | <b>Estimated Capital Spend<br/>(in 2010/11)<br/>£'000s</b> | <b>Information not held by NIW</b> |
|---|--|------------------------------------|
| Londonderry DAP: Victoria Road Work Package                           | 845  |                                    |
| Londonderry DAP: Strathfoyle & Drumahoe Work package: Drumahoe Old PS | 495  |                                    |
| Londonderry DAP: Strathfoyle & Drumahoe Work package: Caw PS          | 570  |                                    |
| Londonderry DAP: Sewers Rehab Phase 1                                 | 1,720  |                                    |
| Londonderry DAP: Sewers Rehab Phase 2                                 | 87   |                                    |
| Montgomery Rd, Flood Alleviation                                      | 254  |                                    |
| Belvoir Park Trunk Sewer  | 88   |                                    |
| Derrynoyd Road Draperstown Foul & Storm Sewer Extension               | 0  |                                    |
| South Street, Newtownards WWPS Refurbishment                          | 3,000  |                                    |
| Parkgate WwTW Rationalization   | 235  |                                    |
| Mullaghboy WwTW   | 100  |                                    |
| Toome (Creagh) Sewerage Scheme  | 2,500  |                                    |
| Money more WwTW Imps  | 310  |                                    |
| Stewartstown WwTW Improvements  | 493  |                                    |
| Magherafelt WwTW  | 1,930  |                                    |
| Coagh WwTW Improvements   | 1,006  |                                    |
| Martinstown WwTW  | 103  |                                    |
| Cargan WwTW   | 465  |                                    |
| Cloughmills WwTW  | 1,033  |                                    |
| Bushmills + Portballintrae WwTW                                       | 1,345  |                                    |
| Coalisland WwTW   | 2,570  |                                    |
| Moygashel WwTW  | 600  |                                    |
| Dungiven WwTW   | 440  |                                    |
| Feeny WwTW  | 220  |                                    |
| Ballymonie WwTW   | 622  |                                    |
| Rousky Sewerage Scheme  | 200  |                                    |
| Newtownbreda WwTW   | 7,588  |                                    |
| Downpatrick WwTW  | 325  |                                    |
| Ardglass WwTW   | 4,601  |                                    |
| Saintfield WwTW   | 633  |                                    |
| Loughries WWTW  | 62   |                                    |
| Dunmurry WwTW Modifications   | 7,859  |                                    |
| Whitehead, Ballystruder & Ballycarry Rationalisation                  | 8,236  |                                    |
| Londonderry DAP: Duke Street Work package                             | 2,102  |                                    |
| Ballywalter WwTW Interim Solution                                     | 59   |                                    |
| Ballyhalbert WwTW Interim Solution                                    | 436  |                                    |

| Projects                                | Estimated Capital Spend<br>(in 2010/11)<br>£'000s | Information not held by NIW |
|---|---|-----------------------------|
| Portavogie WwTW Interim Solution        | 503   |                             |
| Lukes Point (Bangor) DAP Phase 1        | 200   |                             |
| Lisbarnet WwTW                          | 15  |                             |
| Hook's Corner WwTW                      | 478   |                             |
| Enniskillen WwTW                        | 26  |                             |
| Maghera WwTW                            | 256   |                             |
| Ballycastle Sewerage Scheme             | 100   |                             |
| Milltown, Antrim WwTW                   | 40  |                             |
| Lurganare WwTW                          | 215   |                             |
| <b>Total Estimated Spend in 2010/11</b> | <b>70,412</b>                                     |                             |

### Civil Servants' Earnings

**Mr J Craig** asked the Minister for Regional Development how many civil servants in his Department earn more than the Minister, inclusive of salaries, bonuses and any paid positions on outside bodies. (AQW 2903/10)

**Minister for Regional Development:** Salaries for civil servants are determined in pay scales relative to the appropriate grading structure. The grading structures are underpinned by job evaluation methodologies. Civil Service salaries paid in 2008-2009 have been used for the purpose of this comparison.

The Ministerial salary used for comparison purposes in this response is the annual salary payable in 2008-2009 to a Ministerial Office Holder of £37,801 plus the basic annual salary payable to a Member of the Legislative Assembly of £43,101 ie a total of £80,902 in the case of the Minister for DRD.

Within the parameters given above, DRD has 5 civil servants who earn more than the Minister.

### Meadowbank Avenue, Donaghadee: Road Gullies and Drains

**Mr P Weir** asked the Minister for Regional Development what action he is taking to ensure that road gullies and drains operate and are kept clear in Meadowbank Avenue, Donaghadee, while construction work is ongoing in the area. (AQW 2920/10)

**Minister for Regional Development:** My Department's Roads Service has advised that they have been in regular contact with the developer of the site at Meadowbank Avenue, Donaghadee, from the outset of the work. I can advise that the gullies have been cleaned and the drainage system is working properly.

Roads Service will continue to work with the PSNI and the developer to ensure that the carriageway is kept clean to reduce the risk of gullies becoming blocked.

### Road Cleaning

**Mr P Weir** asked the Minister for Regional Development what requirements are placed on (i) his Department and its agencies; and (ii) developers to ensure regular road cleaning in areas that are adversely affected by construction work. (AQW 2921/10)

**Minister for Regional Development:** I can advise the Member that, under Article 94(1) of the Roads (NI) Order 1993, anyone, including developers, who deposits, or allows anything to be deposited on a road, which is likely to cause an obstruction or danger, shall be guilty of an offence and held liable, on summary conviction, to a fine, not exceeding £200.

In addition, under Article 95(1) of the above Order, anyone, including developers, in charge of a vehicle on a road, who permits any solid or liquid matter from the vehicle to be spilled or dropped onto the road surface in

such a quantity so as to create a danger or substantial inconvenience, shall be guilty of an offence and held liable, on summary conviction, to a fine not exceeding £1000.

The responsibility for taking any prosecution under both these Articles lies with the PSNI. However, I understand that deposits on the road must be such that they are deemed by the Police to represent a danger to persons using the road before proceedings are instituted.

While the responsibility for any prosecution for deposits on the road lies with the Police, the objective of enforcement is, however, not so much to secure convictions and to impose penalties, as to restore the condition of the road, and/or to discourage other potential offenders. My Department's Roads Service's preferred approach to protecting its interests is by persuasion, rather than prosecution.

To this end, Roads Service monitors roads on a regular basis and, when they can be clearly identified, any offenders, including developers, are instructed to clean a road where it is unduly dirty. The Police are also informed, and if the offenders do not co-operate, the Police would consider taking action under the above 1993 Roads Order.

In certain circumstances, particularly in the interests of road safety, Roads Service may carry out whatever operations are necessary to restore the road condition themselves, and may subsequently seek to recover costs from the offender, if possible.

### **A6 and A8: Building**

**Mr D Kinahan** asked the Minister for Regional Development what action he is taking to ensure that there is no pollution or damage to the environment in the building of the A6 and A8. (AQW 2930/10)

**Minister for Regional Development:** I can advise that the assessment process for the A8 and A6 dualling schemes has already included extensive consultation with a number of agencies, including the Environment Agency in the North, the Department of Agriculture and Rural Development, and the Department of Culture Arts and Leisure, regarding the environmental issues within the study areas. In addition, extensive site surveys, desk studies, and computer modelling, have been carried out to ensure the environmental issues are identified and understood.

My Department's Roads Service will also prepare an Environmental Statement, for both schemes, in accordance with European Directives and the Roads (NI) Order 1993 and, is committed to continue consultation with the relevant government agencies through to completion of the projects.

The chosen procurement route for the A8 dualling scheme involves the early appointment of a contractor to join the project team, during the design development phase, prior to the publication of the Draft Orders. This appointment will provide the project with considerable benefits of early construction advice, which will enable the Project Team, to design the scheme using best construction practice and design out potential construction problems, thus ensuring environmental issues associated with the construction and programming of the works, are fully considered during the planning phases.

I can further advise that prescriptive measures will be built into the construction contracts for both the A8 and A6 dualling schemes, which will require roadwork contractors to install and maintain temporary measures to protect environmentally sensitive river systems, during the construction of the schemes. In the longer term, the installation of Sustainable Drainage Systems will also help reduce the impact of road water on environmentally sensitive rivers.

### **Old Grand Jury Manor area of Saintfield**

**Mr S Hamilton** asked the Minister for Regional Development how much has been spent by (i) NI Water; and (ii) Roads Service in carrying out camera surveys, inspections, investigations, remedial works and excavations in the Old Grand Jury Manor area of Saintfield in each of the last four years. (AQW 2943/10)

**Minister for Regional Development:** I have been advised by Northern Ireland Water (NIW) that spent since its inception, on 1 April 2007, the amounts spent, in connection with work in the Old Grand Jury Manor area of Saintfield, is as detailed in the table below.

| Year                           | Amount Spent |
|--------------------------------|--------------|
| 1 April 2007 – 31 March 2008   | £120         |
| 1 April 2008 – 31 March 2009   | £12,163      |
| 1 April 2009 – 31 October 2009 | £300         |

My Department's Roads Service has advised that it has spent £650 raising the kerbs, outside No. 1 Old Grand Jury Manor, to prevent water flowing off the public road and on to private property. This work was carried out on 26 October 2007. Roads Service has also carried out two camera surveys on 24 September 2009 and 8 October 2009 at a total cost of £590.

### Old Grand Jury Manor area in Saintfield

**Mr S Hamilton** asked the Minister for Regional Development to detail the number of call outs to the Old Grand Jury Manor area in Saintfield by (i) NI Water; and (ii) Roads Service in response to flooding incidents in each of the last four years. (AQW 2944/10)

**Minister for Regional Development:** I have been advised by Northern Ireland Water (NIW) that, since its inception on 1 April 2007, the number of call outs in response to flooding incidents, at the Old Grand Jury Manor area of Saintfield, is as detailed in the table below.

| Year                           | Number of Call Outs |
|--------------------------------|---------------------|
| 1 April 2007 – 31 March 2008   | 4                   |
| 1 April 2008 – 31 March 2009   | 5                   |
| 1 April 2009 – 31 October 2009 | 5                   |

The following table details the number of call-outs undertaken by Roads Service, in relation to flooding or reports of blocked gullies, on the Old Grand Jury Road and at Old Grand Jury Manor.

| Year                           | Number of Call Outs |
|--------------------------------|---------------------|
| 1 April 2005 – 31 March 2006   | 1                   |
| 1 April 2006 - 31 March 2007   | 4                   |
| 1 April 2007 – 31 March 2008   | 7                   |
| 1 April 2008 – 31 March 2009   | 7                   |
| 1 April 2009 – 31 October 2009 | 1                   |

### Urban Clearways and Bus Lanes: Fines for Parking

**Mr S Hamilton** asked the Minister for Regional Development how many people have been issued with a fine for parking in (i) urban clearways; and (ii) bus lanes since the inception of the NCP contract. (AQW 2945/10)

**Minister for Regional Development:** My Department's Roads Service became responsible for parking enforcement at the end of October 2006. In the period since then, to 31 October 2009, the number of Penalty Charge Notices (PCNs) issued to vehicles in breach of clearway restrictions is 21,512. This figure includes PCNs issued to vehicles illegally parked on the footway, where the clearway restriction does not permit footway parking.

In the same period, the number of PCNs issued to vehicles illegally parked in bus-lanes was 2,627.

### A5: Building of New Carriageway

**Mr T Elliott** asked the Minister for Regional Development if his Department consulted the road users of the A5 as to whether they agreed with the building of the new carriageway or whether they would have preferred a railway link. (AQW 2949/10)



**Minister for Regional Development:** The Regional Development Strategy 2025 (RDS) provides guidance on a range of social, economic and environmental issues. The RDS recognises that the North is almost totally dependent on a roads-based transport system, reflecting the small internal transport market and dispersed settlement pattern; and that, even with significant improvements to public transport services, upgrading will be required on key sections of the strategic road network, to reduce congestion and improve the reliability of journey times.

The RDS is supported by the Regional Transportation Strategy (RTS), which includes improvements in provision for walking, cycling and public transport, as well as Strategic Road Improvements. These Strategic Road Improvements focus on the Regional Strategic Transport Network and, in particular, the Key Transport Corridors (KTC) identified in the RDS. One of the KTCs, identified in the RDS, is the Western Transport Corridor, running from Derry to Aughnacloy.

My Department undertook a comprehensive consultation exercise during the preparation of the RTS. Roads Service is guided by the RTS and has not, therefore, consulted the road users of the A5 as to their preference for the building of the new carriageway or a railway link.

### Bus Shelters and Bus Stations: Vandalism to

**Mr A Bresland** asked the Minister for Regional Development how much it has cost his Department to repair vandalism to (i) bus shelters; and (ii) bus stations in the West Tyrone constituency, in each of the last five years. (AQW 2968/10)

**Minister for Regional Development:** Details of expenditure on repairing vandalised bus shelters and bus stations in West Tyrone, in each of the last five financial years to the end of September 2009, are provided in the table below:

|                           | 2005/06 | 2006/07 | 2007/08 | 2008/09 | 2009/10 (to 30 Sept. 2009) |
|---------------------------|---------|---------|---------|---------|----------------------------|
| Vandalism at Bus Shelters | £239    | £945    | £97     | £447    | £83                        |
| Vandalism at Bus Stations | £4,056  | £5,975  | £6,115  | £2,347  | £541                       |

### Senior Smart Pass

**Mr A Ross** asked the Minister for Regional Development how many people currently hold a senior Smart Pass. (AQW 2972/10)

**Minister for Regional Development:** Translink has informed me that, as of 23 November 2009, there were 202,715 Senior SmartPasses in circulation. Please note, however, that this figure may include passes where the holder may have died and the pass has not been returned.

### Senior Smart Pass

**Mr A Ross** asked the Minister for Regional Development how many journeys were taken by senior Smart Pass holders in each of the last twelve months. (AQW 2973/10)

**Minister for Regional Development:** I have been informed that Translink's financial system is based on four- and five-week periods rather than calendar months. As such the information is not readily available in the format requested. The table below lists journeys taken by accounting period, with the approximate calendar month in parenthesis. Senior SmartPasses are issued to people aged 65 and over and the figures do not include journeys taken by holders of 60+ SmartPasses.

| Period                            | Total Senior SmartPass Journeys |
|-----------------------------------|---------------------------------|
| Period 9 2008/09 (December 2008)  | 797,118                         |
| Period 10 2008/09 (January 2009)  | 567,621                         |
| Period 11 2008/09 (February 2009) | 604,890                         |

| Period                            | Total Senior SmartPass Journeys |
|-----------------------------------|---------------------------------|
| Period 12 2008/09 (March 2009)    | 828,807                         |
| Period 1 2009/10 (April 2009)     | 644,583                         |
| Period 2 2009/10 (May 2009)       | 657,232                         |
| Period 3 2009/10 (June 2009)      | 866,446                         |
| Period 4 2009/10 (July 2009)      | 652,899                         |
| Period 5 2009/10 (August 2009)    | 709,884                         |
| Period 6 2009/10 (September 2009) | 875,978                         |
| Period 7 2009/10 (October 2009)   | 699,876                         |
| Period 8 2009/10 (November 2009)  | 669,451                         |

It should be noted that these figures do not include statistics from a small number of independent coach operators that are members of the concessionary fares scheme. Statistics from these operators in this format are not readily available and account for less than one per cent of the annual journeys made.

### Public Transport Consultation

**Dr S Farry** asked the Minister for Regional Development to explain the rationale for holding public meetings on the current public transport consultation during the working day when many commuters cannot attend.

(AQW 2989/10)

**Minister for Regional Development:** During the period 2 December 2009 to 21 January 2010, my Department will be holding eleven public consultation events on its public transport reform proposals across the North. Six of these are scheduled to take place during the working day, five during evenings.

The timing and location of these events is intended to accommodate a broad range of public transport users and providers. Public meetings during the working day may be preferred by a number of groups and individuals including for example older people and parents with young children and by members of the public attending in a work-related capacity.

The meetings are intended to be only one of a number of ways that members of the public can respond to the consultation.

### Speed Humps

**Dr S Farry** asked the Minister for Regional Development what consideration is given to motorcycle users in the design and location of speed humps.

(AQW 2990/10)

**Minister for Regional Development:** My Department's Roads Service has advised that considerable research has been carried out into the design and performance of road humps since the Highways (Road Humps) Regulations 1990 were introduced. All traffic calming measures are designed and implemented in accordance with these regulations, and no mechanical damage should occur to vehicles, when they are driven at the appropriate speed.

In addition, a document published by The Institute of Highway Incorporated Engineers, entitled 'Guidelines for Motorcycling – improving safety through engineering and integration,' provides Roads Service with additional guidance on aspects of road design relating to motorcycling. Chapter 8 of this document relates specifically to motorcycles and traffic calming, and includes design guidance on various measures, including road humps.

### Road Cleaning

**Mr A Ross** asked the Minister for Regional Development to detail the protocols his Department issues in relation to road cleaning.

(AQW 3000/10)

**Minister for Regional Development:** Article 7 of the Litter (NI) Order 1994 places a duty on District Councils to ensure that all roads within their area, with the exception of designated roads, are, so far as is practical, kept clear of litter. Responsibility for keeping a number of designated roads clear of litter rests with my Department. Designated roads include the motorway network, Ballymena bypass and part of the A8. Removal of litter from these routes is carried out on a regular basis.

Other deposits on the road, which are likely to cause an obstruction or danger, are offences under Articles 94(1) or 95(1) of the Roads (NI) Order 1993, and are dealt with by the PSNI. However, I am advised that deposits on the road must be such that they are deemed by the PSNI to represent a danger to persons using the road, before proceedings are instituted.

While the responsibility for any prosecution for deposits on the road lies with the Police, the objective of enforcement is, however, not so much to secure convictions and to impose penalties, as to restore the condition of the road, and/or to discourage other potential offenders. My Department's Roads Service's preferred approach to protecting its interests is by persuasion, rather than prosecution.

To this end, Roads Service monitors roads on a regular basis and, when they can be clearly identified, any offenders are instructed to clean a road where it is unduly dirty. The Police are also informed, and if the offenders do not co-operate, the Police would consider taking action under the above 1993 Roads Order.

In certain circumstances, particularly in the interests of road safety, Roads Service may carry out whatever operations are necessary to restore the road condition themselves, and may subsequently seek to recover costs from the offender, if possible.

### Comber to Dundonald Road: Traffic Volumes

**Mr S Hamilton** asked the Minister for Regional Development to detail the average daily traffic volumes on the Comber to Dundonald Road in each of the last five years. (AQW 3014/10)

**Minister for Regional Development:** My Department's Roads Service has advised that it collects data from approx 300 automatic traffic counting sites located throughout the North's road network. Roads Service has advised that there is one automatic traffic counting site located on the A22 Comber Road, between Dundonald and Comber, south east of New Line.

Details of the average annual daily two way traffic flow information recorded at this site, over the last five years, is provided in the table below.

ANNUAL AVERAGE DAILY TRAFFIC

| 2004   | 2005   | 2006   | 2007   | 2008   |
|--------|--------|--------|--------|--------|
| 10,770 | 10,860 | 11,050 | 11,300 | 10,973 |

### Epilepsy Charities: Meetings with

**Mr G Robinson** asked the Minister for Regional Development to detail any meetings he has held with epilepsy charities in the last 12 months (AQW 3042/10)

**Minister for Regional Development:** I have not held any meetings with epilepsy charities in the last 12 months.

### Belfast City to Belfast International Airport: Main Route from

**Mr T Clarke** asked the Minister for Regional Development to detail any plans he has to develop the main route from Belfast City to Belfast International Airport. (AQW 3060/10)

**Minister for Regional Development:** The infrastructure connections to our airports are very important to my Department, particularly for economic competitiveness, the tourist and leisure market and the convenience of the travelling public. The strategic relevance of these connections will be considered within the review of the Regional Development Strategy (RDS) and the Regional Transportation Strategy (RTS).

The revised RDS will provide an overarching spatial framework to influence the future distribution of activities throughout the North to 2035. Within the revised Strategy, the George Best Belfast City and the Belfast International Airports are recognised as key Gateways of, and to, the Region. The importance of Gateways as interchange points is acknowledged, and the quality of connection from the air, and sea ports, to the internal transport network is seen as being crucial for economic competitiveness. The review of the RTS also recognises the importance of access to our airports, and is strategically considering improved connections. Draft documents will issue in 2010, for public consultation, on both these Strategies.

The recent completion of the M2 improvement scheme between Sandyknowes and Greencastle has enhanced accessibility between the George Best Belfast City and the Belfast International Airports. In addition to these physical works, the introduction of Intelligent Transportation Systems (ITS) on the motorway system will maximise the use of existing road space, whilst maintaining and improving current safety standards. This has seen the introduction of new overhead message gantries, vehicle detection 'Loops' (Motorway Incident Detection and Automatic Signalling), traffic sensors and a network of CCTV cameras to detect traffic speed and density.

### Disabled Parking Bays: Illegal Parking

**Mr I McCrea** asked the Minister for Regional Development how many tickets have been issued to people parking illegally in disabled parking bays in the Magherafelt Council area, in each of the last three years, broken down by town or village. (AQW 3109/10)

**Minister for Regional Development:** My Department's Roads Service became responsible for parking enforcement at the end of October 2006, prior to this date parking enforcement was a police function.

The number of Penalty Charge Notices (PCNs) issued to vehicles parking illegally in disabled parking bays in the Magherafelt Council area since then, to the end of October 2009, are set out in the table below:-

| Town/Village | Period                    | PCNs Issued* |
|--------------|---------------------------|--------------|
| Maghera      | 01 Nov 2006 – 31 Oct 2007 | 10           |
|              | 01 Nov 2007 – 31 Oct 2008 | 80           |
|              | 01 Nov 2008 – 31 Oct 2009 | 108          |
| Magherafelt  | 01 Nov 2006 – 31 Oct 2007 | 166          |
|              | 01 Nov 2007 – 31 Oct 2008 | 198          |
|              | 01 Nov 2008 – 31 Oct 2009 | 201          |
| Draperstown  | 01 Nov 2007 – 31 Oct 2008 | 11           |
|              | 01 Nov 2008 – 31 Oct 2009 | 7            |

\* These figures include PCNs issued in on-street and in off-street car parks.

### Disabled Parking Bays: Illegal Parking

**Mr I McCrea** asked the Minister for Regional Development how many tickets have been issued to people parking illegally in disabled parking bays in the Cookstown District Council area, in each of the last three years, broken down by town or village. (AQW 3110/10)

**Minister for Regional Development:** My Department's Roads Service became responsible for parking enforcement at the end of October 2006, prior to this date parking enforcement was a police function.

The number of Penalty Charge Notices (PCNs) issued to vehicles parking illegally in disabled parking bays in the Cookstown Council area since then, to the end of October 2009, are set out in the table below:-

| Town      | Period                    | PCNs Issued |
|-----------|---------------------------|-------------|
| Cookstown | 01 Nov 2006 – 31 Oct 2007 | 275         |
|           | 01 Nov 2007 – 31 Oct 2008 | 404         |
|           | 01 Nov 2008 – 31 Oct 2009 | 312         |



None of these PCNs were issued to vehicles illegally parked in disabled bays in off-street car parks, in the Cookstown Council area.

### Roads Service Southern Division

**Mr W Irwin** asked the Minister for Regional Development what budget is available for micro schemes in the Roads Service Southern Division for the current financial year. (AQW 3288/10)

**Minister for Regional Development:** My Department's Roads Service has advised that it does not have a specific budget for Micro schemes in its Southern Division. Such schemes are funded from the Local Transportation and Safety Measures Budget, which for the current year, is £4.6 million in Southern Division.

## DEPARTMENT FOR SOCIAL DEVELOPMENT

### Newtownbutler: Memorial

**Mr T Elliott** asked the Minister for Social Development what action she has taken to ensure the removal of the illegal Irish republican terrorist memorial erected in Newtownbutler earlier this year. (AQW 2786/10)

**Minister for Social Development (Ms M Ritchie):** This memorial was erected on Northern Ireland Housing Executive owned land within the Galloon Gardens area of Newtownbutler in September. This was done without the knowledge, agreement or involvement of the Housing Executive.

Since then the Housing Executive has met with locally elected representatives to discuss the memorial but little progress has been made.

The whole issue of paramilitary memorials from whatever community is a very difficult one. I am committed to supporting local communities, remove sectional symbols and focus on developing more acceptable expressions of their cultural identity. I have already placed the Shared Future ethos at the heart of all my endeavours in housing and through the Shared Neighbourhood Programme, 30 existing Housing Executive estates will also be identified as communities who want to live together, not apart.

However the erection of this republican memorial in Newtownbutler, together with the loyalist memorial in Bangor shows that we still have much more to do.

### Derelict Housing Executive Properties

**Mr J Craig** asked the Minister for Social Development how many Housing Executive properties in (i) the Lisburn office area; and (ii) the Dairy Farm office area are classified as derelict. (AQW 2824/10)

**Minister for Social Development:** There is one dwelling considered derelict within these areas. The dwelling, which is located within the Lisburn Antrim Street District Office area, is currently for sale.

### Warm Homes Scheme

**Mr J Craig** asked the Minister for Social Development how many people have been successful in their applications to the Warm Homes Scheme for (i) heating; (ii) insulation; and (iii) heating and insulation in (a) Lisburn; and (b) Dromore in each month of the last two years. (AQW 2838/10)

**Minister for Social Development:** The new Warm Homes Scheme commenced on 1 July 2009 and is being delivered on behalf of the Department by two new scheme managers, Bryson Charitable Group and H&A Mechanical Services Limited. Prior to this, Eaga plc delivered the scheme and when their contract ended, Eaga handed over all the records they held relating to the scheme to the Department. The Northern Ireland Housing Executive now holds those records of behalf of the Department.

It is not possible to analyse the records from the old scheme in the manner requested. However, since the start of the new Warm Homes Scheme, the following have successfully applied for assistance.

|                                    | Banbridge Council Area,<br>(which includes Dromore) | Lisburn City Council Area |
|------------------------------------|---|---------------------------|
| Total Eligible (1 Jul – 17 Nov 09) | 116   | 224                       |
| Waiting to be surveyed             | 60  | 98                        |
| Insulation Only                    | 51  | 115                       |
| Heating Only                       | 1   | 5                         |
| Combined                           | 4   | 6                         |

### Rent Arrears

**Mr J Craig** asked the Minister for Social Development how many Housing Executive tenants in (i) the Lisburn office area; and (ii) the Dairy Farm office area have rent arrears of (a) up to three months; (b) three to six months; (c) six to twelve months; and (d) more than twelve months. (AQW 2840/10)

**Minister for Social Development:** The information is not available in the format requested as the Housing Executive cannot measure the specific periods detailed. However, the Housing Executive advise that the number of tenants in arrears of greater than 13 weeks as follows:-

- Lisburn Antrim Street office 102 tenants
- Lisburn Dairyfarm office 91 tenants

### Housing Executive Tenants: Overdue Rent

**Mr J Craig** asked the Minister for Social Development how much rental income is currently overdue from Housing Executive tenants in (i) the Lisburn office area; and (ii) the Dairy Farm office area. (AQW 2841/10)

**Minister for Social Development:** At the 31 October 2009 the total amount of rental income overdue from Housing Executive tenants was:-

- Lisburn Antrim Street office £358,187
- Lisburn Dairyfarm office £281,477

### Social Housing: Waiting List

**Mr P Weir** asked the Minister for Social Development how many people are currently on the waiting list for social housing in the North Down constituency. (AQW 2853/10)

**Minister for Social Development:** The information is not available in the format requested as the Housing Executive does not collate social housing waiting list information by constituency area. However, at the 30 September 2009 there were 1926 applicants on the waiting list for the Housing Executive's Bangor District Office area

### Derelict Housing Executive Properties

**Mr A Ross** asked the Minister for Social Development how many Housing Executive properties in (i) Larne; (ii) Carrickfergus; and (iii) Newtownabbey are currently classified as derelict. (AQW 2858/10)

**Minister for Social Development:** There are currently 87 dwellings within the Housing Executive's Larne District Office area and 28 dwellings in the Newtownabbey 1 District Office area considered to be derelict. All of the properties are flats and are currently due for demolition. The Housing Executive has no derelict properties in Carrickfergus.

### Larne: Funding for Community and Voluntary Groups

**Mr D Hilditch** asked the Minister for Social Development to detail all funding allocated by her Department to community and voluntary groups in Larne, in each of the last two years. (AQW 2864/10)

**Minister for Social Development:** Details of funding allocated for community and voluntary groups in Larne, in each of the last two years are provided in the table below.

|   | 2007/08        | 2008/2009      |
|---|----------------|----------------|
| Community Investment Fund                                 | 49,547         | 52,814         |
| Community Support Programme                               | 53,518         | 54,767         |
| Local Community Fund                                      | 22,004         | 22,004         |
| Areas at Risk Programme                                   | 301,277        | 119,178        |
| Small Pockets of Deprivation                              | 1,683          | 1,140          |
| Volunteer Bureau Initiative and Small Grants <sup>2</sup> | 3,097          | 1,728          |
| <b>Total</b>  | <b>431,126</b> | <b>251,631</b> |

1. For Volunteer Bureau Initiative Ballymena and Larne Volunteer Centre received grant funding of 53,562 in 2007/08 and 57,552 in 2008/09. It should be noted that these figures cannot be split with any accuracy between Ballymena and Larne.

### Posnett Street, Belfast: Car Park

**Mr J Spratt** asked the Minister for Social Development to outline her plans for the NI Housing Executive owned car park in Posnett Street, Belfast. (AQW 2866/10)

**Minister for Social Development:** The Housing Executive commissioned a study through the Capital Asset Realisation Task Force in relation to this site. A number of options for future use are being assessed and the Housing Executive will consider these upon completion of the study.

### Social Housing Waiting List

**Mr I McCrea** asked the Minister for Social Development how many people currently on the social housing waiting list in the Mid-Ulster constituency are deemed to be in housing stress. (AQW 2870/10)

**Minister for Social Development:** The information is not available in the format requested. However, the table below provides details of those deemed to be in housing stress at 30 September 2009 for the Housing Executive's Cookstown, Magherafelt and Dungannon District Offices, which contain the areas which comprise the Mid-Ulster constituency.

| NIHE District Office | Applicants in Housing Stress ( 30 pts or more) |
|----------------------|--|
| Cookstown            | 165  |
| Magherafelt          | 242  |
| Dungannon            | 574  |

### Vacant Housing Executive Properties

**Mr I McCrea** asked the Minister for Social Development how many Housing Executive properties in (i) the Magherafelt District Council area; and (ii) the Cookstown District Council area have been vacant in each of the last three years. (AQW 2871/10)

**Minister for Social Development:** The tables below detail vacant Housing Executive dwellings at year end for each of the last three financial years for the Housing Executive's Magherafelt and Cookstown District Offices, which correspond to the relevant local Council areas.

TABLE 1 - MAGHERAFELT DISTRICT OFFICE

| Year       | Total |
|------------|-------|
| 31/03/2007 | 28    |
| 31/03/2008 | 17    |
| 31/03/2009 | 13    |

TABLE 2 - COOKSTOWN DISTRICT OFFICE

| Year       | Total |
|------------|-------|
| 31/03/2007 | 17    |
| 31/03/2008 | 9     |
| 31/03/2009 | 8     |

The figures in these tables include dwellings which are undergoing major repairs or improvements, decanting, awaiting relet and for sale.

### Titanic Quarter: Social Housing

**Mr A Maskey** asked the Minister for Social Development what consultations or meetings she, or her Department, has held in relation to the provision of social housing within the Titanic Quarter; and with whom.

(AQW 2877/10)

**Minister for Social Development:** My department has held discussions with Titanic Quarter Ltd, The Housing Executive and the Planning Service in relation to the provision of social and affordable housing within the Titanic Quarter.

### West Tyrone: Public Sector Jobs

**Mr B McElduff** asked the Minister for Social Development to detail the number, the location, the grade and the posts within her Department currently located in (i) the Omagh District; and (ii) the Strabane District; and to outline her Department's plans to increase the number of public sector jobs in West Tyrone. (AQW 2879/10)

**Minister for Social Development:** The tables below details the number, the location and grade of posts within my Department currently located in (i) the Omagh District; and (ii) the Strabane District. The Department has currently no immediate plans to increase the number of public sector jobs in West Tyrone.

(i)

| Grade                | Omagh Jobs and Benefit Office | Regional Development Office<br>Kevlin Buildings | Appeals Service | Total |
|----------------------|-------------------------------|---|-----------------|-------|
| Grade 7              | 0                             | 1.5   | 0               | 1.5   |
| DP                   | 0                             | 1   | 0               | 1     |
| SO                   | 1.5                           | 3   | 1               | 5.5   |
| EO1                  | 6                             | 3   | 1               | 10    |
| EO2                  | 27.5                          | 0   | 3.6             | 31.1  |
| AO                   | 44.51                         | 2   | 15.1            | 61.61 |
| AA                   | 7.37                          | 0   | 2.2             | 9.57  |
| Support Grade Band 2 | 3                             | 0   | 1               | 4     |
| Temporary AA         | 1                             | 0   | 1               | 2     |
| Typists              | 0                             | 0   | 2               | 2     |



| Grade | Omagh Jobs and Benefit Office | Regional Development Office<br>Kevlin Buildings | Appeals Service | Total  |
|-------|-------------------------------|---|-----------------|--------|
| Total | 90.88                         | 10.5  | 26.9            | 128.28 |

In addition to the table above, the Social Security Agency also has a Medical Examination Centre in Kelvin Building, Omagh. It is staffed by a Medical Attendant Manager (equivalent to Executive Officer 11) and a Medical Attendant (equivalent to Administrative Officer), who work on a part-time basis an average of 1 day and 1.5 days respectively.

(II)

| GRADE                    | Strabane Social Security Office |
|--------------------------|---------------------------------|
| Staff Officer            | 1                               |
| Executive Officer 1      | 2                               |
| Executive Officer 2      | 16.74                           |
| Administrative Officer   | 20.18                           |
| Administrative Assistant | 3.09                            |
| Support Grade Band 2     | 2                               |
| Temporary AA             | 0                               |
| Total                    | 45.01                           |

### Housing Benefit: Discretionary Payments

**Mr A Ross** asked the Minister for Social Development how many Housing Executive tenants in the East Antrim constituency who have a history of anti-social behaviour have been awarded discretionary payments of housing benefit over the past 12 months. (AQW 2898/10)

**Minister for Social Development:** Discretionary Housing Payments are only payable to residents in the private rented sector and would not therefore be payable to Housing Executive tenants.

### Disabled Facilities Extensions

**Mr J Shannon** asked the Minister for Social Development what action she is taking to address the shortfall in resources available to the Housing Executive to carry out disabled facilities extensions for this years' 105 applicants. (AQW 2910/10)

**Minister for Social Development:** Due to budgetary constraints, there was a temporary delay in starting some of the proposed schemes during 2009/10. However, the Housing Executive has addressed all outstanding issues and any extension scheme which is ready to commence in the current financial year will do so.

I have secured funding to deliver a potential 170 extensions for 2009/10. To date the Housing Executive has agreed start dates for 86 extensions. At this stage it is not possible to confirm how many will be started by financial year end.

### Disabled Aids: Funding

**Mr J Shannon** asked the Minister for Social Development how much funding is available to the Housing Executive this financial year for disabled aids, excluding disabled extensions. (AQW 2912/10)

**Minister for Social Development:** The funding available to the Housing Executive for disabled aids, excluding disabled extensions is £12.1 million in this financial year.

### Social Housing Waiting List

**Mr S Hamilton** asked the Minister for Social Development how many people are currently on the social housing waiting list; and how many people were on this list at year end for each of the last five years.

(AQW 2915/10)

**Minister for Social Development:** The number of people on the social housing waiting list at 30 September 2009 was 38,200. The table below details those on the waiting list at the year end in each of the last five years.

|               | Housing Applicants |
|---------------|--------------------|
| 31 March 2009 | 38,923             |
| 31 March 2008 | 39,675             |
| 31 March 2007 | 36,182             |
| 31 March 2006 | 31,908             |
| 31 March 2005 | 29,608             |

### Social Housing Waiting List

**Ms M Anderson** asked the Minister for Social Development how many people are currently on the social housing waiting list in the Foyle constituency; and how many of these people are deemed to be in housing stress.

(AQW 2937/10)

**Minister for Social Development:** The information is not available in the format requested. However, at the 30 September 2009 there were 2,513 Applicants on the social housing waiting list for the Housing Executive's Waterloo Place, Waterside and Collon Terrace District Office areas, which comprise the Derry City Council area, of whom 1,483 were in housing stress.

### Social Housing

**Ms M Anderson** asked the Minister for Social Development how many social houses have been allocated in the Foyle constituency in each of the last twelve months; and in which districts these houses were located.

(AQW 2938/10)

**Minister for Social Development:** The information is not available in the format requested. However, the tables below detail the allocations within the Housing Executive's Waterloo Place, Waterside and Collon Terrace District Office areas which comprise the Derry City Council area.

TABLE 1 - NIHE ALLOCATIONS

|                | 2008 |     |     | 2009 |     |     |     |     |     |     |     |     |
|----------------|------|-----|-----|------|-----|-----|-----|-----|-----|-----|-----|-----|
| District       | Oct  | Nov | Dec | Jan  | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep |
| Waterloo Place | 7    | 9   | 5   | 12   | 5   | 10  | 9   | 7   | 14  | 6   | 8   | 4   |
| Waterside      | 16   | 21  | 16  | 16   | 9   | 9   | 20  | 12  | 19  | 15  | 14  | 17  |
| Collon Tce     | 4    | 7   | 12  | 11   | 16  | 22  | 6   | 14  | 18  | 13  | 9   | 12  |
| Total          | 27   | 37  | 33  | 39   | 30  | 41  | 35  | 33  | 51  | 34  | 31  | 33  |

TABLE 2 - HOUSING ASSOCIATION ALLOCATIONS

|                | 2008 |     |     | 2009 |     |     |     |     |     |     |     |     |
|----------------|------|-----|-----|------|-----|-----|-----|-----|-----|-----|-----|-----|
| District       | Oct  | Nov | Dec | Jan  | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep |
| Waterloo Place | 18   | 4   | 14  | 4    | 6   | 6   | 2   | 11  | 8   | 9   | 6   | 3   |
| Waterside      | 6    | 2   | 3   | 11   | 4   | 10  | 7   | 2   | 5   | 7   | 5   | 2   |
| Collon Tce     | 16   | 5   | 8   | 3    | 15  | 7   | 19  | 6   | 8   | 5   | 6   | 8   |

|          | 2008 |     |     | 2009 |     |     |     |     |     |     |     |     |
|----------|------|-----|-----|------|-----|-----|-----|-----|-----|-----|-----|-----|
| District | Oct  | Nov | Dec | Jan  | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep |
| Total    | 40   | 11  | 25  | 18   | 25  | 23  | 28  | 19  | 21  | 21  | 17  | 13  |

### Social Housing Builds

**Ms M Anderson** asked the Minister for Social Development to detail the number of social housing builds which are planned for the Foyle constituency over the next 12 months; and in which districts they will be located. (AQW 2939/10)

**Minister for Social Development:** There are four schemes totalling 225 units in the Social Housing Development Programme for the Foyle constituency for 2009/10 area, as follows:-

- Sherman Court, Derry 18 units
- West Bank, Derry 124 units
- Bligh's Lane, United Technologies Site, Derry 65 units
- PSNI Site, Rosemount, Derry (Surplus Site) 18 units

### Rent Arrears

**Mr P Doherty** asked the Minister for Social Development (i) how many Housing Executive tenants in Co. Fermanagh are currently in rent arrears; and (ii) what is the average period of arrears. (AQW 2963/10)

**Minister for Social Development:** The information is not available in the format requested as the Housing Executive cannot measure the average period of arrears. However, there are currently 435 Housing Executive tenants in the Housing Executive's Fermanagh District Office who are in rent arrears, 39 of whom are in arrears for more than 13 weeks.

### Housing Executive

**Mr D Hilditch** asked the Minister for Social Development what the Housing Executive is doing to ensure that pensioners who claim Housing Benefit understand that they must inform the Housing Executive if their financial circumstances change. (AQW 2995/10)

**Minister for Social Development:** The requirement to notify the Housing Executive of any changes in circumstances is highlighted on all Housing Benefit application forms, advice leaflets and notifications of awards of Housing Benefit. It is also highlighted on the section of their website relating to Housing Benefit. The Housing Executive also contacts all claimants in receipt of occupational pensions at the start of each financial year reminding them to advise them of any changes to their pensions. Changes can be notified in writing, by phone or in person and the Housing Executive is working towards a facility to allow claimants to notify them of changes online.

### Housing Benefit: Overpayment

**Mr D Hilditch** asked the Minister for Social Development how many pensioners in East Antrim currently owe money to the Housing Executive due to overpayment of Housing Benefit. (AQW 2996/10)

**Minister for Social Development:** The information is not available in the format requested. However, the table below details, by Housing Executive District office in the East Antrim area, the number of pensioners who owe money due to overpayment of Housing Benefit.

**HOUSING EXECUTIVE DISTRICT OFFICE**

|                |    |
|----------------|----|
| Carrickfergus  | 75 |
| Larne          | 80 |
| Newtownabbey 1 | 58 |
| Newtownabbey 2 | 64 |

**Social Housing Waiting List**

**Mr A Ross** asked the Minister for Social Development how many people have been on the social housing waiting list in (i) Larne; (ii) Carrickfergus; and (iii) Newtownabbey for longer than (a) six months; (b) twelve months; (c) eighteen months; and (d) twenty four months. (AQW 2999/10)

**Minister for Social Development:** The table below details the number of people on the social housing waiting list for Larne, Carrickfergus and Newtownabbey for the periods requested.

|                     | Larne | Carrickfergus | Newtownabbey* |
|---------------------|-------|---------------|---------------|
| 6-12 months         | 116   | 167           | 291           |
| 12-18 months        | 40    | 104           | 169           |
| 18-24 months        | 33    | 92            | 157           |
| More than 24 months | 172   | 407           | 632           |

\* This includes the Housing Executive's Newtownabbey 1 and 2 District offices.

**Families Classified as Homeless**

**Mr P Weir** asked the Minister for Social Development how many families are currently classified as homeless. (AQW 3017/10)

**Minister for Social Development:** The current figures can not be provided as the Housing Executive disaggregate the overall homeless figures into household type at the end of the financial year. At 31 March 2009, 3,777 families were awarded Full Duty Applicant status.

**Warm Homes Scheme**

**Mr P Weir** asked the Minister for Social Development how many people have been unsuccessful in their applications to the Warm Homes Scheme for (i) heating; (ii) insulation; and (iii) heating and insulation in North Down in each month of the last two years. (AQW 3018/10)

**Minister for Social Development:** The new Warm Homes Scheme commenced on 1 July 2009. Prior to that, the scheme was delivered by EAGA plc. When their contract for Warm Homes ended, EAGA handed over all the records they held relating to the scheme to the Department for Social Development. The Northern Ireland Housing Executive holds those records on behalf of the Department.

It is not possible to analyse those records in the manner requested. However, since the start of the new Warm Homes Scheme, approximately 600 people who have applied for help in North Down have been deemed ineligible.

**Warm Homes Scheme**

**Mr P Weir** asked the Minister for Social Development how many people have been successful in their applications to the Warm Homes Scheme for (i) heating; (ii) insulation; and (iii) heating and insulation in North Down in each month of the last two years. (AQW 3019/10)

**Minister for Social Development:** The new Warm Homes Scheme commenced on 1 July 2009. Prior to that, the scheme was delivered by EAGA plc. When their contract for Warm Homes ended, EAGA handed over all the



records they held relating to the scheme to the Department for Social Development. The Northern Ireland Housing Executive holds those records on behalf of the Department.

It is not possible to analyse those records in the manner requested. However, since the start of the new Warm Homes Scheme, the following have successfully applied for help in North Down:

|                                   |    |
|-----------------------------------|----|
| Eligible for Insulation only      | 69 |
| Eligible for Heating only         | 3  |
| Eligible for Heating & Insulation | 7  |

### Epilepsy Charities

**Mr G Robinson** asked the Minister for Social Development to detail any meetings she has held with epilepsy charities in the last twelve months. (AQW 3047/10)

**Minister for Social Development:** I have not received any invitations to meet with epilepsy charities during the past year. However, I would be happy to do so if representation is made to me.

## NORTHERN IRELAND ASSEMBLY

Friday 11 December 2009

### Written Answers to Questions

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

##### Maze Site

**Mr D Simpson** asked the First Minister and deputy First Minister for an update on the work carried out in relation to maximising the historical potential of the Maze site; and how it is intended to ensure that the history of the site is developed in such a way that no one could consider it to be a shrine to terrorism. (AQW 375/10)

**First Minister and deputy First Minister (Mr P Robinson and Mr M McGuinness):** As we stated in April, we seek to maximise the economic, historical and reconciliation potential of the site for the benefit of all and in doing so intend to foster the many and varied historical aspects of the site and will reinforce this objective with the soon to be formed Maze/Long Kesh Development Corporation.

The rich and diverse heritage of Maze/Long Kesh stretches back over many decades ranging from an aircraft base and subsequent wartime contribution, to its use as an internment and detention centre before its latter conversion to a prison.

There is no intention of having a shrine at the MLK site.

##### Maze Site

**Mr D Simpson** asked the First Minister and deputy First Minister what steps (i) they have taken; and (ii) they will take to ensure that no development of the Maze site could in any way be construed as a shine to terrorism. (AQW 378/10)

**First Minister and deputy First Minister:** As we stated in April, we seek to maximise the economic, historical and reconciliation potential of the site for the benefit of all and in doing so intend to foster the many and varied historical aspects of the site and will reinforce this objective with the soon to be formed Maze/Long Kesh Development Corporation.

The rich and diverse heritage of Maze/Long Kesh stretches back over many decades ranging from an aircraft base and subsequent wartime contribution, to its use as an internment and detention centre before its latter conversion to a prison.

There is no intention of having a shrine at the MLK site.

##### Evangelical Christian Community

**Mr M Storey** asked the First Minister and deputy First Minister, pursuant to AQW 1937/10, if the Community Relations Council has approached their Department to discuss its concerns regarding the lack of understanding of the Evangelical Christian community which remains apart from the ecumenical movement. (AQW 2655/10)

**First Minister and deputy First Minister:** The Community Relations Council has not approached the Department to discuss any issues surrounding the Evangelical Christian community.

### Evangelical Christian Community

**Mr M Storey** asked the First Minister and deputy First Minister, pursuant to AQW 1937/10, what work the Community Relations Council has undertaken to promote understanding of the Evangelical Christian community which remains apart from the ecumenical movement. (AQW 2664/10)

**First Minister and deputy First Minister:** The Community Relations Council has not undertaken any specific work with regard to this group. However, its funding streams are open to all sections of the community including the Evangelical Christian community. The approach adopted is summarised below:

All CRC Grant Schemes are publically advertised through the organisation's website and various community networks ie: NICVA, through District Council Community Relations Officers and Good Relations Officers, and in the case of the CRC's EU Programme, advertising is also carried out in the press and through the SEUPB website.

All community and voluntary based groups have open access to the Schemes. In addition, various Information Events on funding opportunities are held throughout the region by all the funding schemes. All grant applications received are processed in accordance with agreed Council practices/operating principles and receive fair and equal treatment. Review/complaint procedures are in place.

### Evangelical Christian Community

**Mr M Storey** asked the First Minister and deputy First Minister, pursuant to AQW 1937/10, how much funding their Department has allocated to the Community Relations Council to promote understanding of the Evangelical Christian community which remains apart from the ecumenical movement. (AQW 2665/10)

**First Minister and deputy First Minister:** The Department provides funding to the Community Relations Council through grant-in-aid, and the Community Relations Council's funding streams are open to all sections of the community including the Evangelical Christian community.

### Community Relations Council Funding

**Lord Morrow** asked the First Minister and deputy First Minister how much funding from the Community Relations Council was provided to each council area in the last financial year; and how much of this funding was allocated to staffing. (AQW 2669/10)

**First Minister and deputy First Minister:** The funding provided to each Council area in 2008/09 is listed below.

| Council       | Overall Award £ | Staffing Figure £      |
|---------------|-----------------|------------------------|
| Antrim        | 15,520          | Nil                    |
| Ards          | 8,478           | Nil                    |
| Armagh        | 513,276         | 181,120 (10 posts)     |
| Ballymena     | 10,315          | Nil                    |
| Ballymoney    | 54,928          | 29,179 (2 posts)       |
| Banbridge     | 44,507          | Nil                    |
| Belfast       | 1,931,463       | 1,005,446 (47.5 posts) |
| Carrickfergus | 3,750           | Nil                    |
| Castlereagh   | 2,594           | Nil                    |
| Coleraine     | 83,805          | 47,966 (3 posts)       |
| Cookstown     | 40,567          | Nil                    |
| Craigavon     | 61,276          | 24,901 (2posts)        |
| Derry         | 807,280         | 405,630 (20 posts)     |
| Down          | 87,480          | 34,724 (2 posts)       |

| Council                     | Overall Award £     | Staffing Figure £                    |
|-----------------------------|---------------------|--------------------------------------|
| Dungannon                   | 51,003              | Nil                                  |
| Fermanagh                   | 484,728             | 164,040 (9 posts)                    |
| Larne                       | Nil                 | Nil                                  |
| Limavady                    | 8,814               | Nil                                  |
| Lisburn                     | 14,652              | Nil                                  |
| Magherafelt                 | 12,902              | Nil                                  |
| Moyle                       | 12,500              | Nil                                  |
| Newry & Mourne              | 63,281              | 11,371 (1 Post)                      |
| Newtownabbey                | 34,360              | 26,802 (1 post)                      |
| North Down                  | 7,300               | Nil                                  |
| Omagh                       | 432,918             | 173,292 (8 Posts)                    |
| Strabane                    | 117,775             | 39,506 (2 posts)                     |
| Across two or more Councils | 1,037,771           | 713,830 (43 posts)                   |
| <b>Grand Total</b>          | <b>5,943,243.00</b> |                                      |
| <b>Staffing Funding</b>     | <b>2,857,807.00</b> | <b>Total = 150.5 posts supported</b> |

### OFMDFM Papers to the Executive

**Mr G Savage** asked the First Minister and deputy First Minister how many papers their Department has submitted to the Executive since the restoration of devolution; and how many agreements have arisen as a result of each paper following Executive discussion. (AQW 3090/10)

**First Minister and deputy First Minister:** The number of papers submitted to the Executive in this period is as follows:

| Department   | Number of papers |
|--------------|------------------|
| OFMDFM       | 173              |
| DFP          | 94               |
| DE           | 5                |
| DETI         | 22               |
| DHSSPS       | 33               |
| DSD          | 36               |
| DRD          | 39               |
| DOE          | 47               |
| DARD         | 26               |
| DCAL         | 12               |
| DEL          | 13               |
| <b>Total</b> | <b>500</b>       |

The Executive agreed the proposals in all but one of these papers.



### Consumer Council Report

**Mr F McCann** asked the First Minister and deputy First Minister for his assessment of the recent Consumer Council report which highlighted that insurance companies are overcharging customers; and what steps can be taken to address this issue. (AQO 527/10)

**First Minister and deputy First Minister:** We welcome the publication and findings of the Consumer Council's Research Report "Quote... Unquote" - The Cost of Insurance in Northern Ireland, which was launched in March this year by Junior Minister Kelly. The report raises some important issues which would warrant further consideration.

The final recommendation of the "Quote... Unquote" report committed the Consumer Council to work with OFMDFM and others, and take forward a thorough follow-up investigation to provide recommendations and potential actions to be taken to lower insurance costs for all consumers and particularly those who are vulnerable or disadvantaged.

Consequently, Consumer Council representatives met with us recently to discuss any possible follow-up action to their report. We are now giving this further consideration, taking account of the fact that insurance cost is a reserved matter and thus an issue which we would have limited power to influence directly.

### Regeneration

**Mr R McCartney** asked the First Minister and deputy First Minister for their assessment of the importance of ensuring that high quality regeneration strategies are developed for sites, rather than rushing to get strategies in place. (AQO 500/10)

**First Minister and deputy First Minister:** We consider high quality regeneration strategies crucial to the success of all OFMDFM regeneration projects and thus can confirm that it is more important to get the strategies right rather than rushing to have them simply in place. Additionally, we can confirm that prescribed guidance and best practice models are followed to ensure that the desired outcomes are obtained to maximise the social and economic potential of any asset in our care.

### Craigavon: Street Disturbances

**Mr J O'Dowd** asked the First Minister and deputy First Minister what support their Department has offered to the communities in Brownlow, Craigavon that were affected by street disturbances in the Spring and Summer of 2009. (AQO 501/10)

**First Minister and deputy First Minister:** Junior Minister Kelly and former Junior Minister Donaldson met with key stakeholders in the Craigavon area last year. Since then officials have met with the grouping twice, to discuss what and how the Department could help and support those key partners on the ground in Craigavon in their work in relation to changing attitudes, regenerating areas and providing support to those communities blighted by violence and antisocial behaviour.

The stakeholders from Craigavon comprise the local district Council, Southern Education and Library Board, Housing Executive, PSNI, DSD Neighbourhood Renewal, Community Safety and representatives from the local communities.

Much work is being done presently on regeneration and environmental work, youth work, training opportunities and a multi-agency action plan has been agreed and ratified by the Council. Some further remedial work on it is being carried out on the Action Plan which is to be presented to Junior Ministers shortly after Christmas.

### Maze/Long Kesh Development Corporation

**Mr I McCrea** asked the First Minister and deputy First Minister to outline the legislative timetable for the proposed Maze/ Long Kesh Development Corporation. (AQO 502/10)

**First Minister and deputy First Minister:** The Statutory Rule (SR) to establish and empower the Maze/Long Kesh Development Corporation was approved by the OFMDFM Committee on 25 November 2009 and will be listed for Assembly debate as soon as possible.

### Military Sites

**Mr P Butler** asked the First Minister and deputy First Minister when the military sites, mentioned in Gordon Brown's correspondence of 12 October 2009, will be handed over to the Executive. (AQO 503/10)

**First Minister and deputy First Minister:** Discussions are ongoing and we are unable to confirm a date at this time. We can confirm that the military sites mentioned in the Prime Minister's letter would transfer to the Executive when policing and justice powers are devolved. We will ensure the Assembly is kept informed on this issue.

### Social Security: Earnings Disregard

**Mr P Maskey** asked the First Minister and deputy First Minister if the Executive Sub-Committee on Children and Young People or the Executive Sub-Committee on Poverty and Social Inclusion have considered a move away from parity with England, Scotland and Wales by setting a higher earnings disregard level than currently exists under social security arrangements. (AQO 504/10)

**First Minister and deputy First Minister:** There have been no discussions to date at either of these Sub-Committee's on the issue of earnings disregard levels.

The Minister for Social Development has advised that to do so would be a breach of the principle that people in Northern Ireland should receive the same benefit under the same conditions as people in England, Scotland and Wales.

The Executive Sub-Committee on Poverty and Social Inclusion plan to meet before the end of the year to consider a 'Priorities' paper that sets out a number of suggestions for potential areas for further work to go forward in the field of poverty and social inclusion. Any further work will require the support of the relevant Minister/s.

### Cohesion, Sharing and Integration Strategy

**Mr D Ford** asked the First Minister and deputy First Minister if the Cohesion, Sharing and Integration strategy will be published before the Assembly's summer recess in 2010. (AQO 505/10)

**First Minister and deputy First Minister:** The Executive is fully committed to building a better, brighter and shared future for all the people here.

Our commitment within the Programme for Government to bring forward a Programme for Cohesion, Sharing and Integration will be honoured.

Much has already been achieved on the ground to tackle the problems of sectarianism and racism. That is why in OFMDFM we have allocated unprecedented levels of funding for good relations. We are working hard on a wide range of areas, with partners such as local councils, the Community Relations Council and a range of others.

### Executive Issues

**Mr T Lunn** asked the First Minister and deputy First Minister to provide any example of a major issue which remains unresolved within the Executive, but where progress is being made. (AQO 506/10)

**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

### Animal Welfare Bill

**Mr S Gardiner** asked the Minister of Agriculture and Rural Development when she will be introducing an Animal Welfare Bill, given that consultation ended in March 2009. (AQW 2984/10)

**Minister of Agriculture and Rural Development (Ms M Gildernew):** My Department consulted with stakeholders on a review of animal welfare legislation in 2006. As this consultation was carried out during Direct Rule, I wanted to take the time to engage directly with key stakeholders to hear at first hand their concerns. Since taking up office in 2007, my officials and I have engaged extensively with a wide range of welfare interests, from here, the south of Ireland and Britain. This has taken time, but I want to get any new Bill right. Finally, a stakeholder workshop was held on 17 September 2009. At the workshop my officials provided an overview of the proposals for the new Welfare of Animals Bill and attendees were requested to submit any further written comments by 25 September 2009 when the consultation stage for this Bill closed.

The Executive at its meeting on 5 November 2009 endorsed the final policy content proposals for the Bill and agreed that the drafting of the Bill should commence. The new Welfare of Animals Bill is one of my key priorities and I intend to introduce it to the Assembly by June 2010, with enactment during the lifetime of this Assembly.

### 2002 Equine Strategy

**Mr G Savage** asked the Minister of Agriculture and Rural Development to outline (i) the recommendations implemented to date under the 2002 Equine Strategy; and (ii) recommendations that will be implemented in the next 18 months, including their respective costs. (AQW 3030/10)

**Minister of Agriculture and Rural Development:** The Equine Strategy was published in 2007, not 2002 as per the question.

The production of the “Strategy for the Equine Industry in NI” was a culmination of a period of extensive engagement between organisations across all the equine disciplines. Although funded by DARD, the Strategy was written by and is owned by the equine industry. The Strategy sets out some 75 recommendations which the industry has identified it needs to take forward. These cover areas such as: - increasing participation, promotion and co-ordination within the Equine Sector; improvement of quality and standards in breeding equines; improvement of economic performance of the Equine Sector; improvement of sporting achievement; and improvement of the health and welfare of all equines.

Following the publication of the Strategy, the next steps identified by the industry was the establishment of an independent organisation fully representative of the industry to take forward the Strategy.

However the body in question the Equine Council for NI (ECNI) has encountered difficulties around the setting up of the ECNI and despite the commitment and assistance by my Department the difficulties have not yet been resolved. However an early resolution is anticipated and this will enable the ECNI to bring forward proposals around the implementation of the Strategy.

### 2002 Equine Strategy

**Mr G Savage** asked the Minister of Agriculture and Rural Development, in relation to the implementation of the 2002 Equine Strategy, (i) what consultations have taken place; (ii) who was consulted; (iii) when the consultations took place; (iv) what was the method of consultation; and (v) what was the outcome of each consultation. (AQW 3031/10)

**Minister of Agriculture and Rural Development:** The Strategy in question was published in March 2007, rather than 2002 as per the question.

The Strategy, developed by the local industry, involved significant consultation. The Equine Sub Group (ESG) of the Rural Stakeholders’ Forum was established in 2003 and brought together 21 representatives from all areas within the equine industry to provide effective two-way communication with Government. In 2005, ESG

assisted consultants to complete the report “Research on the Equine Sector in NI”. DARD commissioned the same consultants to assist the sector in consulting widely within their own industry to devise a comprehensive, long-term strategy. The resultant Strategy contained 75 actions, and proposed that implementation of the recommendations be taken forward by a single representative body, the Equine Council for NI (ECNI).

Due to difficulties around the formulation of the ECNI, no proposals have been brought forward by ECNI on the implementation of any of the recommendations. DARD is however continuing to work with the relevant sectors, to resolve outstanding difficulties, to enable the early implementation of the Strategy.

### Equine Industry: Liaison Body for

**Mr G Savage** asked the Minister of Agriculture and Rural Development what consultation has taken place with key stakeholders on the formation of a liaison body for the equine industry. (AQW 3032/10)

**Minister of Agriculture and Rural Development:** Following the publication of the “Strategy for the Equine Industry in NI” in March 2007, the new industry body tasked with taking forward the recommendations in the Strategy, to be known as the Equine Council for NI (ECNI), was launched in January 2008.

However, having been made aware of difficulties around finalising the formal structure of ECNI and in particular representation, my Department has been in discussion with the relevant sector representatives on a number of occasions in recent months to try to resolve the outstanding difficulties. These organisations included The Half Bred Horse Breeders Society Ltd, NI Horse Board Co-operative Society Ltd, NI Connemara Pony Association, and the Irish Thoroughbred Breeders Association (Northern Region). It remains my desire that a single representative body for the whole of the Equine industry here takes forward the implementation of the Strategy and my officials will continue to assist in resolving the outstanding issues.

### 2002 Equine Strategy

**Mr G Savage** asked the Minister of Agriculture and Rural Development if her Department intends to conduct a review of the 2002 Equine Strategy. (AQW 3033/10)

**Minister of Agriculture and Rural Development:** The Strategy in question was published in 2007, not 2002 as per the question.

The production of the “Strategy for the Equine Industry in NI” in March 2007 was the culmination of a period of extensive engagement between organisations across all the equine disciplines. Although funded by DARD, the Strategy which was written by and is owned by the equine industry, sets out some 75 actions which the industry identified it needs to take forward. In these circumstances it would be inappropriate for the Department to conduct a review of this Strategy.

### Equine Industry

**Mr G Savage** asked the Minister of Agriculture and Rural Development if her Department is proceeding with the formation of a body to represent the equine industry; and to detail the cost to date of establishing this body. (AQW 3040/10)

**Minister of Agriculture and Rural Development:** Following the publication of the “Strategy for the Equine Industry in NI”, in March 2007, the Equine Sub Group (ESG) assisted by DARD, has been in the process of forming the independent industry body to be known as Equine Council for NI (ECNI), to take forward the implementation of the Strategy.

My Department became aware some time ago of difficulties that have arisen from within the industry in finalising the formal structure of the ECNI and on how it should now proceed.

Despite concerted efforts by officials involving meetings with representatives of the sectors involved the difficulties remain unresolved.

My Department made a commitment to facilitate the set up of the new body and agreed to fund the consultancy costs associated with developing a business plan, associated with the Strategy, for the industry. To date the



Department has paid £6,360 in consultancy costs and £1,196.15 to solicitors in respect of legal advice on the Constitution for the ECNI.

It remains my desire for a single representative organisation to take forward the Equine Strategy and my officials will continue to work with the industry representatives to resolve the outstanding difficulties.

### European Fisheries Fund

**Mr J Shannon** asked the Minister of Agriculture and Rural Development how much of her Department's allocation under the European Fisheries Fund has been spent in the last three years. (AQW 3046/10)

**Minister of Agriculture and Rural Development:** There has been no spending to date under the European Fisheries Fund. The European Commission approved the Operational Programme on 9 September 2008, meaning spend was only possible from that date onwards. My Department is currently assessing 28 applications, seeking £4.39m EFF grant support and will be in a position to announce the first awards shortly.

### Ten-day Prompt Payment Scheme

**Dr S Farry** asked the Minister of Agriculture and Rural Development what action she is taking to ensure that the 10-day prompt payment scheme is passed on to sub-contractors by businesses who are receiving direct payments from the Department, and its related public bodies. (AQW 3075/10)

**Minister of Agriculture and Rural Development:** DARD's major contracts are procured through the Central Procurement Directorate which acts as the Department's Centre of Procurement Expertise (CoPE).

Payment within 10 days is not a binding requirement in Government contracts. However, for construction contracts, procured through the Central Procurement Directorate, main contractors are required to comply with the 'Code of Practice for Government Construction Clients and their Supply Chains'. The Code sets out the core principles that should govern the behaviour of clients, contractors and subcontractors, including the need for fair dealing within the supply chain.

Principle 3 of the Construction Industry Forum for NI Procurement Task Group (PTG) Report recognises that enterprises have the opportunity to benefit from participation in Government contracts either as a main contractor or as a subcontractor. A PTG Working Group is currently considering the expansion of the 'Code of Practice for Government Construction Clients and their Supply Chains' to include a 'Fair Payment Charter' and to include a requirement that first tier subcontractors provide feedback directly to the Government Construction Client on monthly payment progress from the main contractor to the supply chain. The proposals, to be developed by December 2009, will seek to ensure that main contractors pass on the benefits of prompt payment to subcontractors.

Supplies and services contracts also require main contractors to enter into subcontracts on the same terms and conditions as the main contract.

Central Procurement Directorate is currently considering if the approach taken in construction contracts would be practicable in supplies and services contracts.

### Nitrates Directive

**Mr G Savage** asked the Minister of Agriculture and Rural Development how many jobs have been lost in each constituency as a direct result of the Nitrates Directive, in each of the last three years. (AQW 3085/10)

**Minister of Agriculture and Rural Development:** My Department does not hold a record of this information.

### Nitrates Directive

**Mr G Savage** asked the Minister of Agriculture and Rural Development how many contractors have lost earnings as a direct result of the Nitrates Directive; and what action she is taking to allow contractors to recoup those earnings. (AQW 3086/10)

**Minister of Agriculture and Rural Development:** My Department does not hold information on the earnings of contractors.

A proportion of slurry spreading is carried out by agricultural contractors in the north of Ireland. The Nitrates Directive Action Programme sets a closed period for spreading slurry from 15 October to 31 January. However, the closed period does not actually change the volume of slurry to be spread. Contractors should have broadly the same volume of slurry to spread as prior to the introduction of the Action Programme.

To comply with the slurry and manure storage requirements of the Nitrates Directive Action Programme over 3900 farm businesses have built improved storage facilities with grant support from my Department's Farm Nutrient Management Scheme. This investment of over £200 million in farm infrastructure provided very significant work for building contractors up to the end of 2008 and nearly 300 companies were involved in works under the scheme.

### Private Sector Training Providers

**Mr G Robinson** asked the Minister of Agriculture and Rural Development if any private sector training providers were invited to attend the information evening in Limavady regarding the Farm Family Options scheme; if so, which private sector training providers were invited; and, if not, why they were omitted. (AQW 3320/10)

**Minister of Agriculture and Rural Development:** Private sector training providers were not invited to attend the information evening in Limavady. The organisers did not consider inviting private sector training providers to the event as the purpose of the information evening was to highlight the support and funding opportunities which are available to farmers and farm family members under Axis 1 of the Rural Development Programme.

## DEPARTMENT OF CULTURE, ARTS AND LEISURE

### Revenue Safety Management

**Mr D McClarty** asked the Minister of Culture, Arts and Leisure, pursuant to AQW 2298/10, (i) to outline what is meant by 'Revenue Safety Management'; (ii) how do clubs apply for funding for Revenue Safety Management; and (iii) what eligibility criteria are used. (AQW 3066/10)

**Minister of Culture, Arts and Leisure (Mr N McCausland):** The Revenue Safety Management Programme, administered by Sport Northern Ireland (SNI), provided revenue funding to assist clubs who hosted fixtures at larger sports grounds to upgrade safety management arrangements at their respective venues.

Clubs cannot apply for funding at present as the programme closed in 2007/08. This was to allow SNI, in conjunction with other key stakeholders, to develop a more up to date revenue training programme, to be delivered by local training colleges, for club stewards. The first tranche of this new programme is expected to be delivered in the Spring of 2010.

Funding will be made available to the owners/operators of venues that have been designated as requiring a safety certificated under The Safety of Sports Grounds (Northern Ireland) Order 2006 to enable stewards to receive the appropriate training.

### Ten-day Prompt Payment Scheme

**Dr S Farry** asked the Minister of Culture, Arts and Leisure what action he is taking to ensure that the 10-day prompt payment scheme is passed on to sub-contractors by businesses who are receiving direct payments from the Department, and its related public bodies. (AQW 3076/10)

**Minister of Culture, Arts and Leisure:** I strongly support the 10 day target and my Department has issued guidance internally and to its sponsored bodies, requesting that every effort is made to comply with the ten day payment policy.

However, the target applies to the payment practices of public bodies only and I do not think it is appropriate for this Department to unilaterally involve itself in any commercial arrangements which may exist between private sector businesses.

### Hundredth Anniversary of the Signing of the Ulster Covenant

**Mr J Shannon** asked the Minister of Culture, Arts and Leisure if he has considered events, or appointing a committee to mark the 100th anniversary of the signing of the Ulster Covenant, in 2012. (AQW 3188/10)

**Minister of Culture, Arts and Leisure:** The forthcoming centenary of the Ulster Covenant in 2012, which is the start of a decade of centenaries, provides a unique opportunity to enhance knowledge and understanding of an important period in our shared history and culture.

I intend to explore with officials the scope for bringing commemorative events, including the centenary of the 1912 Ulster Solemn League and Covenant, within a strategic framework.

### Ulster-Scots Agency

**Mr P Ramsey** asked the Minister of Culture, Arts and Leisure for his assessment of the performance of the Ulster Scots Agency in delivering on community projects in the west of Northern Ireland and Donegal; and to outline the distribution of funding in each county in Ulster. (AQW 3209/10)

**Minister of Culture, Arts and Leisure:** The Ulster-Scots Agency has allocated funding to various Ulster-Scots organisations throughout Northern Ireland and the border counties of Donegal, Monaghan and Cavan in the Republic of Ireland involved in the promotion of Ulster-Scots culture, heritage and language.

Funding is allocated on a merit basis to projects which align with the strategic objectives and priorities of the Agency as stipulated in its Financial Assistance Scheme.

In 2009 the Ulster-Scots Agency awarded £191.3k in financial assistance to community projects and incurred costs of £72.3k on community projects in the West of Northern Ireland (Co Londonderry, Co Fermanagh and Co Tyrone) and Co Donegal. This equates to approximately 19% of the total funds awarded by the Ulster-Scots Agency to community projects.

The table below details the distribution of funding by the Ulster-Scots Agency in each county referred to above:

|                | Grants            | Others          | Total             |
|----------------|-------------------|-----------------|-------------------|
| Co Antrim      | £683,150          | £44,809         | £727,959          |
| Co Down        | £216,490          | £29,657         | £246,147          |
| Co Armagh      | £98,458           | £18,359         | £116,817          |
| Co Londonderry | £112,719          | £16,317         | £129,036          |
| Co Tyrone      | £53,726           | £23,964         | £77,690           |
| Co Fermanagh   | £14,056           | £20,272         | £34,328           |
| Co Donegal     | £10,841           | £11,688         | £22,529           |
| Co Monaghan    | £8,750            | nil             | £8,750            |
| Co Cavan       | nil               | nil             | NIL               |
| <b>Total</b>   | <b>£1,198,189</b> | <b>£165,066</b> | <b>£1,363,255</b> |

### Forward Strategy of the Ulster-Scots Agency

**Mr D Kennedy** asked the Minister of Culture, Arts and Leisure, pursuant to AQO 433/10, (i) when the current Forward Strategy of the Ulster Scots Agency was developed; (ii) who was involved in its development; (iii) to list the main recommendations of the strategy document; (iv) to detail the budgetary implications; and (v) what actions are being taken by the Agency to ensure it provides value for money. (AQW 3230/10)

**Minister of Culture, Arts and Leisure:** At a strategic planning seminar held in July 2009 the Board of the Ulster-Scots Agency drafted a strategy document for the Agency for 2010. The strategy reviewed the mandates, vision, mission, strategic objectives, priorities and values of the Agency.

The Board agreed strategic priorities for 2010 relating to:

- increased recognition of Ulster-Scots within the island of Ireland as a European lesser used language by increasing awareness and usage; increased access and participation in Ulster-Scots culture through the arts history and heritage; improved Community capability; improved customer satisfaction; and to maintain robust corporate governance policies and procedures.

A subsequent Operational Planning Workshop was held on 13 August 2009 when the Board's strategy document was used as the basis for the development of the Agency's draft Business Plan 2010.

### **National Federation of Sub-Postmasters Report 'Six Steps of a Sustainable Post Office Network'**

**Mr D Kinahan** asked the Minister of Culture, Arts and Leisure for his assessment of the recommendations aimed at devolved institutions and local councils in the National Federation of Sub-Postmasters Report 'Six Steps of a Sustainable Post Office Network' (March 2009); and whether the Department has identified how it can make better use of the Post Office network. (AQW 3233/10)

**Minister of Culture, Arts and Leisure:** I am aware of the Report produced by the Federation regarding the Post Office Network.

DCAL currently sells angling permits and licences through a distribution network including fishing tackle shops, hotels and tourist information outlets. The Department also use the services of local Post Offices in rural locations to act as angling permit and licence distributors on behalf of the Department.

Where there are geographical gaps in the current distribution network, rural Post Offices located close to prime angling waters could consider becoming an approved DCAL angling permit and licence distributor and stock angling related merchandise to encourage anglers into their premises.

### **Northern Ireland Football History Museum**

**Mr D McClarty** asked the Minister of Culture, Arts and Leisure what discussions have taken place involving his Department, Linfield Football Club and the Irish Football Association about the establishment of a Northern Ireland football history museum similar to the Scottish football museum established following the re-development of Hampden Park Stadium, Glasgow. (AQW 3240/10)

**Minister of Culture, Arts and Leisure:** My Department has had no discussions to date with Linfield FC or the IFA about the establishment of a Northern Ireland football history museum similar to the Scottish football museum, nor has either Linfield FC or the IFA offered any suggestions to date for the establishment of such a museum as part of any of the present discussions.

### **Ulster Hall: Damp Problem**

**Mr T Burns** asked the Minister of Culture, Arts and Leisure if he will make a statement on the recently reported damp problem at the Ulster hall and the implications this has on the recent programme of refurbishment. (AQW 3331/10)

**Minister of Culture, Arts and Leisure:** I am aware of the damp problem within the Ulster Hall, which I believe is as a result of problems in the past which led to water gathering in the walls. I understand these underlying problems have been corrected as part of the recent refurbishment work however; the walls have been absorbing water for many years and will require significant time to dry out, possibly up to a year in some areas due to the thickness of the walls.

Whilst the main refurbishment work is complete, allowances have been made for periodic minor redecoration as required until the final decoration takes place when walls have fully dried out.



Information panels are on display in the foyer of the Ulster Hall which explain to visitors how the damp patches have occurred and the remedial works being undertaken to address the problem.

## DEPARTMENT OF EDUCATION

### Middletown Autism Centre

**Mr T Elliott** asked the Minister of Education, in light of a change of commitment of the Republic of Ireland Government and the N.I. Executive decision to apply 3% efficiency savings to cross-border initiatives (i) if she has reassessed the viability of the Middletown Autism Centre; (ii) if she will now acknowledge that the concept is flawed; (iii) to detail how she intends to fund its capital and revenue budgets; and (iv) to detail how much each element will cost in each of the next three years. (AQW 1418/10)

**Minister of Education (Ms C Ruane):** The need to maximise efficiency in all public bodies was recognised by the Executive in Budget 2008-2011 and has proved particularly pertinent in the current economic and fiscal climate. It is essential, therefore, that resources are released through efficiencies in the delivery and management of all existing and planned programmes, including North/South initiatives.

I wish to assure you that I remain committed to the Middletown Centre for Autism (MCA).

Is tionscnamh ceannródaíoch uile-Éireann é Ionad Uathachais Choillidh Chanannáin a sholáthraíonn réimse úrsheirbhísí nuálaíocha chun feabhas a chur ar oideachas páistí agus daoine óga a bhfuil neamhord ar speictream an uathachais acu i gcomhpháirtíocht le teaghlaigh agus leis na soláthróirí seirbhísí deonacha agus reachtúla atá ann.

The MCA is a pioneering all-Ireland initiative that delivers a range of innovative new services in order to improve the education of children and young people with autistic spectrum disorders in partnership with families and existing statutory and voluntary service providers.

The MCA operates within the terms of a reciprocal funding agreement between the Department of Education (DE) and the Department of Education and Science (DES). In addition, a Management Statement and Financial Memorandum, which has been approved by the Department of Finance and Personnel and signed by DE, DES and the MCA is in place. All funding, both capital and revenue, is predicated on a 50:50 split between DE and DES.

The combined DE and DES 2009/10 budgetary allocation for the MCA is currently £1.3m which includes £42k for capital expenditure. Future years allocations will be decided when MCA has taken into consideration DE and DES requirements as part of the MCA corporate planning process, which is still ongoing.

The MCA was discussed at a North South Ministerial Council Meeting in May 2009, at which I expressed to Minister O'Keefe my disappointment about the decision to pause the DES funding of the capital programme and advised that I am unable to accept any cuts in funding to this important project. This decision has meant a pause of the capital programme to build a bespoke Learning Support Centre and refurbish residential accommodation and also a pause in the development of two services.

DES has advised that the outcome of their 2010 estimates process will be known in December 2009.

I strongly believe that the most important focus for the Centre must be on support provided directly to children. My officials, Middletown staff and the Education and Library Boards are considering, as an interim measure, how they can support children and teachers in schools in the north.

### East Londonderry: Irish Language Education Facilities

**Mr G Robinson** asked the Minister of Education to detail (i) proposed; and (ii) approved expenditure for the provision of new Irish language education facilities in the East Londonderry constituency for the (a) 2009/10; and (b) 2010/11 financial years. (AQW 2241/10)

**Minister of Education:** My Department has allocated expenditure of £29,730 through the Common Funding Formula for St Canice's Primary School, Dungiven – Irish Medium Unit in 2009/10 financial year. The information is not yet available to determine the unit's allocation for 2010/11 financial year.

Tá mo Roinn ag breathnú faoi láthair ar iarratas na scoile ar shíneadh leithris a sholáthar do dhá cheann de na seomraí ranga sealadacha atá á n-úsaid ag an aonad Gaeilge. Dá bhfaomhfaí é, meastar go mbeadh costas de £24K air sa bhliain airgeadais 2009/10.

My Department is currently examining the school's request to provide a toilet extension to two of the temporary classrooms currently being used by the Irish medium unit. If approved this is likely to result in expenditure of around £24k in the 2009/10 financial year.

Nailscoil Neachtain in Dungiven received funding of £19,305 from the Pre-School Expansion programme in the 2009/10 financial year. The playgroup will receive funding next year, however, we are not yet aware of the number of children who will receive places.

### Contractual Pay Increases

**Mr B McElduff** asked the Minister of Education if all employees of the Western Education and Library Board will receive their contractual pay increases from 1 April 2009 with immediate effect. (AQW 2299/10)

**Minister of Education:** Tháinig an Chomhchomhairle Náisiúnta agus an Ceadchumann ar chomhaontú maidir le rátaí pá a bheidh infheidhmithe ó 1 Aibreán 2009. Mar aitheantas ar na deacrachtaí a bheadh ag na Boird roimh bhunú an Údaráis um Oideachas agus Scileanna, d'aontaigh mo chuid feidhmeannach réimse socruithe speisialta leis an Roinn Airgeadais agus Pearsanra chun an Bronnadh Pá Bliantúil 2009/10 a chur i bhfeidhm.

Agreement has been reached between the NJC and Trade Union Side on the rates of pay applicable from 1 April 2009.

In recognition of the difficulties which the Boards may experience in advance of the establishment of ESA my officials have agreed a series of special arrangements with the Department of Finance and Personnel for the 2009/10 Annual Pay Award. These new arrangements will greatly ease the administrative burden on the Board in support of the implementation of this pay award to enable staff to receive their contractual pay increases when these are approved.

### 2009-2010 Annual Pay Award for all Non-teaching Staff

**Ms D Purvis** asked the Minister of Education to outline the arrangements for the delivery of the 2009/10 Annual Pay Award for all non-teaching staff. (AQW 2674/10)

**Minister of Education:** As I advised in my previous answer, agreement has been reached between the NJC and Trade Union Side on the rates of pay applicable from 1 April 2009.

Éilítear ar gach comhlacht poiblí, lena n-áirítear Comhlachtaí Neamhrannacha Poiblí, pro forma théarmaí tagartha pá agus teimpléad chás gnó a chur isteach le haghaidh cheadú an Aire. Mar aitheantas ar na deacrachtaí a bhíodh ag na Boird roimh bhunú an Údaráis um Oideachas agus Scileanna, d'aontaigh mo chuid feidhmeannach réimse socruithe speisialta chun an t-ualach riaracháin a éascú.

All public bodies, including NDPBs, are required to submit a pay remit pro forma and business case template for Ministerial approval. In recognition of the difficulties which the Boards may experience in advance of the establishment of ESA my officials have agreed a series of special arrangements to ease the administrative burden. In particular Boards will not have to complete the pay remit pro-forma or supply 2008/09 outturn details for administrative staff included in their NJC remit.

I trust that this arrangement will assist with the speedy completion of the NJC award to Board staff as once the relevant approvals are secured the Boards can proceed to implement the award.

## Private Finance Initiatives

**Mr P Butler** asked the Minister of Education to detail (i) the number of Private Finance Initiatives her Department has entered into with the private sector in the last three years; (ii) the education capital build projects being carried out under Private Finance Initiative contracts; and (iii) the cost of these projects, including payments that will be made to private contractors over the lifetime of the contracts. (AQW 2772/10)

**Minister of Education:** Ní raibh baint ag mo Roinn le haon Thionscnamh Airgeadais Phríobháideach ar bith le soláthróirí san earnáil phríobhaideach. Is iad na hÚdaráis Scoile a aontaíonn ar chonarthaí Thionscnamh Airgeadais Phríobháideach le hoibreoir na comhpháirtíochta príobháidí poiblí. Sna trí bliana a chuaigh thart, bhí baint ag Údaráis Scoile le 6 chonradh a chuimsíonn tógáil 14 scoile.

My Department has not entered into any Private Finance Initiatives (PFIs) with private sector providers. PFI contracts are entered into between School Authorities and the Public Private Partnership (PPP) operator. In the last three years School Authorities have entered into 6 contracts covering the construction of 14 schools. A list of all projects and schools procured to date under PFI/PPP is set out below, together with the projected cost of the annual unitary charge across the lifetime of the contract. The unitary charge payable to the PPP operator covers the capital cost of the school, together with facilities management and planned and reactive maintenance.

| Project  | Current Position   | Unitary Charge across lifetime of contract (£m) |
|--|--------------------|---|
| Drumglass High School, Dungannon   | Open               | £29m  |
| Wellington/Balmoral Project  |                    |   |
| Wellington College, Belfast;<br>Former Balmoral High School Premises<br>& Regional Training Unit | Open               | £27m  |
| St Genevieve’s High School, Belfast  | Open               | £71m  |
| South Eastern Education and Library Board Project  |                    |   |
| Bangor Academy and Sixth Form College;<br>Nendrum College, Comber                                | Open               | £154m   |
| Holy Cross College, Strabane   | Open               | £121m   |
| Derry Diocese Project  |                    |   |
| St Cecilia’s College, Derry;<br>St Mary’s College, Derry   | Under Construction | £146m   |
| Down and Connor, De La Salle Project   |                    |   |
| St Mary’s Primary School, Portglenone;   | Under Construction | £201m   |
| St Joseph’s Primary school, Carryduff;   |                    |   |
| Our Lady and St Patrick’s College, Knock;  |                    |   |
| St Patrick’s Grammar School, Downpatrick   |                    |   |
| Belfast Education and Library Board Strategic Partnering Project Phase 1                         |                    |   |
| Orangefield Primary School;  | Open               | £444m   |
| Ashfield Girls’ High School;   | Open               |   |
| Belfast Model School for Girls;  | Under construction |   |
| Belfast Boys’ Model School;  | Under construction |   |
| Grosvenor Grammar  | Under construction |   |

### Vacant School Places

**Mr A Ross** asked the Minister of Education how many vacant school places there have been within the Irish-medium sector in each of the last three years. (AQW 2897/10)

**Minister of Education:** Seo a leanas líon na n-áiteanna folmha scoile in earnáil na Gaelscolaíochta i ngach bliain le trí bliana anuas:

The number of vacant school places within the Irish-medium sector in each of the last three years is as follows:

| Year    | Approved Enrolment Number | Actual Enrolment | Places Available |
|---------|---------------------------|------------------|------------------|
| 2008/09 | 3360                      | 2575             | 785              |
| 2007/08 | 3210                      | 2525             | 685              |
| 2006/07 | 2946                      | 2293             | 653              |

Figures are for Irish-medium schools only. Pupils accepted into Irish-medium units within other schools are counted within the school's approved admissions and enrolment numbers.

The Irish Medium sector is a growing sector despite the demographic downturn.

### School Board of Governors

**Mr W Irwin** asked the Minister of Education between 2005 and 2009 (i) how many controlled schools had a disbarred company director on the Board of Governors; and (ii) of these schools, how many had a disbarred company director as the Chair of the Board. (AQW 2902/10)

**Minister of Education:** Ní choinníonn an Roinn ná ní choinníonn na Boird Oideachais agus Leabharlainne an t-eolas seo.

Neither the Department nor the Education and Library Boards hold this information.

The disbarment of a company director would not necessarily render a person ineligible to hold the position of a school governor unless the disbarment was due to bankruptcy or a criminal conviction. There are provisions in the schemes of management for grant-aided schools that disqualify existing governors from office on the basis of bankruptcy or debt and criminal conviction in particular circumstances.

If any Member is aware of information which indicates that a school governor should be disqualified from office, it would be helpful for me to know the relevant details.

### Teachers Transferring to Another School

**Mr W Irwin** asked the Minister of Education how many teachers in controlled schools have transferred to a post in another school without the post being advertised, in the last twelve months; and of this number how many were transferred for reasons other than the impending redundancy of the transferring teachers. (AQW 3003/10)

**Minister of Education:** Tá tugtha le fios ag na Boird Oideachais agus Leabharlainne dom gur aistrigh 33 múinteoir i scoileanna rialaithe le dhá mhí dhéag anuas chuig post ar scoil eile gan an post sin a bheith fógartha; agus, as an líon seo, níor aistríodh múinteoir ar bith ar chúis ar bith ach amháin nuair a bhí an múinteoir a bhí á aistriú ar tí éirí as ar iomarcaíocht.

I have been informed by the Education and Library Boards that in the last twelve months 33 teachers in controlled schools have transferred to a post in another school without the post being advertised; and of this number none was transferred for a reason other than the impending redundancy of the transferring teacher.

Employing authorities are legally required to endeavour to avoid compulsory redundancies. In order to achieve this, they will actively facilitate transferred redundancy by identifying volunteers to change places with teachers facing redundancy, subject to acceptance by the Board of Governors. In these circumstances there is no vacant post to advertise.



## Letters in Irish

**Mr J Shannon** asked the Minister of Education to detail (i) how many letters her Department received written in Irish only; and (ii) the cost of responding to these letters in Irish, in each of the last three years. (AQW 3006/10)

### Minister of Education:

(i) The table below details the number of letters the Department received written in Irish only.

| 2006/2007 | 2007/2008 | 2008/2009 |
|-----------|-----------|-----------|
| 6         | 53        | 25        |

(ii) This information is not held.

Sa bhliain 2008, d'earcaigh an Roinn beirt Oifigeach Gaeilge chun úsáid na Gaeilge sa Roinn a éascú. Glacann na hOifigigh seo mar chúram réimse dualgas, lena n-áirítear obair aistriúcháin phráinnigh. Ní ríomhtar ar leithligh costais ar na tascanna sonracha seo a dhéanamh.

In 2008 the Department recruited two Irish Language Staff Officers to facilitate its use of Irish. These officers undertake a range of duties, including urgent translation work. The costs incurred in carrying out specific tasks are not separately calculated.

Their duties also include responding to letters, answering telephone calls, attending meetings and conferences, helping with speeches to be delivered to the Irish Medium sector and carrying out outreach work with this sector.

## Irish Language

**Mr J Shannon** asked the Minister of Education why her Department dedicates significant resources to the Irish language when according to her own figures there are 167,490 people with some knowledge of Irish and only 75,125, from a population of 1.77 million, who are able to speak or read Irish. (AQW 3007/10)

**Minister of Education:** Irish is the native language of Ireland. There are a significant and growing number of Irish speakers throughout Ireland, with an increasing demand for Irish medium education. The administrative use of Irish in my Department reflects the need to communicate with Irish speakers in their language of choice.

Tá ceangal ar ranna rialtais cloí le riachtanais na Cairte Eorpaí do Theangacha Réigiúnacha nó Mionlaigh. Tá “stádas Páirt III” ag an Ghaeilge sa Chairt. Is é is aidhm don Pháirt III ná úsáid theangacha réigiúnacha nó mionlaigh a chur chun cinn sa saol poiblí. Tá oibleagáidí reachtúla ag mo Roinn faoi Chomhaontú Aoine an Chéasta “i ndáil le héagsúlacht teanga, ar a n-áirítear... an Ghaeilge” agus faoi Chomhaontú Chill Rímhinn don ghá atá ann “le forbairt na Gaeilge a fheabhsú agus a chosaint.” Tá sé de rún agam m’oibleagáidí i dtaca leis seo a chomhlíonadh.

There are obligations on all government departments to adhere to the requirements of the European Charter for Regional or Minority Languages. Irish has “Part III status” in the Charter. Part III aims to promote the use of regional or minority languages in public life.. My Department also has statutory duties under the Good Friday Agreement “in relation to linguistic diversity, including... the Irish language” and under the St Andrew’s Agreement in relation to the need to “enhance and protect the development of the Irish language”. I intend to meet my obligations in this regard.

## Irish Translation: Cost

**Mr J Shannon** asked the Minister of Education what is the cost of (i) Irish translation of letters and correspondence to primary schools and parents of children; (ii) providing Irish language material, backdrops and memorabilia during Ministerial visits; and (iii) the cost of Irish translation at all meetings for (a) the last financial year; and (b) this financial year to date. (AQW 3009/10)

**Minister of Education:** Ba é costas ar litreacha agus comhfhreagras a aistriú a cuireadh chuig bunscoileanna agus tuismitheoirí na bpáistí don bhliain airgeadais seo a chuaigh thart ná £16,668. Bailítear an t-eolas seo ar bhonn bliantúil agus, mar sin de, níl sé ar fáil don bhliain airgeadais seo go dáta. Tá beirt Oifigeach Gaeilge fostaithe ag an Roinn chun úsáid na Gaeilge sa Roinn a éascú. Glacann na hOifigigh seo mar chúram réimse

dualgas, lena n-áirítear freastal ar chruinnithe a stiúrtar as Gaeilge. Ní ríomhtar ar leithligh costais ar na tascanna sonracha seo a dhéanamh.

The cost of Irish translations of letters and correspondence to primary schools and parents of children for the last financial year was £16,668. The information is collected on an annual basis and is therefore not available for this financial year to date.

The Department employs two Irish Language Staff Officers to facilitate its use of Irish. These officers have a range of duties, including attending meetings held in Irish. The costs incurred in carrying out specific tasks are not separately calculated.

No cost has been incurred in providing Irish language material, backdrops and memorabilia during Ministerial visits in the last financial year or in this financial year to date.

### South Eastern Education and Library Board

**Mr B Wilson** asked the Minister of Education how she intends to recognise the many years of service given by members of the South Eastern Education and Library Board.[R] (AQW 3026/10)

**Minister of Education:** Tugadh cuireadh d'ionadaithe ó na heagraíochta oidhreacht go léir san oideachas, lena n-áirítear baill de Bhord Oideachais agus Leabharlainne an Oirdheiscirt, le freastal ar fháiltiú i bhFoirgnimh na Párlaiminte ar 9 Nollaig 2009 chun aitheantas a thabhairt do sheirbhís na mball agus na foirne don phobal a chuir le soláthar oideachais le linn na mblianta fada.

Representatives of all the legacy organisations in education, including members of the South-Eastern Education and Library Board, have been invited to a reception in Parliament Buildings on 9 December 2009 to recognise the service to the community of the members and staff who have contributed to the delivery of education over many years.

### Parliament Buildings: Reception

**Mr B Wilson** asked the Minister of Education if the decision to exclude members of the South Eastern Education and Library Board from the reception to be held at Parliament Buildings was taken on the advice of departmental officials.[R] (AQW 3027/10)

**Minister of Education:** Toimhdím go bhfuil an Comhalta ag tagairt don fháiltiú atá pleanáilte do 9 Nollaig 2009 i bhFoirgnimh na Párlaiminte le aitheantas a thabhairt do ranníocaíocht ball agus foirne de na Boird Oideachais agus Leabharlainne agus d'eagraíochtaí oidhreacht eile san earnáil oideachais. Tá mé sásta le dearbhú gur tugadh cuireadh do bhaill de Bhord Oideachais agus Leabharlainne an Oirdheiscirt le freastal ar an fháiltiú seo.

I presume the reception to which the Member is referring is that planned for 9 December 2009 in Parliament Buildings to mark the contribution of members of education and library boards and other legacy organisations to the work of the education sector.

I am pleased to confirm that members of the South-Eastern Education and Library Board have been invited to this reception.

### Epilepsy Charities

**Mr G Robinson** asked the Minister of Education to detail any meetings she has held with epilepsy charities in the last 12 months. (AQW 3041/10)

**Minister of Education:** My Department has undertaken a Review of Special Educational Needs and Inclusion to address a range of issues associated with the current special educational needs framework. The Review aims to ensure that every child and young person who faces a barrier to learning is given a fair and equal chance and is provided with the necessary support as early as possible to help them achieve their full potential.

Le 12 mí anuas, ní raibh an deis agam a bhualadh le haon charthanas titimis, ach chuirfínn fáilte roimh chuireadh dá mba mhaith le grúpa ar bith bualadh liom chun plé a dhéanamh ar fhadhbanna roimh pháistí agus daoine óga a bhfuil titimeas acu ar scoil.

In the last 12 months, I have not had the opportunity to meet with any epilepsy charities but if any epilepsy groups/charities would like to meet with the Department's Special Education Needs and Inclusion team, they would be happy to facilitate this.

### Department's Headed Paper

**Mr J Shannon** asked the Minister of Education why Irish appears first (on the left-hand side) on her Department's headed paper, and in making this decision whether account was taken to the fact that English is the first language of Northern Ireland. (AQW 3044/10)

**Minister of Education:** Irish is the native language of Ireland. There are a significant and growing number of Irish speakers throughout Ireland. I view a bilingual format as a sensible and fair way of affording equal prominence to both the Irish and English languages.

Léiríonn úsáid riaracháin na Gaeilge i mo Roinn an ceangal atá ar ranna rialtais cloí le riachtanais na Cairte Eorpaí do Theangacha Réigiúnacha nó Mionlaigh. Tá oibleagáidí reachtúla ag mo Roinn fosta faoi Chomhaontú Aoine an Chéasta "i ndáil le héagsúlacht teanga, ar a n-áirítear... an Ghaeilge" agus faoi Chomhaontú Chill Rímhinn don ghá atá ann "le forbairt na Gaeilge a fheabhsú agus a chosaint." Tá sé de rún agam m'oibleagáidí i dtaca leis seo a chomhlíonadh.

The administrative use of Irish in my Department reflects the obligation on all government departments to adhere to the requirements of the European Charter for Regional or Minority Languages. My Department also has duties under the Good Friday Agreement "in relation to linguistic diversity, including... the Irish language" and under the St Andrew's Agreement in relation to the need to "enhance and protect the development of the Irish language". I intend to meet my obligations in this regard.

### Officer Attending Meetings in Irish: Cost of Irish-Language

**Mr J Shannon** asked the Minister of Education to detail (i) the cost, per meeting, of her Department's Irish Language Officer attending meetings held in Irish; and (ii) how many meetings have been held solely in Irish. (AQW 3049/10)

**Minister of Education:**

- (i) Fostaíonn an Roinn beirt Oifigeach Gaeilge chun úsáid na Gaeilge sa Roinn a éascú. Tá réimse dualgas ag na hOifigigh seo, lena n-áirítear freastal ar chruinnithe a stiúrtar as Gaeilge, nascadh le pobal na Gaeilge, Ceisteanna Tionóil a aistriú, glaonna gutháin a ghlacadh, agus freastal ar sheoltaí. Ní ríomhtar ar leithligh costais ar thascanna sonracha a dhéanamh.
- (ii) Bhí mórán cruinnithe agam trí mheán na Gaeilge. D'fhreastail Oifigigh Ghaeilge ar roinnt cruinnithe agus mise a d'fhreastail ar chruinnithe eile. Stiúradh cruinnithe eile i bhformáid dhátheangach, cionn is gur aontaigh Gaeilgeoirí go cineálta ar an chruinniú a stiúradh as Béarla ionas go mbeadh feidhmeannaigh ón Roinn in ann páirt a ghlacadh.
- (i) The Department employs two Irish Language Staff Officers to facilitate its use of Irish. These officers have a range of duties including attending meetings held in Irish, engaging with the Irish language community, translating Assembly Questions, taking phone calls and attending launches. The costs incurred in carrying out specific tasks are not separately calculated.
- (ii) I have had many meetings through the medium of Irish. Some with Irish Language Officers in attendance and others attended by me. Other meetings were in bilingual format, due to the fact that the Irish speakers kindly agreed to the meeting being mainly in English so that officials from the Department could take part.

### Translation: Costs

**Mr A Ross** asked the Minister of Education if she will take steps to reduce the amount of money her Department spends on translating documents into other languages, in particular Irish and Ulster-Scots. (AQW 3063/10)

**Minister of Education:** As Minister of Education I am required to meet the language needs of all pupils attending our schools. Many pupils, such as newcomer children, do not have English as their first language. For

those whose first language is Irish, there is a range of Irish medium school settings. These children and their parents have the right to receive a range of communications and documentation from the Department in their native language. I therefore believe that current expenditure levels on translations are appropriate.

Cruthaíonn an Chairt Eorpach do Theangacha Réigiúnda nó Mionlaigh oibleagáidí ar an rialtas teangacha, cosúil leis an Ghaeilge agus le hAlbainis Uladh, a chosaint agus a chur chun cinn mar chuid dár n-oidhreacht chultúrtha. Tá oibleagáidí reachtúla agam faoi Chomhaontú Aoine an Chéasta agus faoi Chomhaontú Chill Rímhinn agus tá sé de rún agam iad a chomhlíonadh.

The European Charter for Regional or Minority Languages places obligations on government to protect and promote minority languages. I also have statutory duties under the Good Friday Agreement and the St Andrew's Agreement and I intend to fulfil these.

### Education and Skills Authority

**Mr A Ross** asked the Minister of Education, in the event of the Education and Skills Authority not being in place by 1 January 2010, if the current members of the Education and Library Boards will remain in post. (AQW 3064/10)

**Minister of Education:** Dhíreoinn aird an Chomhalta ar an fhreagra a thug mé do Chomhaltaí Aontroim Theas agus Dhún Theas, Danny Kinahan agus Leslie Cree, ar Cheisteanna an Tionóil 451/10 agus 459/10 faoi seach, a foilsíodh sa Tuairisc Oifigiúil ar 30 Samhain 2009.

I refer the Member to the answer I gave to the Members for South Antrim and North Down, Danny Kinahan and Leslie Cree to AQOs 451/10 and 459/10 respectively, published in the Official Report on 30 November 2009.

### Ten-day Prompt Payment Scheme

**Dr S Farry** asked the Minister of Education what action she is taking to ensure that the 10-day prompt payment scheme is passed on to sub-contractors by businesses who are receiving direct payments from the Department and its related public bodies. (AQW 3078/10)

**Minister of Education:** Tugaim tacaíocht iomlán don sprioc prapíocaíochta le híocaíochtaí a dhéanamh laistigh de dheich lá oibre, go háirithe le linn an choir chun donais eacnamaíoch. D'eisigh mo Roinn treoir go himmheanach agus do na comhlachtaí a mhaoiníonn sí araon i mí na Nollag 2008 a chuir béim ar thábhacht na sprice nua seo agus ar an riachtanas lena chinntiú go bpróiseáltar íocaíochtaí gan moill mhíchuí.

I strongly support the prompt payment target of making payments within ten working days, particularly during the current economic downturn. My Department issued guidance both internally and to its funded bodies in December 2008 stressing the importance of this new target and the need to ensure payments are processed without undue delay. The Department continues to monitor its performance and that of its funded bodies on a monthly basis and takes whatever corrective action is appropriate to ensure payments are processed as efficiently as possible.

The ten day prompt payment scheme is a requirement for all public sector organisations. However, the Department has limited influence over the practices of private sector organisations in terms of their payment processes but wherever possible would encourage the early settlement of payments.

### Department's Irish-Language Policy

**Mr J Shannon** asked the Minister of Education if an Equality Impact Assessment has been carried out on her Department's Irish Language policy; and what impact implementing this policy has had on the workload of civil servants. (AQW 3137/10)

**Minister of Education:** Is beart intreach ionannais é an Polasaí Gaeilge, a léiríonn mo thiomantas do mheas a thabhairt don Ghaeilge agus é a thaispeáint ar bhealach cuí i gcumarsáidí na Roinne. Tá líon na nGaeilgeoirí ag dul i méid sna scoileanna agus tá an ceart ag na daltaí sin agus a dtuismitheoirí cumarsáidí a fháil uaim ina gcéad teanga faoin Chairt Eorpach do Theangacha Réigiúnacha nó Mionlaigh.



The Irish Language Policy is an intrinsic equality measure, detailing my commitment to respect the Irish language and reflect it in an appropriate way in Departmental communications.

There are a growing number of Irish speakers in our schools and those pupils and their parents have the right to receive communications from me in their first language under the European Charter for Regional or Minority Languages. The Charter places obligations on government to protect and promote languages such as Irish as part of our cultural heritage and I have met with the Committee of Experts of the Council of Europe (COMEX) to discuss how best to meet these obligations. I also have statutory duties under the Good Friday Agreement and I intend to fulfil these.

The Irish Language Policy of the Department of Education is part and parcel of the everyday work the Department carries out.

### Translation

**Mr J Shannon** asked the Minister of Education why her Department's two Irish Language officers have been unable to translate English to Irish and Irish to English; and why this has resulted in translation work being passed to a contractor at a cost of 40 pence a word. (AQW 3139/10)

**Minister of Education:** Déanann beirt Oifigigeach Gaeilge na Roinne réimse dualgas, lena n-áirítear aistriúcháin a sholáthar ó Bhéarla go Gaeilge agus ó Ghaeilge go Béarla. Cé go mbaineann na haistriúcháin seo faoi riachtanais phráinneacha na Roinne amach, déantar gnáthaistriúcháin ag Central Translations Ltd, a bhfuil conradh leis an Státseirbhís ar fad aige ar aistriúcháin Ghaeilge a sholáthar. Is é costas ar na haistriúcháin trí Central Translations Ltd ná 12 pingin san fhocal.

The Department's two Irish Language Staff Officers undertake a range of duties to facilitate its use of Irish, including providing translations from English to Irish and Irish to English. While these translations address the Department's urgent needs, routine translations are carried out by Central Translations Ltd, which holds the Civil Service-wide contract for carrying out Irish translations. The cost of translations through Central Translations Ltd is 12 pence per word.

### Education and Skills Authority

**Mr B McElduff** asked the Minister of Education what plans she has to (i) retain administration posts in Omagh; and (ii) develop Omagh as an important location for the delivery of education services, once the Education and Skills Authority is established. (AQW 3189/10)

**Minister of Education:** Tá mórimpleachtaí eacnamaíochta agus sóisialta ag baint le suíomh post san earnáil phoiblí ar phobail áitiúla agus, mar sin de, is tábhachtach go bhfuil gach cinneadh cothrom feasach.

The location of public sector jobs has significant economic and social implications for local communities and it is therefore essential that decisions are objective, fair and well informed.

To date no decisions have been taken on the overall location strategy for the Education and Skills Authority however as previously advised any decisions will be subject to equality screening and an Equality Impact Assessment and consultation where appropriate. Furthermore, decisions will be taken in line with the guiding principles for RPA location. This process will allow Ministers to look at all of the location decisions on the many sectors affected by the RPA at one time.

### Pupil-to-Teacher Ratio

**Mr A Ross** asked the Minister of Education what the average pupil-to-teacher ratio is in primary schools in each Education and Library Board area. (AQW 3195/10)

**Minister of Education:** Sonraítear an t-eolas a iarradh sa tábla thíos.

The information requested is detailed in the table below.

**PUPIL: TEACHER RATIOS IN GRANT-AIDED PRIMARY<sup>1</sup> SCHOOLS, 2008/09**

| Education & Library Board | Pupil: Teacher Ratio in primary <sup>1</sup> schools |
|---------------------------|--|
| Belfast                   | 20.0   |
| Western                   | 20.3   |
| North Eastern             | 20.5   |
| South Eastern             | 20.7   |
| Southern                  | 20.3   |
| <b>Total</b>              | <b>20.4</b>  |

<sup>1</sup> includes preparatory departments of grammar schools

**Pupil-to-Teacher Ratio**

**Mr A Ross** asked the Minister of Education what the average pupil-to-teacher ratio is in post-primary schools in each Education and Library Board area. (AQW 3196/10)

**Minister of Education:** Sonraítear an t-eolas a iarradh sa tábla thíos.

The information requested is detailed in the table below.

**PUPIL: TEACHER RATIOS IN GRANT-AIDED POST-PRIMARY<sup>1</sup> SCHOOLS, 2008/09**

| Education & Library Board | Pupil: Teacher Ratio in post-primary <sup>1</sup> schools |
|---------------------------|---|
| Belfast                   | 14.4  |
| Western                   | 14.5  |
| North Eastern             | 14.4  |
| South Eastern             | 14.4  |
| Southern                  | 14.6  |
| <b>Total</b>              | <b>14.5</b>   |

<sup>1</sup> secondary and grammar schools

**Pupil-to-Teacher Ratios**

**Mr A Ross** asked the Minister of Education how the pupil-to-teacher ratios compare to schools in (i) England; (ii) Scotland; (iii) Wales; and (iv) the Republic of Ireland. (AQW 3198/10)

**Minister of Education:** Soláthraítear an t-eolas a iarradh sa tábla thíos.

The information requested is given in the table below.

**PUPIL: TEACHER RATIOS, 2008-09**

| Sector         | North of Ireland | England     | Scotland    | Wales       | South of Ireland     |
|----------------|------------------|-------------|-------------|-------------|----------------------|
| Primary        | 20.4             | 21.4        | 15.7        | 20.0        | 15.9                 |
| Post-primary   | 14.5             | 15.9        | 11.7        | 16.4        | - <sup>1</sup>       |
| <b>Overall</b> | <b>16.7</b>      | <b>16.8</b> | <b>12.9</b> | <b>17.9</b> | <b>-<sup>1</sup></b> |

<sup>1</sup> Post-primary teacher statistics for 2008-09 not yet published

### Teacher Demand Model

**Mr K Robinson** asked the Minister of Education if the ‘Teacher Demand Model’ takes account of teachers registered with the General Teaching Council of Northern Ireland who are unable to find permanent teaching posts. (AQW 3253/10)

**Minister of Education:** Is tábhachtach a rá: nach bhfuil gach múinteoir atá cláraithe leis an Chomhairle Ginearálta Múinteoireachta anseo ar lorg fostaíochta buaine; agus nach gcoinníonn an GTCNI an t-eolas ar líon na múinteoirí atá ar lorg fostaíochta buaine go sonrach.

It is important to note that: not all teachers registered with the General Teaching Council here (GTCNI) are seeking permanent employment; and, that the GTCNI does not hold information on the number of teachers who are specifically seeking permanent employment.

However, the Teacher Demand Model which provides a statistical estimation of overall initial teacher education intake requirements utilises a range of statistical assumptions based on data obtained from a number of sources, including data provided by the GTCNI.

The GTCNI provides data on the employment position of recent graduates and this data is used to provide an assumption on the potential number of recent graduates who may be successful in filling future vacancies.

The Teacher Demand Model together with a range of other statistical information is used to inform the annual process of determining intakes to initial teacher education. This process is also informed by current and future policy changes in this process.

### Civil Servants’ Earnings

**Mr J Craig** asked the Minister of Education, pursuant to AQW 2953/10, to detail (i) the job titles; (ii) pay scale; and (iii) the total amount earned by the civil servants in question. (AQW 3260/10)

**Minister of Education:** Tá an t-eolas a iarradh leagtha amach sa tábla thíos:

The information requested is set out in the table below:

| Job Title   | Pay Scale          | Total amount earned |
|---|--------------------|---------------------|
| Permanent Secretary   | £98,059 - £205,000 | £557,049            |
| Chief Executive (Designate), Education and Skills Authority | £98,059 - £205,000 |                     |
| Deputy Secretary  | £81,600 - £160,000 |                     |
| Deputy Secretary  | £81,600 - £160,000 |                     |
| Chief Inspector, Education and Training Inspectorate        | £81,600 - £160,000 |                     |

### Le Club Francais

**Mr J Spratt** asked the Minister of Education if she will acknowledge the work of Le Club Francais in delivering French and Spanish language lessons to primary school children; and if her Department would consider working with Le Club Francais in the future. (AQW 3264/10)

**Minister of Education:** I believe passionately about the importance of giving our children and young people the opportunity to learn another language in school here, so I fully acknowledge the work Le Club Francais does in delivering French and Spanish to our young people.

Ní mholann an Roinn Oideachais, áfach, na hábhair a úsáideann scoileanna chun ábhar ar bith sa churaclam a theagasc agus tá sé de dhualgas ar gach scoil aonair ábhair acmhainne a roghnú le cúnamh a thabhairt do mhúinteoirí chun an curaclam a sholáthar.

However, the Department of Education does not prescribe or recommend the materials to be used by schools in the teaching of any subject in the curriculum and the choice of resource materials to assist teachers in delivering the curriculum is a matter for each individual school.

The revised curriculum provides schools with greater flexibility to offer subjects that meet the needs of their pupils. At primary level, there is a range of existing good practice in language teaching here, and in order to encourage primary schools to offer the learning of an additional language, I introduced the Primary Languages Programme, which provides peripatetic support for primary schools wishing to deliver Spanish, Irish and Polish.

### **HIV/AIDS Awareness Programmes**

**Mr M Durkan** asked the Minister of Education what HIV/AIDS awareness programmes are provided in schools. (AQW 3267/10)

**Minister of Education:** Ní éilítear ar scoileanna cláir fheasachta faoi VEID/shiondróm easpa imdhíonachta faighte a thairiscint. Cuimsíonn an curaclam athbhreithnithe fócas ar an eolas agus ar na scileanna a thabhairt do dhaoine óga a bheidh de dhíth orthu chun gaolmhaireachtaí sláintiúla a fhorbairt. In iarbhunscoileanna, caithfear deiseanna a thabhairt do dhaltai chun impleachtaí mothúchánacha, sóisialta agus morálta a bhaineann le luathghníomhaíocht ghnéis a iniúchadh agus chun na fachtóirí a fhéadfar dul i gcion ar a sláinte féin agus ar shláinte dhaoine eile a thuiscint, a aithint agus a bhainistiú.

There is no specific requirement for schools to offer HIV/Aids awareness programmes. Rather, the revised curriculum includes a focus on giving young people the knowledge and skills they need to build healthy relationships. In post-primary schools, pupils must be given opportunities to explore the emotional, social and moral implications of early sexual activity and to understand, recognise and manage factors that may influence their health and the health of others.

This is normally done in the context of a school's written Relationships and Sexuality Policy which should be subject to consultation with parents and should be endorsed by a school's Board of Governors.

Guidance material from the Council for the Curriculum, Examinations and Assessment (CCEA) advises schools that there are many resources (including specific resources addressing HIV/Aids and sexual health) available for the teaching of RSE. The guidance included a checklist to help schools to select the most appropriate resources. In addition, schools can use other resources, programmes or services provided by external organisations to support their curricular provision. It is of course a matter for individual schools, in the context of their RSE policy and the age and maturity of their pupils, to determine what resources they use.

### **Every School a Good School: The Way Forward for Special Educational Needs and Inclusion**

**Mr F Cobain** asked the Minister of Education what will be the status of existing statements of special educational needs following implementation of the proposed policy 'Every School a Good School - The Way Forward for Special Educational Needs and Inclusion' (AQW 3277/10)

**Minister of Education:** Rinne an Roinn Oideachais athbhreithniú beartais ar Riachtanais Speisialta Oideachais agus Chuimsiú agus d'eisigh sí doiciméad a leagann amach tograí ardleibhéil i mí Lúnasa 2009 le haghaidh breithnithe phoiblí. Mairfidh an próiseas comhairlithe go dtí 31 Eanáir 2010, agus breithneoidh an Roinn go hiomlán na freagairtí a fhaigheann sí i ndiaidh an dáta seo.

The Department of Education has undertaken a policy review of Special Educational Needs (SEN) and Inclusion and issued for consultation, in August 2009, a document setting out high level proposals for public consideration. The formal consultation period will run to 31 January 2010, after which the Department will fully consider the responses received. One of a range of proposals is to introduce a Coordinated Support Plan for children and young people with complex or multiple needs and a Personal Learning Plan for all other SEN children to focus on setting and monitoring outcomes for children, a process which it is considered is not adequately captured in the current system. After all responses to the policy proposals have been fully considered and decisions made on the proposals that are to be taken forward, the necessary lower level detail of the policy will be developed. One matter that will be fully explored in the detailed outworking of the responses is that of the future status of statements of special education needs.

Parents of children and young people with SEN will continued to be able to request an Education and Library Board to undertake a statutory assessment of their child's needs, that might lead to the drafting of a statement of special educational needs, within the existing SEN framework, until any new policy is implemented.



## Every School a Good School: The Way Forward for Special Educational Needs and Inclusion

**Mr F Cobain** asked the Minister of Education whether children with existing statements of special educational needs will be entitled to an immediate assessment for the new Co-ordinated Support Plan following implementation of the proposed policy 'Every School a Good School - The Way Forward for Special Educational Needs and Inclusion' (AQW 3278/10)

**Minister of Education:** Rinne an Roinn Oideachais athbhreithniú beartais ar Riachtanais Speisialta Oideachais agus Chuimsiú agus d'eisigh sí doiciméad a leagann amach tograí ardleibhéil i mí Lúnasa 2009 le haghaidh breithnithe phoiblí. Mairfidh an próiseas comhairlithe go dtí 31 Eanáir 2010, agus breithneoidh an Roinn go hiomlán na freagairtí a fhaigheann sí i ndiaidh an dáta seo.

The Department of Education has undertaken a policy review of Special Educational Needs (SEN) and Inclusion and issued for consultation, in August 2009, a document setting out high level proposals for public consideration. The formal consultation period will run to 31 January 2010, after which the Department will fully consider the responses received. One of a range of proposals is to introduce a Coordinated Support Plan for children and young people with complex or multiple needs to focus on setting and monitoring outcomes for children, a process which it is considered is not adequately captured in the current system. The consultation document also proposes, at a high level, transitional arrangements that would require the Education and Skills Authority, within a period of two years from the operative date of any new framework, to review those children in receipt of a statement and consider whether their needs should be met in future through a Co-ordinated Support Plan. After all responses to the policy proposals have been fully considered and decisions made on the proposals that are to be taken forward, the necessary lower level detail of the policy will be developed, which would include detailed transitional arrangements.

## Every School a Good School: The Way Forward for Special Educational Needs and Inclusion

**Mr F Cobain** asked the Minister of Education how the delay in the creation of the Education and Skills Authority will affect the implementation of the proposed policy 'Every School a Good School - The Way Forward for Special Educational Needs and Inclusion'. (AQW 3279/10)

**Minister of Education:** Tá comhairliú formálta á dhéanamh ar na tograí ardleibhéil sa bheartas Gach Scoil ina Scoil Mhaith: An Bealach chun Tosaigh do Riachtanais Speisialta Oideachais agus Chuimsiú agus mairfidh sé go dtí 31 Eanáir 2010. Ina dhiaidh sin, breithneoidh an Roinn Oideachais go hiomlán na freagairtí a fhaigheann sí agus na saincheistanna a ardaíodh, agus comhlánóidh sí tuairisc a achoimríonn na freagairtí.

The high level policy proposals contained in Every School a Good School: The Way Forward for Special Educational Needs and Inclusion are currently undergoing formal consultation up to 31 January 2010. Following that, the Department of Education will consider in detail the responses received and the issues that have been raised, and complete a report summarising the responses. It will only be at that stage that the detail of the policies to be taken forward can be discussed with stakeholders, agreed and subsequently implemented. This process will necessarily take some time. Therefore given the level of interest in the Review, and the complexity of the issues under consideration, I would not anticipate that the delay in the creation of the Education and Skills Authority will adversely affect the implementation of any agreed policies resulting from the Review.

## Transitional Education Boards: Selection of Councillors

**Mr P Weir** asked the Minister of Education how councillors will be selected for the Transitional Education Boards. (AQW 3280/10)

**Minister of Education:** Ceapfar comhairleoirí de réir na reachtaíochta láithrí a shonraíonn go gcineann an Roinn líon iomlán na gcomhairleoirí; go gcaithfear ionadaí ó gach comhairle ina limistéar a bheith ag gach Bord; agus go léiríonn ballraíocht na gcomhairleoirí, chomh gar agus is féidir, dhá chúigiú na ballraíochta iomláine. Scríobh mé chuig na comhairlí ceantair le hiarratais a iarraidh. Iarrfar ar iarrthóirí foirm iarratais a chomhlánú agus riachtanais ar leith a chomhlánadh le go mbreithneofar iad le haghaidh ceapacháin. Cinnfidh mé ceapacháin ar na Boird Oideachais agus Leabharlainne ó na hiarratasóirí incháilithe.

Councillors will be appointed using the existing legislation which states that the total number is determined by the Department; that each Board must have a representative of each Council in its area; and that the councillor

membership must constitute as nearly as possible to two-fifths of the total membership. I have written to the District Councils to request nominations. Candidates will be asked to complete an application form and meet certain requirements to be considered for appointment. I will decide on appointments to the ELBs from the eligible candidates.

### National Federation of Sub-Postmasters Report ‘Six Steps of a Sustainable Post Office Network’

**Mr D Kinahan** asked the Minister of Education for her assessment of the recommendations aimed at devolved institutions and local councils in the National Federation of Sub-Postmasters Report ‘Six Steps of a Sustainable Post Office Network’ (March 2009); and whether the Department has identified how it can make better use of the Post Office network. (AQW 3281/10)

**Minister of Education:** Admhaím na moltaí dírithe ar institúidí déabhlóidithe agus ar chomhairlí áitiúla i dTuairisc Chónaidhm Náisiúnta na bhFomháistrí Poist “Sé Chéim de líonra Oifig Phoist Inbhuanaithe” (Márta 2009). Bhreithnigh mo Roinn úsáid a bhaineann muid as an líonra Oifig Phoist agus úsáideann sí seirbhísí poist ar bhonn laethúil. Tá mé sásta go n-úsáideann mo Roinn go hiomlán na seirbhísí atá ar fáil chun a riachtanais agus riachtanais ghnó ár gcustaiméirí a bhaint amach.

I acknowledge the recommendations aimed at devolved institutions and local councils in the National Federation of Sub-Postmasters Report “Six Steps of a Sustainable Post Office network” (March 2009). My Department has considered its use of the Post Office Network and avails of postal services on a daily basis. I am content that my Department fully utilises services available to meet its and our customer’s business needs.

### Classroom Assistant Job Evaluations

**Mr P McGlone** asked the Minister of Education how much money has been (i) set aside; and (ii) spent, to date, on classroom assistant job evaluations. (AQW 3298/10)

**Minister of Education:** Chuir mo Roinn méideanna suntasacha maoinithe ar fáil do na Boird

(£45m go neasach) maidir leis na costais phá bhreise, lena n-áirítear riaráistí, a thagann ón chleachtadh meastóireachta agus le ceannach amach coinníollacha stairiúla seirbhíse cúntóirí ranga.

My Department has made available significant amounts of funding to the Boards (some £45m) in respect of the additional pay costs, including arrears, arising from the evaluation exercise and to buy out the historical conditions of service of classroom assistants.

The annual allocations to the Boards are outlined below and confirm that to date some £37 million has been allocated to the classroom assistant job evaluations process.

#### CLASSROOM ASSISTANT JOB EVALUATION ALLOCATIONS YEAR BY YEAR (£000S)

| Year    | Allocated      | NEELB<br>18.30% | SEELB<br>24.60% | WELB<br>20.90% | SELB<br>22.10% | Total<br>Allocated |
|---------|----------------|-----------------|-----------------|----------------|----------------|--------------------|
| 2009/10 | 536            | 697             | 937             | 796            | 841            | 3807               |
| 2008/09 | 522            | 679             | 913             | 773            | 819            | 3706               |
| Year    | BELB<br>11.93% | NEELB<br>25.46% | SEELB<br>21.09% | WELB<br>15.68% | SELB<br>25.84% | Total<br>Allocated |
| 2007/08 | 430            | 919             | 761             | 566            | 933            | 3609               |
| 2006/07 | 413            | 880             | 729             | 542            | 894            | 3458               |
| 2005/06 | 394            | 840             | 696             | 517            | 853            | 3300               |
| 2004/05 | 382            | 814             | 675             | 502            | 827            | 3200               |
| 2003/04 | 2040           | 4057            | 3058            | 2466           | 4379           | 16000              |

### Classroom Assistant Job Evaluations

**Mr P McGlone** asked the Minister of Education how many classroom assistant job evaluations have been held, to date, in Special Education departments regarding a claim for additional special needs, in each of the Education and Library Boards. (AQW 3299/10)

**Minister of Education:** Thug Príomhfheidhmeannaigh na mBord Oideachais agus Leabharlainne le fios dom líon na bpostmheastóireachtaí chúntóirí ranga i ranna Oideachais Speisialta maidir le héileamh le haghaidh riachtanas breise speisialta. Soláthraíonn an tábla thíos miondealú ar an eolas seo ar bhonn cúig bhoird.

I have been advised by the Chief Executives of the Education and Library Boards of the number of classroom assistant job evaluations in Special Education departments regarding a claim for additional special needs. The table below provides a breakdown on a five Board basis.

|       | No. of Claims | No. Processed |
|-------|---------------|---------------|
| BELB  | 27            | 6             |
| NEELB | 238           | 221           |
| SELB  | 168           | 127           |
| SEELB | 300           | 230           |
| WELB  | 214           | 137           |

### Free School Meals

**Mr T Lunn** asked the Minister of Education how many children currently are (i) entitled to; and (ii) receive free school meals. (AQW 3305/10)

**Minister of Education:** Athraíonn líon na bpáistí a ghlacann béilí scoile ó sheachtain go seachtain. Tugann an t-eolas a bhailítear ag an Daonáireamh Scoile agus ag Daonáireamh na mBéilí Scoile léargas ar líon na bpáistí a ghlac béilí scoile ar an lá a bailíodh eolas daonáirimh. Seo a leanas na figiúirí ó dhaonáireamh Dheireadh Fómhair 2008:

The number of children taking school meals varies from week to week. However, information collected annually from the School Census and School Meals Census provides a snapshot of the numbers taking meals on the day on which census information is gathered. The figures from the October 2008 census were as follows:

|               | Pupils Entitled To Free School Meals | Pupils Taking Free School Meals |
|---------------|--------------------------------------|---------------------------------|
| Pupil Numbers | 54,076                               | 42,647                          |

The figures exclude pupils in Special Schools.

### Transitional Education and Library Boards

**Mr P Weir** asked the Minister of Education whether the proposed 21 'other' members of the Transitional Education and Library Boards, as outlined in Appendix A of the statement to the Assembly on 1 December, will be drawn exclusively from existing members of the Education and Library Boards. (AQW 3310/10)

**Minister of Education:** De réir na reachtaíochta láithrí, beidh mé ag ceapadh daoine a chreidim go bhfuil oiriúnach don cheapachán seo mar gheall ar a suim sna seirbhísí a bhfuil na Boird freagrach astu. Cuimsíonn an chatagóir seo múinteoirí ar seirbhís agus scríobh mé chuig na príomheagraíochtaí múinteoireachta le hainmniúcháin a iarraidh.

In accordance with the existing legislation I will be appointing persons whom I consider suitable for appointment by reason of their interest in the services for which the Boards are responsible. This category of member includes serving teachers and I have written to the main teachers' organisations seeking nominations. An advert seeking expressions of interest is also being placed on the Department's website. These processes are open to existing members on the Boards who wish to continue as a member for the transitional period.

### Teacher Appointment Committee

**Mr A Ross** asked the Minister of Education how the Teacher Appointment Committee currently operates in the South Eastern Education and Library Board, given that the Board members are suspended. (AQW 3315/10)

**Minister of Education:** Féadfaidh Coistí Ceapachán Múinteoireachta feidhmeanna a chomhlíonadh thar ceann na, agus in ainm na, mBord Oideachais agus Leabharlainne. Leagtar amach na feidhmeanna a chomhlíonann a leithéid de Choistí i scéimeanna faoin Alt 153 den Ord um Athleasú Oideachais 1989.

Teaching Appointments Committees may perform functions on behalf of, and in the name of, Education and Library Boards. The functions to be so performed by such Committees are set out in schemes made under Article 153 of the Education Reform (NI) Order 1989.

In the case of the South Eastern Board, Commissioners have been appointed to perform functions of the Board. However, the Article 153 scheme remains in place, and teaching appointment functions continue to be performed by the Teaching Appointments Committee, which includes members of the Board.

### Teacher Appointment Committee

**Mr A Ross** asked the Minister of Education how the Teacher Appointment Committee in the South Eastern Education and Library Board will operate from 1 January 2010. (AQW 3316/10)

**Minister of Education:** Féadfaidh Coistí Ceapachán Múinteoireachta feidhmeanna a chomhlíonadh thar ceann na, agus in ainm na, mBord Oideachais agus Leabharlainne. Leagtar amach na feidhmeanna a chomhlíonann a leithéid de Choistí i scéimeanna faoin Alt 153 den Ord um Athleasú Oideachais 1989.

Teaching Appointments Committees may perform functions on behalf of, and in the name of, Education and Library Boards. The functions to be so performed by such Committees are set out in schemes made under Article 153 of the Education Reform (NI) Order 1989.

In the case of the South Eastern Education and Library Board, the scheme will be revised so that, with effect from 1 January 2010, the responsibility for the performance of teaching appointment functions will rest with the Board, and not the Teaching Appointments Committee.

I intend to extend the appointment of Commissioners to perform the Board's functions during the interim period until the establishment of the Education and Skills Authority. Therefore, from 1 January 2010, teaching appointment functions will be performed by Commissioners on behalf of, and in the name of the Board.

### Transitional Education and Library Boards

**Mr A Ross** asked the Minister of Education what is the legal status of the term 'Transitional Education and Library Board'. (AQW 3317/10)

**Minister of Education:** Ní úsáidtear an téarma sa reachtaíocht. Ní athraítear stádas dlíthiúil na mBord Oideachais agus Leabharlainne agus na n-eagraíochtaí oideachais eile ag an rialachas eatramhach agus ag na socruithe bainistíochta atá mé ag cur i bhfeidhm.

The term is not used in legislation. The legal status of Education and Library Boards and other education organisations is not altered by the interim governance and management arrangements that I am putting in place.

### Transitional Education and Library Boards

**Mr A Ross** asked the Minister of Education if the size and constitution of the 'Transitional Education and Library Boards', as announced to the Assembly on 1 December 2009, is final or whether it is subject to change. (AQW 3319/10)

**Minister of Education:** Dhíreoinn aird an chomhalta don fhreagra ar AQW 3317/10, inár chuir mé in iúl roinnt mionathruithe a dhéanamh ar bhallraíocht de na Boird Oideachais agus Leabharlainne. Tá sé ar intinn agam na socruithe a d'fhógair mé ar 1 Nollaig a choinneáil faoi athbhreithniú, lena chinntiú go leanfaidh siad de rialachas agus bainistíochta éifeachtach gach eagraíocht oideachais a sholáthar go dtí go gcuirfear an tÚdaras um Oideachas agus Scileanna ar bun.



I refer the member to the answer to AQW 3317/10, in which I indicated some further minor changes to the membership of Education and Library Boards. I intend to keep the arrangements that I announced on 1 December under review, to ensure that they continue to provide effective governance and management of all education organisations pending the establishment of the Education and Skills Authority.

### **Glastry College, Ballyhalbert: New School Building**

**Mr J Shannon** asked the Minister of Education when work will start on the new school building for Glastry College, Ballyhalbert. (AQW 3328/10)

**Minister of Education:** Tá pleanáil don scoil nua le haghaidh Glastry College ag céim phleanála sceitse. Ní féidir tuilleadh pleanála a dhéanamh sula n-aontófar ar bhreithmheas eacnamaíochta athbhreithnithe nuashonraithe a chuir Bord Oideachais agus Leabharlainne an Oirdheiscirt isteach le déanaí. Braitheann dul chun cinn na scéime ar thoradh an athbhreithnithe leanúnaigh atá á dhéanamh ar gach tionscadal caipitil reatha; a chinnteoidh go mbeidh siad go léir comhsheasmhach leis an chreat beartais iomláin agus go mbeidh siad inbhuanaithe inmharthana san fhadthréimhse.

Planning of the proposed new school for Glastry College is at initial sketch plan stage. Further planning cannot progress until a revised and updated Economic Appraisal (EA), recently submitted by the South-Eastern Education and Library Board (SEELB), has been agreed.

Progress on the scheme is also dependent on the outcome of the on-going review of all current capital projects; which will ensure that all are consistent with the overall policy framework and will be viable and sustainable in the long term.

### **Transitional Education Boards: Selection of Councillors**

**Mr P Weir** asked the Minister of Education if councils will be consulted about the selection of councillors for the Transitional Education Boards. (AQW 3336/10)

**Minister of Education:** Ceapfar comhairleoirí de réir na reachtaíochta láithrí a shonraíonn go gineann an Roinn líon iomlán na gcomhairleoirí; go gcaithfear ionadaí ó gach comhairle ina limistéar a bheith ag gach Bord; agus go léiríonn ballraíocht na gcomhairleoirí, chomh gar agus is féidir, dhá chúigiú na ballraíochta iomláine. Scríobh mé chuig na comhairlí ceantair le hiarratais a iarraidh. Iarrfar ar iarrthóirí foirm iarratais a chomhlánú agus riachtanais ar leith a chomhlíonadh le go mbreithneofar iad le haghaidh ceapacháin. Cinnfidh mé ceapacháin ar na Boird Oideachais agus Leabharlainne ó na hiarratasóirí incháilithe.

Councillors will be appointed using the existing legislation which states that the total number is determined by the Department; that each Board must have a representative of each Council in its area; and that the councillor membership must constitute as nearly as possible to two-fifths of the total membership. I have written to the District Councils to request nominations. Candidates will be asked to complete an application form and meet certain requirements to be considered for appointment. I will decide on appointments to the ELBs from the eligible candidates.

### **Grammar School Entrance Test Grade**

**Mr J O'Dowd** asked the Minister of Education, pursuant to AQW 80/10, if her Department can now provide figures to detail the percentage intake of each entrance test grade accepted by each grammar school at the start of the September 2009 school term. (AQW 3385/10)

**Minister of Education:** Sonraítear sa tábla thíos céadatan iontógála de ghrád scrúdaithe iontrála a ghlac gach scoil ghramadaí leis ag tús téarma scoile Mheán Fómhair 2009. I gcás gach scoile, sloinntear próifil gráid na ndaltaí a ligeadh mar chéadatan d'iontrálacha faofa iomlána na scoile. Ní chuirtear san áireamh ó na hiomláin chéadatan daltaí nach ndearna na Scrúduithe Aistrithe agus a ligeadh faoi fhorálacha speisialta. Ciallaíonn sé seo nach bhfuil roinnt de na hiontrálacha iomlána sa tábla cothrom le 100%.

The percentage intake of each entrance test grade accepted by each grammar school at the start of the September 2009 school term is detailed in the table below.

In the case of each school the grade profile of pupils admitted has been expressed as a percentage of the total approved admissions to the school.

Pupils who opted out of the Transfer Tests and were admitted under special provisions have been excluded from the percentage totals. This means that some total admissions in this table do not total 100%. Percentages also exclude pupils admitted on appeal. The Board of Governors have the power, for the purposes of admission, to notionally upgrade children whose performance in the transfer tests has been adversely affected due to special circumstances such as medical or other difficulties. In some cases, therefore, a number of pupils with lower test grades have been admitted to a school that is oversubscribed with applications from pupils with higher test grades.

| Name of School                               | A   | B1  | B2  | C1  | C2  | D   |
|--|-----|-----|-----|-----|-----|-----|
| <b>Belfast Education and Library Board</b>   |     |     |     |     |     |     |
| Grosvenor Grammar School                     | 88% | 10% | 1%  | -   | -   | -   |
| Wellington College                           | 37% | 28% | 26% | 6%  | 3%  | -   |
| Bloomfield Collegiate School                 | 49% | 15% | 29% | 1%  | 5%  | -   |
| Campbell College                             | 20% | 8%  | 5%  | 11% | 18% | 34% |
| St Mary's Christian Brothers' Grammar School | 22% | 8%  | 16% | 18% | 12% | 23% |
| Methodist College                            | 76% | 11% | 7%  | 2%  | -   | 1%  |
| Royal Belfast Academical Institution         | 39% | 13% | 27% | 11% | 5%  | 4%  |
| Belfast Royal Academy                        | 61% | 14% | 18% | 5%  | 1%  | 1%  |
| St Dominic's High School                     | 43% | 16% | 17% | 15% | 6%  | 1%  |
| St Malachy's College                         | 64% | 15% | 15% | 5%  | -   | 1%  |
| Dominican College                            | 53% | 12% | 13% | 16% | 4%  | 1%  |
| Strathearn School                            | 78% | 15% | 5%  | 2%  | -   | -   |
| Rathmore Grammar School                      | 99% | 1%  | -   | -   | -   | -   |
| Victoria College                             | 35% | 12% | 17% | 25% | 2%  | 5%  |
| Hunterhouse College                          | 16% | 16% | 23% | 32% | 11% | 2%  |
| Aquinas Diocesan Grammar School              | 91% | 3%  | 2%  | 1%  | 1%  | 1%  |
| <b>Western Education and Library Board</b>   |     |     |     |     |     |     |
| Collegiate Grammar School, Enniskillen       | 61% | 14% | 8%  | 14% | 3%  | -   |
| Limavady Grammar School                      | 47% | 12% | 15% | 10% | 14% | 2%  |
| Omagh Academy                                | 66% | 11% | 9%  | 13% | -   | 1%  |
| Strabane Grammar School                      | 67% | 18% | 12% | -   | -   | 3%  |
| Mount Lourdes Grammar School                 | 77% | 10% | 7%  | 4%  | 1%  | 1%  |
| Portora Royal School                         | 54% | 11% | 9%  | 11% | 3%  | 12% |
| St Michael's College, Enniskillen            | 43% | 17% | 11% | 15% | 8%  | 4%  |
| Thornhill College, Derry                     | 57% | 20% | 16% | 3%  | 1%  | 2%  |
| St Columb's College                          | 53% | 13% | 17% | 13% | 1%  | 2%  |
| Christian Brothers' Grammar School, Omagh    | 53% | 14% | 8%  | 12% | 7%  | 4%  |
| Loreto Grammar School, Omagh                 | 75% | 11% | 10% | 2%  | 2%  | -   |
| Foyle and Londonderry College                | 41% | 11% | 8%  | 17% | 12% | 11% |
| Lumen Christi College                        | 98% | 2%  | -   | -   | -   | -   |

| Name of School                                   | A   | B1  | B2  | C1  | C2  | D   |
|--|-----|-----|-----|-----|-----|-----|
| <b>North-Eastern Education and Library Board</b> |     |     |     |     |     |     |
| Ballyclare High School                           | 79% | 13% | 5%  | -   | 1%  | 1%  |
| Coleraine High School                            | 32% | 17% | 14% | 19% | 12% | 5%  |
| Carrickfergus Grammar School                     | 65% | 11% | 16% | 5%  | 3%  | -   |
| Antrim Grammar School                            | 54% | 18% | 16% | 6%  | 2%  | -   |
| Cambridge House Grammar                          | 28% | 6%  | 20% | 28% | 9%  | 9%  |
| St Louis' Grammar School, Ballymena              | 77% | 13% | 5%  | 3%  | 1%  | 1%  |
| Ballymena Academy                                | 70% | 7%  | 10% | 1%  | 6%  | 4%  |
| Dalriada School                                  | 99% | -   | -   | -   | -   | 1%  |
| Coleraine Academical Institution                 | 23% | 11% | 12% | 11% | 8%  | 35% |
| Loreto College                                   | 87% | 8%  | -   | 1%  | -   | -   |
| Larne Grammar School                             | 50% | 9%  | 10% | 17% | 7%  | 1%  |
| Rainey Endowed School                            | 57% | 20% | 15% | 7%  | 1%  | -   |
| Dominican College                                | 36% | 19% | 12% | 20% | 6%  | -   |
| Belfast High School                              | 83% | 15% | -   | -   | -   | -   |
| St Mary's Grammar School, Magherafelt            | 84% | 8%  | 5%  | 1%  | 1%  | 1%  |
| St Macnissi's College                            | 30% | 14% | 12% | 11% | 9%  | 22% |
| <b>South-Eastern Education and Library Board</b> |     |     |     |     |     |     |
| Regent House School                              | 81% | 17% | 1%  | -   | -   | -   |
| Down High School                                 | 84% | 12% | 2%  | -   | -   | 1%  |
| Glenlola Collegiate School                       | 58% | 11% | 17% | 13% | 1%  | -   |
| Bangor Grammar School                            | 52% | 18% | 23% | 6%  | -   | 1%  |
| Sullivan Upper School                            | 97% | 1%  | 1%  | -   | -   | -   |
| Friends' School                                  | 96% | 1%  | -   | -   | -   | -   |
| Wallace High School                              | 81% | 13% | 1%  | 1%  | -   | 1%  |
| Assumption Grammar School, Ballynahinch          | 58% | 18% | 18% | 3%  | 1%  | 1%  |
| St Patrick's Grammar School, Downpatrick         | 63% | 10% | 13% | 9%  | 5%  | -   |
| Our Lady & St Patrick's College                  | 81% | 12% | 4%  | 1%  | 1%  | -   |
| <b>Southern Education and Library Board</b>      |     |     |     |     |     |     |
| Banbridge Academy                                | 90% | 8%  | 1%  | -   | -   | 1%  |
| St Louis Grammar School, Kilkeel                 | 53% | 17% | 13% | 8%  | 5%  | 4%  |
| Abbey Grammar School, Newry                      | 83% | 10% | 5%  | 2%  | 1%  | 1%  |
| Our Lady's Grammar School Newry                  | 63% | 14% | 11% | 4%  | 2%  | 4%  |
| St Colman's College                              | 70% | 7%  | 14% | 2%  | 3%  | -   |
| St Joseph's Grammar School, Donaghmore           | 75% | 18% | 4%  | 2%  | -   | 1%  |
| Sacred Heart Grammar School, Newry               | 87% | 6%  | 3%  | 2%  | -   | 2%  |
| The Royal School, Dungannon                      | 41% | 6%  | 9%  | 13% | 6%  | 16% |
| The Royal School, Armagh                         | 42% | 9%  | 10% | 15% | 10% | 6%  |
| St Patrick's Grammar School, Armagh              | 35% | 7%  | 16% | 10% | 13% | 19% |
| St Patrick's Academy, Dungannon                  | 68% | 7%  | 16% | 6%  | 2%  | 1%  |

### Special Needs: Statutory Assessments

**Mr D Bradley** asked the Minister of Education if she has instructed the Education and Library Boards to decrease (i) the number of statutory assessments of special needs; and (ii) the number of statements of special educational needs being issued. (AQW 3387/10)

**Minister of Education:** Níor ordaigh mé do na Boird Oideachais agus Leabharlainne líon na measúnuithe reachtúla ar riachtanais speisialta a laghdú ná líon na ráiteas ar riachtanais speisialta oideachais a eisítear a laghdú.

I have not instructed the Education and Library Boards to decrease either the number of statutory assessments of special needs or the number of statements of special educational needs being issued.

## DEPARTMENT FOR EMPLOYMENT AND LEARNING

### Epilepsy Charities

**Mr G Robinson** asked the Minister for Employment and Learning to detail any meetings he has held with epilepsy charities in the last 12 months (AQW 3043/10)

**Minister for Employment and Learning (Sir Reg Empey):** In my capacity as Minister for Employment and Learning, I have held no meetings with epilepsy charities in the last 12 months, nor have I been invited to meet with any such groups during this period.

### Deane Efficiency Award

**Ms A Lo** asked the Minister for Employment and Learning why principal lecturers and heads of departments have been excluded from the Deane Efficiency Award in the pay agreement for lecturers in further education. (AQW 3051/10)

**Minister for Employment and Learning:** I understand that, in March 2009, the Further Education College Employers tabled a pay offer to the lecturers' trade unions which was subsequently accepted. The terms of this agreement are a matter for the employers and the lecturers' trade unions, alone. The Department's role in the process was to ensure that the pay proposals complied with public sector pay policy.

Consequently, it is a matter for the respective parties, through the established consultation arrangements, to resolve any dispute relating to the pay settlement's implementation.

### Deane Efficiency Award

**Ms A Lo** asked the Minister for Employment and Learning at what stage the employer's were made aware that principal lecturers and heads of departments were going to be excluded from the Deane Efficiency Award in the pay agreement for lecturers in further education. (AQW 3052/10)

**Minister for Employment and Learning:** I understand that, in March 2009, the Further Education College Employers tabled a pay offer to the lecturers' trade unions which was subsequently accepted. The terms of this agreement are a matter for the employers and the lecturers' trade unions, alone. The Department's role in the process was to ensure that the pay proposals complied with public sector pay policy.

Consequently, it is a matter for the respective parties, through the established consultation arrangements, to resolve any dispute relating to the pay settlement's implementation.



### Deane Efficiency Award

**Ms A Lo** asked the Minister for Employment and Learning whether union and non-union members were informed that principal lecturers and heads of departments were excluded from the Deane Efficiency Award in the pay agreement for lecturers in further education. (AQW 3053/10)

**Minister for Employment and Learning:** I understand that, in March 2009, the Further Education College Employers tabled a pay offer to the lecturers' trade unions which was subsequently accepted. The terms of this agreement are a matter for the employers and the lecturers' trade unions, alone. The Department's role in the process was to ensure that the pay proposals complied with public sector pay policy.

Consequently, it is a matter for the respective parties, through the established consultation arrangements, to resolve any dispute relating to the pay settlement's implementation.

### Deane Efficiency Award

**Ms A Lo** asked the Minister for Employment and Learning how his Department will address the current impasse caused by the exclusion of principal lecturers and heads of departments from the Deane Efficiency Award in the pay agreement for lecturers in further education. (AQW 3054/10)

**Minister for Employment and Learning:** I understand that, in March 2009, the Further Education College Employers tabled a pay offer to the lecturers' trade unions which was subsequently accepted. The terms of this agreement are a matter for the employers and the lecturers' trade unions, alone. The Department's role in the process was to ensure that the pay proposals complied with public sector pay policy.

Consequently, it is a matter for the respective parties, through the established consultation arrangements, to resolve any dispute relating to the pay settlement's implementation.

### Ten-day Prompt Payment Scheme

**Dr S Farry** asked the Minister for Employment and Learning what action he is taking to ensure that the 10-day prompt payment scheme is passed on to sub-contractors by businesses who are receiving direct payments from the Department and its related public bodies. (AQW 3081/10)

**Minister for Employment and Learning:** For construction contracts, procured through the Central Procurement Directorate (CPD) in the Department of Finance and Personnel (DFP), main contractors are required to comply with the 'Code of Practice for Government Construction Clients and their Supply Chains'. The Code sets out the core principles that should govern the behaviour of clients, contractors and subcontractors, including the need for fair dealing within the supply chain.

The Procurement Task Group (PTG) of the Construction Industry Forum for Northern Ireland is currently considering the expansion of the 'Code of Practice for Government Construction Clients and their Supply Chains' to include a 'Fair Payment Charter' and to include a requirement that first tier subcontractors provide feedback directly to the Government Construction Client on monthly payment progress from the main contractor to the supply chain. The proposals, to be developed by December 2009, will seek to ensure that main contractors pass on the benefits of prompt payment to subcontractors.

Supplies and services contracts also require main contractors to enter into subcontracts on the same terms and conditions as the main contract. CPD is currently considering if the approach taken in construction contracts would be practicable in supplies and services contracts.

### St Mary's College: First Year Intake

**Mr A Ross** asked the Minister for Employment and Learning how many people from (i) a Roman Catholic background; and (ii) a Protestant background were accepted in the first year intake for St Mary's College, in each of the last five years. (AQW 3092/10)

**Minister for Employment and Learning:** The number of NI domiciled first year students enrolled at St Mary's University College from (i) a Roman Catholic background; and (ii) a Protestant background, in each of the last five academic years, and for whom religion is known is detailed in the table below:

|                    | 2003/04 | 2004/05 | 2005/06 | 2006/07 | 2007/08 |
|--------------------|---------|---------|---------|---------|---------|
| (i) Roman Catholic | 300     | 220     | 275     | 335     | 270     |
| (ii) Protestant    | 10      | 5       | 5       | 5       | 5       |

**Source:** Higher Education Statistics Agency (HESA)

**Notes:**

- (1) Figures have been rounded to the nearest 5
- (2) The latest available data are for 2007/08.
- (3) Information on religion at St.Mary's University College is only collected for NI domiciled students.
- (4) Religious affiliation is not a mandatory question and therefore can have a high non-response rate. For the period covered above, the non-response rate ranged from 3% to 18%.
- (5) The data for first year students relates to all levels of study i.e. both undergraduate and postgraduate.

### Stranmillis College: Intake

**Mr A Ross** asked the Minister for Employment and Learning how many people from (i) a Roman Catholic background; and (ii) a Protestant background were accepted in the first year intake for Stranmillis College, in each of the last five years. (AQW 3105/10)

**Minister for Employment and Learning:** The number of NI domiciled first year students enrolled at Stranmillis University College from (i) a Roman Catholic background; and (ii) a Protestant background, in each of the last five academic years, and for whom religion is known is detailed in the table below:

|                    | 2003/04 | 2004/05 | 2005/06 | 2006/07 | 2007/08(4) |
|--------------------|---------|---------|---------|---------|------------|
| (i) Roman Catholic | 65      | 75      | 65      | 55      | 35         |
| (ii) Protestant    | 275     | 285     | 275     | 240     | 55         |

**Source:** Higher Education Statistics Agency (HESA)

**Notes:**

- (1) Figures have been rounded to the nearest 5.
- (2) The latest available data are for 2007/08.
- (3) Information on religion at Stranmillis University College is only collected for NI domiciled students.
- (4) Religious affiliation is not a mandatory question and therefore can have a high non-response rate. For the period 2003/04 – 2006/07, the non-response rate ranged from 7% to 18%. In 2007/08 there was an extremely high non-response rate to the religious affiliation question for first year students enrolled at Stranmillis University College (76%). Figures should therefore be viewed in this context.
- (5) The data for first year students relates to all levels of study i.e. both undergraduate and postgraduate.

### St Mary's College: Postgraduate Places

**Mr A Ross** asked the Minister for Employment and Learning how many people from (i) a Roman Catholic background; and (ii) a Protestant background were accepted for post-graduate places at St Mary's College, in each of the last five years. (AQW 3106/10)

**Minister for Employment and Learning:** The number of NI domiciled first year students enrolled on postgraduate courses at St. Mary's University College from (i) a Roman Catholic background; and (ii) a Protestant background, in each of the last five academic years, and for whom religion is known is detailed in the table below:

|                    | 2003/04 | 2004/05 | 2005/06 | 2006/07 | 2007/08 |
|--------------------|---------|---------|---------|---------|---------|
| (i) Roman Catholic | 15      | 20      | 35      | 40      | 45      |
| (ii) Protestant    | 10      | 5       | 5       | 5       | 5       |

**Source:** Higher Education Statistics Agency (HESA)

**Notes:**

- (1) Figures have been rounded to the nearest 5.
- (2) The latest available data are for 2007/08.
- (3) Information on religion at St.Mary's University College is only collected for NI domiciled students.
- (4) Religious affiliation is not a mandatory question and therefore can have a high non-response rate. For the period covered above, the non-response rate ranged from 6% to 34%.

### Stranmillis College: Post-graduate Places

**Mr A Ross** asked the Minister for Employment and Learning how many people from a Roman Catholic background were accepted for post-graduate places at Stranmillis College, in each of the last five years.

(AQW 3107/10)

**Minister for Employment and Learning:** The number of NI domiciled first year students enrolled on postgraduate courses at Stranmillis University College from a Roman Catholic background, in each of the last five academic years, and for whom religion is known is detailed in the table below:

|                | Allocated | 2004/05 | 2005/06 | 2006/07 | 2007/08 |
|----------------|-----------|---------|---------|---------|---------|
| Roman Catholic | 20        | 15      | 20      | 15      | 15      |

**Source:** Higher Education Statistics Agency (HESA)

**Notes:**

- (1) Figures have been rounded to the nearest 5.
- (2) The latest available data are for 2007/08.
- (3) Information on religion at Stranmillis University College is only collected for NI domiciled students.
- (4) Religious affiliation is not a mandatory question and therefore can have a high non-response rate. For the period covered above, the non-response rate ranged from 2% to 40%.

### Home Student University Fees

**Mrs I Robinson** asked the Minister for Employment and Learning if his Department plans to increase home student university fees after 2010.

(AQW 3118/10)

**Minister for Employment and Learning:** A review of tuition fees and student finance arrangements in Northern Ireland is currently underway chaired independently by Joanne Stuart, the current chair of the Institute of Directors (Northern Ireland Division). A steering group has been established to ensure stakeholder interests are represented as part of this review. Membership of this group includes, amongst others, Queen's University and the University of Ulster.

I have recently received the chairperson's interim report and I am currently considering its findings. I look forward to bringing my interim recommendations to the Committee for Employment and Learning and other stakeholders in due course.

However, a final report cannot be prepared until enrolment data on a three year cohort of students becomes available in January 2010. Following this, a full public consultation exercise on future student finance policy for Northern Ireland is scheduled for early 2010.

### Home Student University Fees

**Mrs I Robinson** asked the Minister for Employment and Learning if he has had any discussions with Queen's University or the University of Ulster about increasing home student university fees.

(AQW 3119/10)

**Minister for Employment and Learning:** A review of tuition fees and student finance arrangements in Northern Ireland is currently underway chaired independently by Joanne Stuart, the current chair of the Institute of Directors (Northern Ireland Division). A steering group has been established to ensure stakeholder interests are represented as part of this review. Membership of this group includes, amongst others, Queen's University and the University of Ulster.

I have recently received the chairperson's interim report and I am currently considering its findings. I look forward to bringing my interim recommendations to the Committee for Employment and Learning and other stakeholders in due course.

However, a final report cannot be prepared until enrolment data on a three year cohort of students becomes available in January 2010. Following this, a full public consultation exercise on future student finance policy for Northern Ireland is scheduled for early 2010.

## Overseas Students

**Dr S Farry** asked the Minister for Employment and Learning how many overseas students enrolled in (i) universities; and (ii) Further Education Colleges in each of the last five academic years. (AQW 3134/10)

**Minister for Employment and Learning:** The number of overseas students enrolled in (i) Northern Ireland Higher Education institutions (NI HEIs); and (ii) Northern Ireland Further Education Colleges (NI FECs), in each of the last five academic years, is detailed in the table below:

|              | 2003/04 | 2004/05 | 2005/06 | 2006/07 | 2007/08 |
|--------------|---------|---------|---------|---------|---------|
| (i) NI HEIs  | 1,370   | 1,415   | 1,380   | 1,380   | 1,310   |
| (ii) NI FECs | 145     | 159     | 140     | 160     | 129     |

**Source:** Higher Education Statistics Agency (HESA) and Further Education Statistical Record (FESR)

**Notes:**

- (1) HESA figures have been rounded to the nearest 5
- (2) The latest available data are for 2007/08.
- (3) Overseas students are defined as those students who are domiciled outside the EU.

## Refusal of Visas

**Dr S Farry** asked the Minister for Employment and Learning how many overseas applicants have not accepted places (i) in universities; and (ii) in Further Education Colleges, due to the refusal of visas, in each of the last five academic years. (AQW 3135/10)

**Minister for Employment and Learning:** Responsibility for issuing visas to facilitate overseas applicants to study at higher and further education institutions in Northern Ireland lies with the United Kingdom Border Agency. As they do not provide information on visa refusals for individual cases to Northern Irish Universities, University Colleges, Further Education Colleges or the Department it is not possible to provide the data requested.

## Entry Visas for Students wishing to Study in Northern Ireland

**Dr S Farry** asked the Minister for Employment and Learning what actions his Department is taking to liaise with British Embassies and High Commissions to ensure the processing of entry visas for students wishing to study in Northern Ireland universities and colleges. (AQW 3136/10)

**Minister for Employment and Learning:** Non-European Union students wishing to study at Further and Higher Education institutions in Northern Ireland must apply for entry under the United Kingdom (UK) Border Agency's Tier Four Points Based System.

It is the responsibility of the UK Border Agency to process visas for students applying under Tier Four. Visa acceptance and refusal is at the sole discretion of the UK Border Agency and is dependant upon students meeting the full requirements of the Immigration Rules and the Points Based System.

Although immigration is not a devolved matter my Department is kept fully informed of all policy developments regarding the Tier Four system by the UK Border Agency and will where appropriate liaise with colleagues and stakeholders in other UK administrations.



### Stranmillis College: Post-graduate Places

**Mr A Ross** asked the Minister for Employment and Learning how many people from a Protestant background were accepted for post-graduate places at Stranmillis College, in each of the last five years (AQW 3142/10)

**Minister for Employment and Learning:** The number of NI domiciled first year students enrolled on postgraduate courses at Stranmillis University College from a Protestant background, in each of the last five academic years, and for whom religion is known is detailed in the table below:

|            | 2003/04 | 2004/05 | 2005/06 | 2006/07 | 2007/08 |
|------------|---------|---------|---------|---------|---------|
| Protestant | 25      | 35      | 35      | 40      | 30      |

**Source:** Higher Education Statistics Agency (HESA)

**Notes:**

- (1) Figures have been rounded to the nearest 5
- (2) The latest available data are for 2007/08.
- (3) Information on religion at Stranmillis University College is only collected for NI domiciled students.
- (4) Religious affiliation is not a mandatory question and therefore can have a high non-response rate. For the period covered above, the non-response rate ranged from 2% to 40%.

### Further and Higher Education

**Mr P Ramsey** asked the Minister for Employment and Learning to outline (i) the number of annual taught hours required for a full-time course in Further and Higher Education; (ii) the number of teaching hours, per full-time course, funded by the Department; (iii) whether students at the Belfast Metropolitan College are receiving their full-time complement of taught hours; and (iv) whether time allocated to pastoral care and essential skills is separately funded by his Department; and (v) whether these hours should count towards the number of annual taught hours required for a full-time course. (AQW 3210/10)

**Minister for Employment and Learning:**

- (i) For recurrent grant funding purposes, a minimum of 450 hours per academic year is required for full time study. A student studying full time provision is in attendance for at least 15 hours and at least 7 morning/afternoon sessions per week, or for more than 21 hours per week with no sessional requirement.
- (ii) The full time programme is not funded on the basis of hours but on the basis of continuing attendance at specified threshold dates through the academic year, in November, February and May.
- (iii) Belfast Metropolitan College has advised that students are receiving their full time complement of taught hours.
- (iv) Essential Skills provision is also funded through the recurrent block grant and is funded separately from other provision. Pastoral care is integral to any college delivery and is not factored into a student's eligible hours in regard to funding.
- (v) Essential Skills hours are funded over and above other provision. Pastoral care arrangements are not timetabled and Further Education Colleges provide access to a wide range of pastoral care initiatives for their students and staff, alongside delivery of provision.

### Students Studying GCSE, A Level, BTEC and GNVQ

**Mr P Ramsey** asked the Minister for Employment and Learning whether students studying (i) GCSE; (ii) A Level; (iii) BTEC; and (iv) GNVQ courses are receiving the teaching hours in Colleges of Further and Higher Education recommended by the various examination bodies. (AQW 3211/10)

**Minister for Employment and Learning:** To meet the needs of learners and employers effectively, Further Education Colleges base the majority of their provision on qualifications that are accredited to the National Database of Accredited Qualifications (NDAQ). Guided Learning Hours are given for each qualification on NDAQ and colleges are required to adhere to these criteria.

NDAQ qualifications are a benchmark of quality. These qualifications meet the stringent quality criteria devised and agreed by the regulatory authorities for qualifications in England, Wales and Northern Ireland. It is the responsibility of the awarding organisation to ensure that learning centres such as the FE Colleges are delivering their qualifications in accordance with their awarding criteria.

### Deane Efficiency Award

**Mr D Bradley** asked the Minister for Employment and Learning, in relation to the present impasse on the exclusion of Principal Lecturers and Heads of Departments from the Deane Efficiency Award (i) how was this position reached; (ii) at what stage did the employers' side become aware that Principal Lecturers and Heads of Department were going to be excluded; (iii) why were union members and non-union members not informed of this decision in any written communications; and (iv) how does his Department intend to address this situation to ensure that staff are not treated inequitably. (AQW 3236/10)

**Minister for Employment and Learning:** I understand that, in March 2009, the Further Education College Employers tabled a pay offer to the lecturers' trade unions which was subsequently accepted. The detailed terms of this agreement are a matter for the employers' and the lecturers' trade unions. The Department's main role was to ensure that the pay proposals complied with public sector pay policy.

It is a matter for the respective parties, through the established consultation arrangements, to resolve any dispute relating to the implementation of the pay settlement.

### People with Haemophilia

**Lord Morrow** asked the Minister for Employment and Learning what measures are in place to ensure that people with Haemophilia, who are fit to work are given equal employment opportunities. (AQW 3247/10)

**Minister for Employment and Learning:** The Department offers a range of pre-employment and employment programmes to help people access employment. In addition to a range of mainstream programmes, a number of programmes are focused specifically on assisting people with disabilities including Haemophilia.

The particular programme that is appropriate for each individual is discussed and agreed with a Pathways Personal Adviser based in local Jobs and Benefits Offices/Jobcentres across Northern Ireland.

## DEPARTMENT OF ENTERPRISE, TRADE AND INVESTMENT

### Ten-day Prompt Payment Scheme

**Dr S Farry** asked the Minister of Enterprise, Trade and Investment what action she is taking to ensure that the 10-day prompt payment scheme is passed on to sub-contractors by businesses who are receiving direct payments from the Department, and its related public bodies. (AQW 3103/10)

**Minister of Enterprise, Trade and Investment (Mrs A Foster):** The Department of Enterprise, Trade and Investment (DETI) strives to pay all invoices within 10 days from date of receipt. The 10 day prompt payment pledge is a government initiative and at the request of the Minister of Finance and Personnel, NICS Departments are encouraged to pay suppliers within 10 days of receipt of a valid invoice. However this is not a contractual requirement.

With regard to the construction industry, a working group established by the Department of Finance and Personnel will consider expanding the 'Code of Practice for Government Construction Clients and their Supply Chains' to include a 'Fair Payment Charter.' These proposals, which are to be developed by December 2009, will seek to ensure that contractors and subcontractors benefit from fair and transparent payment practices.

In relation to the non-construction industry, under Late Payment of Commercial Debt Regulations 2002 payment of all sums due to be made by the main contractor to subcontractors is required within a specified period not exceeding 30 days from the receipt of a valid invoice.

## Research and Development

**Mr S Hamilton** asked the Minister of Enterprise, Trade and Investment how much has been invested in research and development in companies (i) by her Department; and (ii) by other sources in each of the last five years. (AQW 3117/10)

**Minister of Enterprise, Trade and Investment:** In each of the last five years there has been significant investment in Research and Development (R & D) in companies by my Department through a range of financial assistance and incentives to support the development of new products and processes. The figures for total investment for each of the five years are set out below:

|         |         |
|---------|---------|
| 2004/05 | £43.79m |
| 2005/06 | £26.22m |
| 2006/07 | £36.19m |
| 2007/08 | £41.08m |
| 2008/09 | £55.71m |

Companies can also access R&D funding from InterTradeIreland, The Technology Strategy Board and The EU Framework Programme but my Department would not hold a record of the level of funding going into companies from these sources. I can state that in the region of 15million euro has been allocated to NI organisations from the EU Framework Programme 7 (FP7) since it started in 2007.

## Enterprise Finance Guarantee Scheme

**Mr S Gardiner** asked the Minister of Enterprise, Trade and Investment (i) how many businesses have received assistance under the Enterprise Finance Guarantee Scheme since its inception; and (ii) how much has been spent on it. (AQW 3191/10)

**Minister of Enterprise, Trade and Investment:** Since the launch, in January 2009, of the Government's Enterprise Finance Guarantee, 6,855 businesses across the United Kingdom have received offers of loans under the scheme, with 5,643 businesses having drawn down the loans. 72 businesses in Northern Ireland have received offers, with 59 businesses having drawn down the loans. The total value of loans drawn down for Northern Ireland is £11.12m.

## Broadband Fund

**Mr P Doherty** asked the Minister of Enterprise, Trade and Investment how many (i) households; and (ii) businesses have received broadband as a result of the Broadband Fund. (AQW 3289/10)

**Minister of Enterprise, Trade and Investment:** We are currently supporting 3 projects under the Broadband Fund which are developing new, or extending existing, fixed wireless networks. This infrastructure will increase the range of options available to both residential and business customers seeking a broadband service. However take-up of services will be a matter of choice for such consumers as commercial services become available.

The take-up information is not held by my Department as the emphasis of these projects is on development of infrastructure and not the delivery of services per se.

## Broadband Fund

**Mr P Doherty** asked the Minister of Enterprise, Trade and Investment, excluding customers who previously a received satellite service from BT, how many households and businesses have received broadband as a result of the Broadband Fund broken down by each County. (AQW 3290/10)

**Minister of Enterprise, Trade and Investment:** We are currently supporting 3 projects under the Broadband Fund which are developing new, or extending existing fixed wireless networks. This infrastructure will increase the range of options available to both residential and business customers seeking a broadband service. However take-up of services will be a matter of choice for such consumers as commercial services become available.

The take-up information is not held by my Department as the emphasis of these projects is on development of infrastructure and not the delivery of services per se.

### Broadband Fund

**Mr P Doherty** asked the Minister of Enterprise, Trade and Investment (i) why companies awarded funding through the Broadband Fund are charging over-priced tariffs compared with ADSL broadband; and (ii) for her assessment of the speed and reliability of the technology being offered through the Broadband Fund compared with ADSL broadband. (AQW 3293/10)

**Minister of Enterprise, Trade and Investment:**

- (i) The UK telecommunications market is fully competitive and regulated nationally by OFCOM. Under the Broadband Fund my Department is investing in the development of infrastructure that will provide options for users seeking access to broadband services. It is appropriate that the market sets the pricing for these services.
- (ii) My Department has not specified any preferred technology under the Broadband Fund and in fact to do so might constitute unacceptable State Aid. To date the market has responded to calls for proposals under the Fund by identifying WIMAX Fixed Wireless Services as the most appropriate for provision of services in the most rural parts of Northern Ireland. A range of options from 1Mbps to 100Mbps dedicated point to point solutions can be delivered by this regulated technology which is deployed globally to provide high bandwidth.

### Broadband Fund

**Mr P Doherty** asked the Minister of Enterprise, Trade and Investment, given that most European satellite broadband providers do not offer varying speed packages, but instead base their pricing models on monthly usage (i) for her assessment of the various price tariffs being offered by Avanti Communications to customers in Northern Ireland; and (i) what action she intends to take to introduce pricing models based on monthly usage allowance and to deliver upon the services her Department has promised. (AQW 3294/10)

**Minister of Enterprise, Trade and Investment:** The telecommunications market is privatised and regulated nationally by Ofcom. Investment decisions in the delivery and pricing of services are typically made by the private sector service providers. DETI has made investments in the marketplace to deliver networks or improve their extent, quality and reliability where it notes underlying market failure.

The contract between DETI and Avanti Communications was put in place to counter a market failure in the delivery of broadband services to those living and working in rural areas but unable to access broadband services via a fixed-line solution. The contract was awarded following an open and competitive, European-wide tendering process. In issuing the tender the Department maintained its technology neutral stance and it was the industry that decided that satellite remained the optimum solution for providing broadband services to those areas of Northern Ireland where a fixed-line broadband solution is not viable due to distance from the exchange. The tender bids also established the pricing mechanism on the basis of return on investment.

Prices for services under the contract start at £24.47 per month and £74.75 for installation. These compare extremely favourably with the cost of similar services available under normal commercial conditions elsewhere in the United Kingdom, which are estimated, on average to be approximately £70 per month, with an installation charge of £1,400. Furthermore, the prices charged under the contract with Avanti are marginally cheaper than those levied under the previous contract with BT, which capped the cost for a 512kbps service at £27 per month.

DETI has no plans, nor indeed the remit, to introduce pricing models based on monthly usage allowance.



## DEPARTMENT OF THE ENVIRONMENT

### Taxi Expenditure

**Mr T Lunn** asked the Minister of the Environment how much his Department has spent on taxis in each of the last five years. (AQW 2457/10)

**Minister of the Environment (Mr E Poots):** The table below gives details of my Department's expenditure on taxis for each of the last 5 years. This expenditure relates only to the payment of invoices to taxi companies. Expenditure in relation to taxi fares claimed by staff through travel claims cannot be provided except at disproportionate cost. The figures for 2004-05 and 2005-06 exclude expenditure on taxis by DVA Testing as these are not available from the Testing accounting system. Furthermore, the figure for 2004-05 includes a small element of expenditure in relation to bus fares however this figure also cannot be quantified except at disproportionate cost.

| Taxi expenditure | 2004/05<br>£ | 2005/06<br>£ | 2006/07<br>£ | 2007/08<br>£ | 2008/09<br>£ |
|------------------|--------------|--------------|--------------|--------------|--------------|
| Total            | 4,488        | 5,135        | 7,187        | 4,881        | 5,579        |

### Ten-day Prompt Payment Scheme

**Dr S Farry** asked the Minister of the Environment what action he is taking to ensure that the 10-day prompt payment scheme is passed on to sub-contractors by businesses who are receiving direct payments from the Department and its related public bodies. (AQW 3080/10)

**Minister of the Environment:** Payment within 10 days is not a binding requirement in Government contracts. However, for construction contracts, procured through the Central Procurement Directorate, main contractors are required to comply with the 'Code of Practice for Government Construction Clients and their Supply Chains'. The Code sets out the core principles that should govern the behaviour of clients, contractors and subcontractors, including the need for fair dealing within the supply chain.

Principle 3 of the Construction Industry Forum for Northern Ireland Procurement Task Group (PTG) Report recognises that enterprises have the opportunity to benefit from participation in Government contracts either as a main contractor or as a subcontractor. A PTG Working Group is currently considering the expansion of the 'Code of Practice for Government Construction Clients and their Supply Chains' to include a 'Fair Payment Charter' and to include a requirement that first tier subcontractors provide feedback directly to the Government Construction Client on monthly payment progress from the main contractor to the supply chain. The proposals, to be developed by December 2009, will seek to ensure that main contractors pass on the benefits of prompt payment to subcontractors.

Supplies and services contracts also require main contractors to enter into subcontracts on the same terms and conditions as the main contract. Central Procurement Directorate is currently considering if the approach taken in construction contracts would be practicable in supplies and services contracts.

### Driver and Vehicle Agency Enforcement Testing Operations

**Mr A McQuillan** asked the Minister of the Environment to detail the number of enforcement testing operations conducted by the Driver and Vehicle Agency on goods vehicles, buses and taxis, in each town, in each of the last six months. (AQW 3082/10)

**Minister of the Environment:** The Driver & Vehicle Agency (DVA) has primary responsibility for regulating the goods vehicle, bus and taxi industries within Northern Ireland. During the period 1 June 2009 to 19 November 2009, DVA enforcement officers carried out a total of 132 enforcement operations on goods vehicles, buses and taxis.

The detail of the locations and operational type per month are set out below.

**JUNE 2009**

| Location/Area  | Type  | Number of Operations |
|----------------|-------|----------------------|
| Moirra         | Goods | One                  |
| Ballymoney     | Goods | One                  |
| Carryduff      | Goods | One                  |
| Kesh           | Goods | Two                  |
| Strabane       | Goods | Two                  |
| Newtownstewart | Goods | One                  |
| Portadown      | Goods | One                  |
| Dungiven       | Goods | One                  |
| Feeny          | Goods | One                  |
| Cookstown      | Goods | One                  |
| Lisburn        | Goods | Three                |
| Ballymena      | Goods | Four                 |
| Craigavon      | Goods | Two                  |
| Newry          | Goods | Two                  |
| Mallusk        | Goods | One                  |
| Larne          | Goods | Two                  |
| Dungannon      | Goods | One                  |
| Toome          | Goods | One                  |
| Coleraine      | Goods | Two                  |
| Londonderry    | Goods | One                  |
| Armagh         | Goods | One                  |
| Enniskillen    | Goods | Two                  |
| Belcoo         | Goods | One                  |
| Moneymore      | Goods | One                  |
| Newry          | Bus   | One                  |

**JULY 2009**

| Location/Area | Type  | Number of Operations |
|---------------|-------|----------------------|
| Maghera       | Goods | One                  |
| Moneymore     | Goods | Two                  |
| Toome         | Goods | Three                |
| Cookstown     | Goods | Two                  |
| Enniskillen   | Goods | One                  |
| Strabane      | Goods | One                  |
| Coleraine     | Goods | Three                |
| Dundrum       | Goods | One                  |
| Ballygawley   | Goods | One                  |
| Lisburn       | Goods | One                  |
| Ballymena     | Goods | One                  |

| Location/Area | Type  | Number of Operations |
|---------------|-------|----------------------|
| Ballynahinch  | Goods | One                  |
| Nutts Corner  | Goods | One                  |
| Kesh          | Goods | One                  |
| Belfast       | Taxi  | Two                  |
| Belfast       | Bus   | One                  |

**AUGUST 2009**

| Location/Area | Type  | Number of Operations |
|---------------|-------|----------------------|
| Craigavon     | Goods | One                  |
| Toome         | Goods | One                  |
| Ballymena     | Goods | One                  |
| Omagh         | Goods | One                  |
| Cookstown     | Goods | One                  |
| Lisburn       | Goods | One                  |
| Larne         | Goods | One                  |
| Nuttscorner   | Goods | One                  |
| Londonderry   | Goods | Three                |
| Belfast       | Goods | One                  |
| Omagh         | Goods | One                  |
| Enniskillen   | Goods | One                  |
| Belfast       | Taxi  | Sixteen              |
| Londonderry   | Taxi  | One                  |
| Antrim        | Taxi  | Two                  |
| Magherafelt   | Taxi  | One                  |
| Bangor        | Taxi  | One                  |
| Craigavon     | Taxi  | One                  |
| Omagh         | Taxi  | One                  |

**SEPTEMBER 2009**

| Location/Area | Type  | Number of Operations |
|---------------|-------|----------------------|
| Craigavon     | Goods | One                  |
| Newry         | Goods | Two                  |
| Belfast       | Goods | Three                |
| Coleraine     | Goods | One                  |
| Nuttscorner   | Goods | One                  |
| Larne         | Goods | One                  |
| Lisburn       | Goods | Three                |
| Ballymena     | Goods | One                  |
| Ballymoney    | Taxi  | One                  |
| Newry         | Taxi  | One                  |
| Lisburn       | Taxi  | Three                |

| Location/Area | Type | Number of Operations |
|---------------|------|----------------------|
| Belfast       | Taxi | Five                 |
| Londonderry   | Taxi | Four                 |
| Strabane      | Taxi | One                  |
| Cookstown     | Taxi | One                  |
| Dungannon     | Taxi | One                  |
| Portrush      | Taxi | One                  |
| Enniskillen   | Taxi | One                  |
| Ballymena     | Taxi | One                  |
| Armagh        | Taxi | One                  |
| Magherafelt   | Taxi | One                  |

**OCTOBER 2009**

| Location/Area | Type  | Number of Operations |
|---------------|-------|----------------------|
| Lisburn       | Goods | Two                  |
| Cookstown     | Goods | Two                  |
| Larne         | Goods | One                  |
| Nuttscorner   | Goods | Three                |
| Lurgan        | Goods | One                  |
| Omagh         | Goods | Two                  |
| Londonderry   | Goods | Two                  |
| Belfast       | Goods | Two                  |
| Newtownards   | Goods | One                  |
| Coleraine     | Taxi  | One                  |
| Belfast       | Taxi  | Nine                 |
| Craigavon     | Taxi  | One                  |
| Newry         | Taxi  | Two                  |
| Antrim        | Taxi  | Two                  |
| Lisburn       | Taxi  | Two                  |
| Larne         | Taxi  | Two                  |
| Magherafelt   | Taxi  | One                  |
| Londonderry   | Taxi  | Two                  |
| Armagh        | Taxi  | One                  |
| Bangor        | Taxi  | One                  |
| Enniskillen   | Taxi  | One                  |
| Carrickfergus | Taxi  | One                  |
| Strabane      | Taxi  | One                  |
| Magherafelt   | Bus   | One                  |
| Newry         | Bus   | One                  |



**NOVEMBER 2009**

| Location/Area | Type  | Number of Operations |
|---------------|-------|----------------------|
| Lisburn       | Goods | Three                |
| Nuttscorner   | Goods | One                  |
| Limavady      | Goods | One                  |
| Omagh         | Goods | One                  |
| Craigavon     | Goods | One                  |
| Londonderry   | Goods | One                  |
| Londonderry   | Taxi  | Three                |
| Belfast       | Taxi  | Eight                |
| Lisburn       | Taxi  | Two                  |
| Newtownabbey  | Taxi  | Three                |
| Coleraine     | Taxi  | Two                  |
| Banbridge     | Taxi  | One                  |
| Newry         | Taxi  | Two                  |
| Craigavon     | Taxi  | One                  |
| Armagh        | Taxi  | One                  |
| Portadown     | Taxi  | One                  |

**Illegal Bus Operators**

**Mr R McCartney** asked the Minister of the Environment how many illegal bus operators have been (i) apprehended; and (ii) charged since the restoration of devolution. (AQW 3115/10)

**Minister of the Environment:** During the period April 2007 to September 2009, the Driver & Vehicle Agency carried out spot checks on 903 buses and coaches resulting in 281 operators being reported with a view to prosecution.

**Illegal Bus Operators**

**Mr R McCartney** asked the Minister of the Environment how many illegal bus operators have been (i) apprehended; and (ii) charged since the restoration of devolution in (a) the Foyle constituency; and (b) the West Tyrone constituency. (AQW 3116/10)

**Minister of the Environment:** During the period April 2007 to September 2009, DVA enforcement officers carried out compliance checks on 903 buses and coaches, and as a result 281 operators were reported with a view to prosecution.

A breakdown of these figures by constituency is not available. However, 50 of the operators reported were based in County Londonderry and 43 in County Tyrone.

**Slurry Tanks**

**Mr P J Bradley** asked the Minister of the Environment what concessions his Department will give to farmers to permit them to empty slurry tanks that have overflowed with rainwater during the closed season for spreading. (AQW 3124/10)

**Minister of the Environment:** The Nitrates Action Programme Regulations (NI) 2006 (the 'NAP Regulations') stipulate that all farmers in Northern Ireland cannot apply organic manures to land, except for farmyard manure and dirty water, between 15 October and 31 January. The Northern Ireland Environment Agency (NIEA) is the

competent authority for enforcement of the environmental aspects of the legislation including compliance with the closed period. In order to comply with this, the Nap Regulations also require farmers to put in place sufficient storage capacity for organic manure. In addition, farmers need to ensure that their storage capacity is sufficient to meet periods of adverse weather conditions.

Under exceptional circumstances, beyond the control and not foreseeable by the farmer, such as disease control restrictions, a defence can be made for non-compliance with some of the Regulations. This defence would have to be considered by NIEA on a case-by-case basis and would require a farmer to demonstrate that he had taken all reasonable steps to manage the situation and meet the terms of the legislation. Rainfall entering slurry tanks would not normally satisfy the criteria for exceptional circumstances since farmers should have taken account of this when considering their livestock manure storage capacity.

Whilst NIEA cannot alter the dates of the closed spreading period for organic manure, it will continue to work with farmers in a proportionate and consistent manner within the terms of the legislation.

## Road Deaths and Injuries

**Mr J Shannon** asked the Minister of the Environment, as road fatalities increase, to outline the steps his Department is taking to reduce road deaths and injuries. (AQW 3141/10)

**Minister of the Environment:** The number of road deaths in Northern Ireland so far this year is 107, compared to 101 for the same period last year. Although there is an increase in road deaths at this stage this year, compared to last year's figures, a year on year comparison could be potentially misleading, and it may be better to look at the trend over a 5-10 year period. In 1998, a total of 160 people were killed. In 2003 this had dropped to 150 and in 2008 to 107.

Progress over the six years since the introduction of the road safety strategy has been significant, with an overall reduction in road deaths of around 29%. The 2008 figure was also the lowest since records began in 1931.

Most of the targets/objectives have been achieved and it is for this reason that I am introducing a new Road Safety Strategy two years ahead of schedule.

Consultation on the development of a new road safety strategy for Northern Ireland will begin in the first quarter of 2010. The work currently ongoing includes the development of challenging new casualty reduction targets which will provide the necessary focus to achieve further significant reductions in road deaths and serious injuries over the coming years.

A number of research and statistical investigations into road safety in Northern Ireland are nearing completion and will also inform the development of the new strategy.

Officials have engaged extensively with road safety partners and other interested parties in developing possible new measures to improve safety on our roads. These measures, along with the reports mentioned above, will help inform the upcoming public consultation on the way forward.

In the meantime the Department will continue to deliver on the key responsibility of working towards further reducing the number of people killed or seriously injured on our roads each year. This will involve making all road users, drivers and pedestrians alike, aware of their vulnerability on our roads, their responsibilities towards themselves and other road users, and by influencing their attitudes and behaviours when using, or thinking of using, the roads.

The road safety advertising and publicity strategy will continue to deliver a broad mix of messages to all road users, with both existing and new campaigns.

Advertising campaigns address road traffic collision causation factors including speeding, drink driving, driver and pedestrian inattention, and driving under the influence of drugs, as well as injury severity factors, such as failure to wear a seat belt. Campaigns have also been developed to raise awareness among young people of the dangers they face on the roads and also to highlight the increased risk all road users face on the roads over weekend periods.

The Department's Road Safety Education Officers (RSEOs) promote and deliver road safety education in schools throughout Northern Ireland in line with the Department for Transport Best Practice Guidelines.

Following public consultation earlier this year we are currently working to develop a range of measures to tackle drink driving including reducing drink drive limits, introducing random breath testing and revising the penalties for drink drive offences.

Beginning in early 2010 we will implement a long-term programme of measures to strengthen the way that people learn to drive and are tested and to embed a culture of continued and lifelong learning. Planned initial changes include improvements to the learning process for pre-drivers and to the theory and practical driving tests.

The Department will consult, in 2010, on proposals to reform the 45mph speed limit for learner and restricted drivers and to introduce a range of potential graduated driver licensing measures designed to limit the risk exposure of novice drivers while they gain experience.

Although any downward trend in road deaths is to be welcomed, the 107 fatalities for 2009 confirms that there are still too many people dying on our roads and that we cannot be complacent. My Department will continue to do all in its power to ensure the downward trend in road deaths continues.

### **Cherished Number Plates: Sale of**

**Mr A Ross** asked the Minister of the Environment how much revenue has been generated from the Driver and Vehicle Licensing sale of cherished number plates in each of the last five years. (AQW 3143/10)

**Minister of the Environment:** Vehicle licensing is an excepted matter which is the responsibility of the Secretary of State for Transport. It is administered in Northern Ireland by the Driver & Vehicle Agency under a formal agreement between DoE and the Department for Transport.

The revenue generated from the sale of registration marks in each of the last five years is set out in the table below. The figures include the £80 assignment fee payable for each mark purchased and VAT on the purchase price.

| <b>Year</b> | <b>£</b>  |
|-------------|-----------|
| 2004/05     | 1,643,657 |
| 2005/06     | 1,879,321 |
| 2006/07     | 1,948,783 |
| 2007/08     | 1,963,955 |
| 2008/09     | 1,289,255 |

As this is an excepted matter, all revenue from the sale of registration marks is remitted to HM Treasury.

### **Reform of Public Administration**

**Mr S Gardiner** asked the Minister of the Environment when the current level of expenditure on the Reform of Public Administration will begin to save the taxpayer money. (AQW 3154/10)

**Minister of the Environment:** Current expenditure on Reform of Public Administration by my Department is £6.96m, this relates to the preparation work in relation to the local government reform programme.

The PricewaterhouseCoopers (PwC) Economic Appraisal on Local Government Service Delivery in its entirety indicates that under the preferred option 'Transformation within Regional Collaboration', the local government reform programme will require an initial investment of £118m. The programme will begin to realise a reduction in operating costs by 2013-14, with the break-even point in terms of return on the initial investment by 2016-17.

### **Reform of Public Administration**

**Mr S Gardiner** asked the Minister of the Environment to detail (i) how much has been spent to date; and (ii) how much is still planned to be spent on implementing the Reform of Public Administration. (AQW 3155/10)

**Minister of the Environment:**

- (i) To the end of October 2009 my Department has spent £6.96 million on taking forward the Review of Public Administration.
- (ii) The projected expenditure for the remainder of the 2009/2010 financial year is £2.7m. The overall programme includes projected savings of £438million over a 25-year period for an initial investment of £118million.

### George Best Belfast City Airport

**Mr B Wilson** asked the Minister of the Environment if there is evidence that the noise level at George Best Belfast City Airport has exceeded the contour limit set in the 2008 Planning Agreement, and if so, what steps his Department intends to take to enforce the agreed limit. (AQW 3158/10)

**Minister of the Environment:** The requirement of the 2008 Planning Agreement for my Department and George Best Belfast City Airport to agree an indicative noise contour has not yet been finalised and therefore there is no agreed limit. The noise issue in general is currently being considered in the context of the current planning application to extend the runway.

### Oil Stamp Savings Scheme

**Mr I McCrea** asked the Minister of the Environment (i) which councils have introduced the Oil Stamp Savings Scheme; and (ii) the amount of savings generated since its inception. (AQW 3214/10)

**Minister of the Environment:** Eight councils have introduced the Oil Stamp Savings Scheme. Although there are no tangible monetary savings, this scheme benefits those vulnerable to fuel poverty as it helps them to budget for their oil bills.

### Lough Neagh and Lower Bann Advisory Committees

**Mr D Kinahan** asked the Minister of the Environment for his assessment of the role of the Lough Neagh and Lower Bann Advisory Committees and their future funding arrangements. (AQW 3237/10)

**Minister of the Environment:** The Lough Neagh and Lower Bann Advisory Committees have made a significant contribution to the management and development of the Lough Neagh and Lower Bann waterways.

My Department has provided financial support to the Committees since their formation in the early nineties. I understand however that a number of District Councils have recently indicated that they are no longer in a position to provide support for the Committees beyond March 2010. I regret that my Department is unable to make up any shortfall in view of existing commitments and constraints on its budget.

### Cost for an Archaeological Report

**Mr J Shannon** asked the Minister of the Environment why, when applying for planning permission for a waste disposal area, the cost for an archaeological report is a flat fee regardless of the size of land involved; and for his assessment as to whether this method of costing is fair. (AQW 3263/10)

**Minister of the Environment:** Waste management proposals may have an impact on archaeologically sensitive sites. To fully assess the impact of this type of development and other development proposals on archaeologically sensitive areas Planning Service will carry out consultation with NIEA.

Further to the consultation process, Planning Service may require as a condition of planning approval that an archaeological report is submitted to and approved in writing by the Department before any development takes place. This is to ensure that any archaeological remains exposed are properly evaluated. The cost of the survey carried out is a private contractual matter between the developer and the person(s) appointed to carry this out.



### Driving Tests

**Mr T Burns** asked the Minister of the Environment how many times an individual has failed (i) a car driving test; (ii) a motorcycle driving test; or (iii) a HGV driving test (a) once; (b) twice; (c) three times; (d) four times; and (e) five or more times in the past five years. (AQW 3303/10)

**Minister of the Environment:** The table below details the number of failed driving tests for cars, motorcycles and HGVs in the past five years broken down into the number of first, second, third, fourth and fifth or more attempts.

| Test Category                                  | Year    | Failed 1st Time | Failed 2nd Time | Failed 3rd Time | Failed 4th Time | Failed 5th Time or more |
|--|---------|-----------------|-----------------|-----------------|-----------------|-------------------------|
| Motorcycle<br>(Over 120cc and less than 125cc) | 2004/05 | 405             | 89              | 9               | 0               | 0                       |
|  | 2005/06 | 488             | 114             | 24              | 8               | 1                       |
|  | 2006/07 | 522             | 103             | 16              | 3               | 0                       |
|  | 2007/08 | 684             | 160             | 31              | 9               | 1                       |
|  | 2008/09 | 675             | 149             | 38              | 11              | 4                       |
| Light Motorcycle<br>(75cc to 120cc)            | 2004/05 | 1               | 0               | 0               | 0               | 0                       |
|  | 2005/06 | 1               | 0               | 0               | 0               | 0                       |
|  | 2006/07 | 1               | 0               | 0               | 0               | 0                       |
|  | 2007/08 | 1               | 0               | 0               | 0               | 0                       |
|  | 2008/09 | 0               | 0               | 0               | 0               | 0                       |
| Car  | 2004/05 | 13907           | 5048            | 1591            | 448             | 190                     |
|  | 2005/06 | 17655           | 7018            | 2583            | 867             | 379                     |
|  | 2006/07 | 13525           | 9900            | 4735            | 1992            | 1330                    |
|  | 2007/08 | 15256           | 11067           | 5533            | 2374            | 1749                    |
|  | 2008/09 | 14744           | 11126           | 5839            | 2608            | 1981                    |
| Large Goods Vehicles (over 7500kg)             | 2004/05 | 408             | 97              | 14              | 2               | 1                       |
|  | 2005/06 | 540             | 136             | 29              | 5               | 1                       |
|  | 2006/07 | 643             | 187             | 44              | 7               | 2                       |
|  | 2007/08 | 643             | 221             | 58              | 20              | 6                       |
|  | 2008/09 | 599             | 202             | 64              | 25              | 16                      |
| Goods Vehicle<br>(3500kgs to 7500kg)           | 2004/05 | 31              | 1               | 0               | 0               | 0                       |
|  | 2005/06 | 13              | 1               | 0               | 0               | 0                       |
|  | 2006/07 | 14              | 3               | 2               | 0               | 0                       |
|  | 2007/08 | 28              | 5               | 0               | 0               | 0                       |
|  | 2008/09 | 23              | 4               | 2               | 0               | 0                       |

### George Best Belfast City Airport: Seats for Sale

**Mr D Kinahan** asked the Minister of the Environment what measures he intends to take following the acknowledged breach of the 'Seats For Sale' limit by the George Best Belfast City Airport. (AQW 3306/10)

**Minister of the Environment:** The Planning Service has raised the breach of the 'seats for sale' restriction with George Best Belfast City Airport (GBBCA) and a response is awaited.

In addition, GBBCA has formally written to my Department requesting that the 'seats for sale' restriction be removed from the 2008 modified Planning Agreement. The Planning Service is currently taking legal advice with regard to this request.

### Hare Population

**Mr J Shannon** asked the Minister of the Environment at what stage the hare population will warrant being placed on the quarry list. (AQW 3329/10)

**Minister of the Environment:** The Irish Hare is a Game species which receives temporary protection until 31 March 2010, under the current Special Protection Order.

The Species Action Plan (SAP) for the Irish Hare expires in 2010 and future protection for the species will be informed by a review of the SAP. This review will involve a scientific analysis and assessment of overall population trends of the Irish Hare.

### Business Services Organisation

**Mr P McGlone** asked the Minister of the Environment, given that he recently informed the Assembly that he wanted to "deliver efficient government rather than heavily-bureaucratic government", what assurance he can give that the creation of an all-encompassing body, such as the proposed Business Services Organisation, will not be heavily-bureaucratic. (AQO 509/10)

**Minister of the Environment:** I welcome the member raising the question on the delivery of efficient government in relation to the PricewaterhouseCoopers (PwC) economic appraisal and in particular the new regional Business Service Organisation (BSO). The mission of the proposed (BSO) will be to enable "collaborative solutions across local government that will support the optimum use of internal resources to allow a focus on the delivery of front-line services".

PwC suggest that the BSO should be established as a mandatory Joint Committee of all 11 new councils with a Chief Executive and Director team recruited in line with the senior management team for the new councils. The establishment of a Joint Committee is a proven mechanism for ensuring that activities can be taken forward jointly and efficiently while remaining accountable to the councils.

### Local Government: Arbuthnott Review

**Mrs M Bradley** asked the Minister of the Environment whether his Department will consider the findings of Sir John Arbuthnott's 'Clyde Valley Review of Joint Working and Shared Services' once it is published, particularly in relation to lessons that could be applied to assist councils working on a cross-border basis. (AQO 514/10)

**Minister of the Environment:** I welcome the member drawing Sir John Arbuthnott's forthcoming 'Clyde Valley Review of Joint Working and Shared Services' to my attention. I think this is clearly an important piece of work and will no doubt provide further support to our agreed vision of a restructured, strong and dynamic local government working on a collaborative basis. I will therefore be happy to consider all the findings of the review once published.

### Local Government Elections

**Mr F McCann** asked the Minister of the Environment if local council elections will be postponed to 2011. (AQO 515/10)

**Minister of the Environment:** Elections are a matter for the Secretary of State. On 25 April 2008 the Secretary of State announced that he had agreed to a request from my predecessor, Arlene Foster, to postpone the local government elections for two years to May 2011, to enable elections to be held to the new local government structure.

### Belfast Metropolitan Area Plan

**Mr A Easton** asked the Minister of the Environment for an update on the adoption of B Map. (AQO 516/10)

**Minister of the Environment:** The BMAP Public Inquiry concluded in May 2008, and the Planning Appeals Commission (PAC) is currently considering all the information before it prior to completing its report and making its recommendations to the Department.

The PAC has indicated a preliminary timescale for delivery of the report to Planning Service as early summer 2010. Upon receipt of the report, Planning Service will consider the recommendations of the PAC, and the Plan will then be prepared for adoption. Although the date of adoption will be dependent on the date that the PAC Report is received, it is unlikely that the Plan will be adopted before 2011.

### Planning Policy Statement 21

**Mr T Buchanan** asked the Minister of the Environment for an update on the draft PPS21 and when the draft policy will be approved. (AQO 517/10)

**Minister of the Environment:** I have submitted PPS 21 to the Executive for consideration and look forward to publishing it once it has been cleared.

### Northern Ireland Audit Office Report on the Planning Service

**Mr D Kennedy** asked the Minister of the Environment for his assessment of the Northern Ireland Audit Office report on the Performance of the Planning Service. (AQO 518/10)

**Minister of the Environment:** I welcome the Northern Ireland Audit Office report on the performance of the Planning Service. It is timely that we have such a significant stocktake when we are about to enter a period of such transformation for the planning system and for local government which will become responsible for much of the planning system.

As the Member may be aware, the report was the subject of a recent Public Accounts Committee hearing held on 3 December. A considered response to the Committee's report, in the form of a DFP Memorandum of Reply, will be made in due course. It would be inappropriate therefore to offer a more substantive comment until this process has been completed.

### Climate Change Conference, Copenhagen

**Ms S Ramsey** asked the Minister of the Environment if there will be representation from his Department at the Climate Change conference in Copenhagen. (AQO 519/10)

**Minister of the Environment:** Responsibility for international negotiations at the UN Conference on Climate Change falls to the Department of Energy and Climate Change (DECC).

There have been contacts in relation to the UK negotiating position for some time. I have recently written to Ed Miliband, Secretary of State for DECC. I encouraged him to seek ambitious targets for developed countries, pursue reductions in green house gas emissions in developing countries from business as usual and consider providing financial/technological support for developing countries. However I also cautioned against taking specific action in the UK without an international globally binding agreement.

Since I am in Copenhagen on other Departmental business I will take the opportunity to support the UK delegation whilst I am there.

### Local Government (Reorganisation) Bill

**Mr W Irwin** asked the Minister of the Environment what progress has been made in progressing the Local Government Re-organisation Bill through the Executive. (AQO 520/10)

**Minister of the Environment:** I am pressing the Executive to agree the policy proposals for the Local Government (Reorganisation) Bill circulated by my predecessor on 30 June 2009, to enable me to publish the proposals for consultation before the end of the year.

### Climate Change Conference, Copenhagen

**Mr D McClarty** asked the Minister of the Environment what discussions his Department has had with the Department of Environment, Food and Rural Affairs concerning the United Nations Climate Change Conference in Copenhagen. (AQO 521/10)

**Minister of the Environment:** Responsibility for international negotiations at the UN Conference on Climate Change falls to the Department of Energy and Climate Change (DECC).

There have been contacts in relation to the UK negotiating position for some time. I have recently written to Ed Miliband, Secretary of State for DECC. I encouraged him to seek ambitious targets for developed countries, pursue reductions in green house gas emissions in developing countries from business as usual and consider providing financial/technological support for developing countries. However I also cautioned against taking specific action in the UK without an international globally binding agreement.

Since I am in Copenhagen on other Departmental business I will take the opportunity to support the UK delegation whilst I am there.

## DEPARTMENT OF FINANCE AND PERSONNEL

### Agency Staff

**Mr A Ross** asked the Minister of Finance and Personnel how many agency staff each Department employed; and for how long on average they were employed, in each of the past 3 years. (AQW 2551/10)

**Minister of Finance and Personnel (Mr S Wilson):** The number of agency staff employed in each Department and the average length of employment are set out in the attached table.

#### NUMBER OF AGENCY STAFF EMPLOYED IN EACH DEPARTMENT AND AVERAGE LENGTH OF EMPLOYMENT

| DEPT   | 1 April 2006 – 31 March 2007 |                                      | 1 April 2007 – 31 March 2008 |                                      | 1 April 2008 – 31 March 2009 |                                      |
|--------|------------------------------|--------------------------------------|------------------------------|--------------------------------------|------------------------------|--------------------------------------|
|        | Number of Agency Staff       | Average Length of Employment (weeks) | Number of Agency Staff       | Average Length of Employment (weeks) | Number of Agency Staff       | Average Length of Employment (weeks) |
| DARD   | 3                            | 21                                   | 52                           | 14.1                                 | 9                            | 25.2                                 |
| DHSSPS | 48                           | 5.9                                  | 46                           | 9.4                                  | 51                           | 11.1                                 |
| DEL    | 4                            | 9.7                                  | 8                            | 28.5                                 | 25                           | 14.8                                 |
| DFP    | 42                           | 14.6                                 | 265                          | 15.7                                 | 245                          | 23.3                                 |
| DCAL   | 15                           | 14.3                                 | 28                           | 13.5                                 | 23                           | 12                                   |
| DE     | 25                           | 14.3                                 | 38                           | 20                                   | 9                            | 37.5                                 |
| DETI   | 2                            | 10.8                                 | 12                           | 15.4                                 | 10                           | 13.1                                 |
| DRD    | 383                          | 19                                   | 189                          | 21.2                                 | 203                          | 16.6                                 |
| OFMDFM | 2                            | 23.9                                 | 1                            | 21.6                                 | 1                            | 8.4                                  |
| DSD    | 12                           | 7.3                                  | 161                          | 12.5                                 | 218                          | 14.4                                 |
| DOE    | 206                          | 44.9                                 | 82.5                         | 44.4                                 | 188                          | 43.8                                 |



## NI Civil Service and Government Departments: Properties owned by

**Mr P Weir** asked the Minister of Finance and Personnel to list any properties in North Down owned by the NI Civil Service and Government Departments which are currently (i) vacant; and (ii) derelict. (AQW 2919/10)

**Minister of Finance and Personnel:** There is currently one such vacant or derelict property in North Down, namely Craigowen Lodge, Holywood. The building is owned by the Department for Regional Development and has been declared surplus. It is being disposed of according to agreed procedures.

## Rates 'break' Initiative

**Mr S Hamilton** asked the Minister of Finance and Personnel (i) what consideration he has given to a rates 'break' for manufacturing companies; and (ii) to outline the legal, legislative and budgetary issues related to such an initiative. (AQW 3056/10)

**Minister of Finance and Personnel:** This matter was raised with me in July shortly after I took over as Minister. I met with Northern Ireland Manufacturing and listened carefully to their proposal for a rates holiday for manufacturing.

I came to the conclusion that this was not deliverable. My Department's assessment of the issues is as follows:

Providing a rates holiday to manufacturing would cost around £20m a year in lost revenue. A decision would have to be made as to whether this cost would be met fully from within DEL or if the district rate would carry its share of the overall cost (around £9m). The affordability of such a measure would be a substantial issue at this time, in light of the current financial position facing the Executive; were a rates holiday to be granted the only options open to the Executive would be to raise additional revenue elsewhere or cut back on services.

Rates are paid in advance and to provide an in year rates break would also pose major and probably insurmountable operational difficulties for Land and Property Services, involving the provision of refunds to those manufacturers who have already paid in full for the year ahead.

There may also be wider constraints associated with a payment break, including a potential requirement for Land and Property Services under (the recently relaxed) EU State Aid rules to correspond with each recipient of any rate relief to positively establish that it and any other aid does not exceed the new de-minimis levels. In addition, such a measure may be discriminatory in terms of other business sectors.

Primary legislation would also be required, which would have to be agreed by the Executive and taken through the Assembly. A process that would take many months.

The Executive will continue to give economic policy and sustaining enterprise a priority. I along with my Executive Colleagues will continue to work closely with business in weathering the downturn and help create the right conditions for recovery to enable all sectors of business to flourish. Devolution has already made a real difference to this key sector by holding onto industrial de-rating, which provides factories in NI with a 70% rates reduction compared to manufacturers in the rest of the UK and compared to other business sectors here. The regional rates freeze is also unique in the UK, providing an additional saving to all business ratepayers worth £8million this year. In addition I am introducing a Small Business Rate Relief Scheme in 2010, costing another £8million, which will help many of our smaller firms, including those in the manufacturing sector.

## Financial Intermediary Service

**Lord Browne** asked the Minister of Finance and Personnel if any discussions have taken place regarding the introduction of a Financial Intermediary Service (FIS) similar to the FIS which was set up in England, with all banks signed up to participate to work with small businesses having difficulty accessing finance. (AQW 3079/10)

**Minister of Finance and Personnel:** There have been no discussions to date regarding this particular scheme. However, I have on several occasions pressed the local banks on their lending to SMEs through the Cross Sector Advisory Forum Banking, Lending and Finance Sub-Group.

### Ten-day Prompt Payment Scheme

**Dr S Farry** asked the Minister of Finance and Personnel what action he is taking to ensure that the 10-day prompt payment scheme is passed on to sub-contractors by businesses who are receiving direct payments from the Department, and its related public bodies. (AQW 3096/10)

**Minister of Finance and Personnel:** Although it is not a contractually binding requirement, my Department, as best practice client, is committed to paying suppliers within 10 days of the receipt of a valid invoice.

For construction works contracts, procured through the Central Procurement Directorate, main contractors are required to comply with the 'Code of Practice for Government Construction Clients and their Supply Chains'. The Code sets out the core principles that should govern the behaviour of clients, contractors and subcontractors, including the need for fair dealing within the supply chain.

Principle 3 of the Construction Industry Forum for Northern Ireland Procurement Task Group (PTG) Report recognises that enterprises have the opportunity to benefit from participation in Government contracts either as a main contractor or as a subcontractor. A PTG Working Group is currently considering the expansion of the 'Code of Practice for Government Construction Clients and their Supply Chains' to include a 'Fair Payment Charter' and to include a requirement that first tier subcontractors provide feedback directly to the Government Construction Client on monthly payment progress from the main contractor to the supply chain. The proposals, to be developed by December 2009, will seek to ensure that main contractors pass on the benefits of prompt payment to subcontractors.

Supplies and services contracts also require main contractors to enter into subcontracts on the same terms and conditions as the main contract. Central Procurement Directorate is currently considering if the approach taken in construction contracts would be practicable in supplies and services contracts.

### Northern Ireland Utility Regulator

**Mr P Butler** asked the Minister of Finance and Personnel, in relation to the Northern Ireland Utility Regulator to detail (i) the number of people employed; (ii) the cost of running the organisation for the last five years, including salaries; and (iii) how many (a) local representatives; and (b) outside representatives sit on the Board. (AQW 3121/10)

**Minister of Finance and Personnel:** The Northern Ireland Authority for Utility Regulation (the Utility Regulator) was established on 1 April 2007 when responsibility for the regulation of the water and sewerage industry in Northern Ireland was taken on in accordance with the provisions of the Water and Sewerage Services (Northern Ireland) Order 2006.

The following table provides details of the number of people employed and the cost of running the office in each of the two financial years since the Utility Regulator was established.

| Year  | 07/08 | 08/09 |
|---|-------|-------|
| Cost of running the Utility Regulator - budget Outturn £m | 6,305 | 6,354 |
| Number of staff employed at 31 March                      | 60    | 62    |

The Authority Board currently comprises eight members - two reside in Northern Ireland, one resides in the Republic of Ireland and five reside in Great Britain.

### Rate Relief for Owners of Stud Farms

**Mr P Weir** asked the Minister of Finance and Personnel what rate relief is available for owners of stud farms. (AQW 3125/10)

**Minister of Finance and Personnel:** There is no rate relief available in Northern Ireland for stud farms, nor would such premises qualify for any sort of agricultural relief because the horse is not considered to be an agricultural animal.

The issue of relief for stud farms was considered by Direct Rule Ministers during a review of business rates in 2006 but it was decided not to proceed. Minister Rooker concluded that it would be sensible to await the outcome of a development strategy for the equine industry before making decisions.

That strategy was published in March 2007 by a sectoral group (Equine Sub Group) operating under the umbrella of the Rural Stakeholder Forum, established and supported by DARD. In a brief reference to rate relief, the report merely states that “the industry categorically supports rate relief being introduced for stud farms as part of a group of measures”. It does not, however, present a persuasive case for providing rate relief.

Peter Robinson, when he was Finance Minister took the view that if a proper case could be made for support to DARD, then rate relief could be looked at as one of a number of options, bearing in mind the constraints of EU State Aid rules.

I share this view. Rates may be regarded by some as a virtual cost and a convenient solution in pursuit of wider social and economic policy aims, however, every pound forgone through rate relief is a pound less for public expenditure and therefore any concessions made need to be carefully considered against other spending priorities.

There have been calls for the horse to be designated as an agricultural animal. The major effect of this would be that under rates legislation as it stands, stables and all associated property would not be rateable. Any change in designation would require primary legislation and agreement at a national level. As such, it is also a matter for the DARD Minister in the first instance.

To finish on a more positive note, horse establishments that fall within the requisite rateable value limits for small business rate relief will automatically qualify for assistance when that scheme is introduced in April 2010.

### Stud Farms

**Mr P Weir** asked the Minister of Finance and Personnel if horse stud farms qualify for agricultural relief under the rating system. (AQW 3129/10)

**Minister of Finance and Personnel:** There is no rate relief available in Northern Ireland for stud farms, nor would such premises qualify for any sort of agricultural relief because the horse is not considered to be an agricultural animal.

The issue of relief for stud farms was considered by Direct Rule Ministers during a review of business rates in 2006 but it was decided not to proceed. Minister Rooker concluded that it would be sensible to await the outcome of a development strategy for the equine industry before making decisions.

That strategy was published in March 2007 by a sectoral group (Equine Sub Group) operating under the umbrella of the Rural Stakeholder Forum, established and supported by DARD. In a brief reference to rate relief, the report merely states that “the industry categorically supports rate relief being introduced for stud farms as part of a group of measures”. It does not, however, present a persuasive case for providing rate relief.

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To finish on a more positive note, horse establishments that fall within the requisite rateable value limits for small business rate relief will automatically qualify for assistance when that scheme is introduced in April 2010.

## Regional Economic Strategy

**Dr S Farry** asked the Minister of Finance and Personnel to explain the timing of the decision to abandon the production of a dedicated Regional Economic Strategy in favour of working on the basis that the Programme for Government 2008-2011 implicitly provided such a strategy. (AQW 3133/10)

**Minister of Finance and Personnel:** The need to produce a Regional Economic Strategy (RES) is a legacy of Direct Rule when HM Treasury made it a requirement on all UK regional authorities. I have not sought to update this Strategy as my colleague, the Minister for Enterprise, Trade and Investment, had commissioned an independent review of economic policy for Northern Ireland.

This comprehensive exercise has now been concluded and is subject to consideration by the ETI Minister. The Review recommendations set out a roadmap for economic policy intervention by the Executive going forward. There is therefore no need for a separate 'Regional Economic Strategy' document as this would entail nugatory replication of the analysis presented within the Independent Review of Economic Policy (IREP). Instead, the Executive's economic strategy will be refined as officials evaluate progress on the existing Programme for Government economy targets and consider the IREP recommendations.

## Civil Servants' Pay

**Mr T Burns** asked the Minister of Finance and Personnel how many civil servants currently earn more than £43,101 per annum; and to detail in which Departments these personnel are employed. (AQW 3138/10)

**Minister of Finance and Personnel:** The number of civil servants who earn more than £43,101 and in which Departments they are employed is set out in the table attached.

| Department   | Number of staff earning more than £43,101 |
|--------------|---|
| DARD         | 159                                       |
| DCAL         | 18  |
| DE           | 96  |
| DETI         | 42  |
| DFP          | 212                                       |
| DEL          | 37  |
| DHSSPS       | 95  |
| DOE          | 115                                       |
| DRD          | 79  |
| DSD          | 63  |
| OFMDFM       | 53  |
| <b>Total</b> | <b>969</b>                                |

## Civil Servants: Training Courses

**Mr G Savage** asked the Minister of Finance and Personnel to list all training courses available to civil servants; and to detail the annual cost for the provision of each course. (AQW 3150/10)

**Minister of Finance and Personnel:** Information on all training courses available to civil servants is not held centrally and could only be compiled at disproportionate cost. The list overleaf shows all non business specific (generic) training courses currently on offer to Northern Ireland civil servants through the Centre for Applied Learning which is the sole internal provider of such training to the NICS.

The Centre for Applied Learning (CAL) does not hold expenditure information by course but its total expenditure for the 2008/09 financial year was £3.782 million

### Course Title



- Administrative Development Programme
- Appearing Before an Assembly Committee
- Assembly Questions
- Assertiveness
- Audio A, B and C Course
- Audio A, B and C Test
- CIPD Certificate In Training Practice
- Coaching Skills
- Content Manager
- Criterion Based Interviewing
- Criterion Based Interviewing Refresher
- Criterion Based Interviewing SCS Refresher
- Customer Service
- Dealing With Difficult Situations
- Disability Awareness for Frontline Staff
- Diversity
- Effective Writing AA/AO
- Effective Writing EO2/EO1
- Good Management Practice
- ILM Level 3 Award in First Line Management
- ILM Level 5 Award in Management
- Including Children and Young People in Public Decision Making - Module 2:- How Can We?
- Including Children and Young People in Public Decision Making - Module 1: - Why Should We?
- Influencing & Negotiating Skills
- Introduction to Business Continuity Management
- Introduction To Europe
- JEGS
- JESP
- Line Managers Role in Managing Stress
- Managing Attendance
- Managing Conflict
- Managers Managing
- Managing Personal Stress
- Managing Small Projects
- Manuscript A, B and C Course
- Manuscript A, B and C Test
- NVQ Level 2 in Business and Administration (minimum of 6 days/workshops in a 2yr period)
- NVQ Level 3 in Business and Administration (minimum of 9 days/workshops in a 2yr period)
- Performance Management
- Performance Management (1 Day Refresher)
- Practical Project Management
- Presentation Skills
- Programme and Project Management Overview
- Secretaryship of Meetings
- Staff Officer Graduate Corporate Induction
- Tabulation Course

- Tabulation Test
- Time Management
- Understanding Devolution
- Understanding The Gateway Process
- Welcome Host
- Welcome Host +
- Working With Ministers
- Access to Information - Foundation Course \*Under Development
- Accident Investigation
- Advanced PowerPoint
- Advanced Word
- Advanced Writing Skills
- Auditing Data Protection
- Basic Excel
- Basic PowerPoint
- Basic Word
- Benefits Management
- Conducting an Equality Impact Assessment (EQIA)
- Construction Site Safety Awareness for Visitors
- Data Protection Act Rights and Exemptions \*Under Development
- Data Protection Act: Interaction With Other Legislation \*Under Development
- Data Security \*Under Development
- Developing A Business Case
- Developing Policy Workshop
- Display Screen Equipment Risk Assessment
- Effective Sponsorship of Arms Length Bodies \*Under Development
- Evaluating Policy
- Financial Management - an overview
- Fraud Awareness
- General Risk Assessment
- Grade 6/7 Programme Leading For Change
- Harrassment Contact Officer
- Health & Safety Awareness
- Health & Safety Awareness For Managers
- Health & Safety for Premises Officers
- Healthworks - Total Health
- Implementing European Directives
- Introduction to Records Management \*Under Development
- Internal Reviews and ICO Appeals
- Introduction to Business Cases and Economic Appraisal
- Introduction to Corporate Governance in the Public Sector
- Introduction To Legislation
- Introduction To Microsoft Project
- Introduction to Risk Management
- IOSH Managing Safely
- Leading and Managing Change

- Manual Handling Risk Assessment
- Manual Handling Techniques
- Planning For The Future
- Professional Policymaking in Government
- Practical Data Protection
- Practical Skills for Budgeting
- Preparation For Gateway Review
- Preparing for Judicial Review
- Quicker Reading
- Retirement
- Safe Use Of Computers (DSE Awareness)
- Safe Use Of Evacuation Chairs
- Screening Of Policies
- Senior Responsible Officer (SRO) Masterclass
- Speech Writing
- Strategic Planning
- Subordinate Legislation
- Subordinate Legislation Template
- The Consultation Process in Northern Ireland
- TRIM Administrator
- TRIM End User
- TRIM Power User
- Understanding the Data Protection Act Principles \*Under Development
- Working with the Environmental Information Regulations \*Under Development
- Working with the Freedom of Information Act
- Your Health and Safety Responsibilities - A Brief for Senior Officers
- Regulatory Impact Assessment (RIA)
- Primary Legislation (NIO)

### Civil Servants: Training Courses

**Mr G Savage** asked the Minister of Finance and Personnel how much has been spent on delivering training courses to civil servants in each of the last three years. (AQW 3151/10)

**Minister of Finance and Personnel:** Individual departments are responsible for financing staff training from their respective budgets.

The amount my department has spent on delivering training courses to civil servants in each of the last three years, is set out in the table below.

| Year     | £000's |
|----------|--------|
| 2006-07* | 791    |
| 2007-08  | 1,593  |
| 2008-09  | 2,317  |

**Note:**

The 2006-07 expenditure reflects the net running costs of the Centre for Applied Learning. The 2006-07 expenditure incurred by other business areas across the department is not reflected as it is not readily identifiable on the department's accounting system pre-Account NI.

### Civil Service Equal Pay Claim

**Mr G Savage** asked the Minister of Finance and Personnel how many (i) Administrative Assistants; (ii) Administrative Officers; and (iii) EO2s, (a) retired from; and (b) left the Civil Service between 1 February 2003 and 31 January 2009. (AQW 3175/10)

**Minister of Finance and Personnel:** The number of Administrative Assistants, Administrative Officers and EO2s who retired from, and left the Civil Service between 1 February 2003 and 31 January 2009 is set out in the table below.

| Period<br>1 February 2003 - 31 January 2009 | Administrative Officer | Administrative Assistant | EO2 |
|---|------------------------|--------------------------|-----|
| Retirees                                    | 466                    | 256                      | 281 |
| Leavers                                     | 2406                   | 5517                     | 460 |

### Civil Service Equal Pay Claim

**Mr P McGlone** asked the Minister of Finance and Personnel what steps are being taken to address the Equal Pay claims for people who had been in employment in the Civil Service during the period of disputed years but who have since left the service. (AQW 3176/10)

**Minister of Finance and Personnel:** Under the terms of the proposal to settle the current equal pay claims lodged with the Industrial Tribunal by NIPSA on behalf of a number of its members, staff who have left or retired from the NICS on or after 1 August 2008 with more than two years reckonable service will be eligible for inclusion in the settlement.

Under equal pay legislation, former employees have six months from the date of leaving their employment in which to lodge an equal pay claim with the Industrial Tribunal.

### Civil Service Equal Pay Claim

**Mr P McGlone** asked the Minister of Finance and Personnel what is being done to address the Equal Pay claims of civil service staff seconded to the Northern Ireland Office but still paid on NI Civil Service pay scales. (AQW 3177/10)

**Minister of Finance and Personnel:** There are no Northern Ireland Civil Servants seconded to the Northern Ireland Office who are paid on NICS pay scales.

### Northern Ireland Block Grant

**Mr D McClarty** asked the Minister of Finance and Personnel what discussions they have had with the Prime Minister's office, the Treasury and other regional administrations in relation to the impact and timing of any proposed efficiency savings on the Northern Ireland Block Grant, and on the impact of any changes to the Barnett formula. (AQO 499/10)

**Minister of Finance and Personnel:** I am not aware of any proposals in respect of further efficiencies that will impact on the NI Executive Block Grant for the remainder of the period covered by the 2007 Comprehensive Spending Review.

Going forward, the level of efficiency savings for 2011-12 and beyond will be considered as part of the next Spending Review, which is not expected to formally begin until 2010.

Similarly the UK Government has not indicated that it intends to make any changes to the current operation of the Barnett formula.



### Overtime Figures

**Mr T Burns** asked the Minister of Finance and Personnel, pursuant AQW 2649/10, to provide a breakdown of the overtime figures for each individual Department. (AQW 3266/10)

**Minister of Finance and Personnel:** The total amounts paid by each of the eleven Northern Ireland Civil Service departments (and their agencies) to non-industrial and industrial staff in respect of overtime for the last five financial years is set out in the attached table.

| Department | Total £   |           |           |           |           |
|------------|-----------|-----------|-----------|-----------|-----------|
|            | 2004/05   | 2005/06   | 2006/07   | 2007/08   | 2008/09   |
| DFP        | 1,746,652 | 1,902,424 | 1,686,906 | 1,961,180 | 1,661,315 |
| OFMDFM     | 45,000    | 42,000    | 53,000    | 61,000    | 83,000    |
| DRD        | 8,173,884 | 8,445,607 | 8,517,248 | 3,645,001 | 3,942,604 |
| DHSSPS     | 431,810   | 438,977   | 445,019   | 382,843   | 289,257   |
| DSD        | 4,040,000 | 3,560,000 | 3,860,000 | 4,370,000 | 4,110,000 |
| DETI       | 255,225   | 255,161   | 231,562   | 262,849   | 214,279   |
| DEL        | 184,202   | 133,015   | 124,392   | 186,254   | 154,241   |
| DE         | 183,450   | 141,581   | 175,442   | 188,178   | 118,094   |
| DARD       | 4,069,408 | 4,126,945 | 3,640,000 | 3,934,718 | 2,927,782 |
| DCAL       | 251,136   | 262,539   | 330,947   | 365,212   | 126,719   |
| DOE        | 1,022,707 | 2,057,592 | 2,011,059 | 1,888,440 | 2,029,090 |

### Civil Service Equal Pay Claim

**Mr J O'Dowd** asked the Minister of Finance and Personnel what measures are being taken to compensate former Civil Service staff who resigned from the service outside the effective dates set out in the Equal Pay offer made to NIPSA on 23 November 2009. (AQW 3291/10)

**Minister of Finance and Personnel:** Under the terms of the proposal to settle the current equal pay claims lodged with the Industrial Tribunal by NIPSA on behalf of a number of its members, staff who have left or retired from the NICS on or after 1 August 2008 with more than two years reckonable service will be eligible for inclusion in the settlement.

Under equal pay legislation, former employees have six months from the date of leaving their employment in which to lodge an equal pay claim with the Industrial Tribunal. Therefore, former Civil Service staff who resigned from the service outside the effective date of the equal pay settlement offer have no legal entitlement to an equal pay claim.

### Government Funding Allocations for Private Sector Projects

**Mr T Burns** asked the Minister of Finance and Personnel (i) if Government funding allocations of over £10 million to private sector companies require Executive clearance; and (ii) to outline the criteria for Government funding allocations for private sector projects which require Executive clearance. (AQW 3295/10)

**Minister of Finance and Personnel:** There is no specific requirement for Executive clearance of funding allocations of over £10 million to private sector companies. The ministerial code sections 2.4 and 2.5 are the framework for deciding which decisions should be brought to the attention of the Executive. These include any matter which:

- cuts across the responsibilities of two or more Ministers;
- requires agreement on prioritisation;
- requires the adoption of a common position;

- has implications for the Programme for Government;
- is significant or controversial and is clearly outside the scope of the agreed programme referred to in paragraph 20 of Strand One of the Agreement;
- is significant or controversial and which has been determined by the First Minister and deputy First Minister acting jointly to be a matter that should be considered by the Executive Committee; or
- relates to a proposal to make a determination, designation or scheme for the provision of financial assistance under the Financial Assistance Act (Northern Ireland) 2009.

The criteria for funding allocations for private sector projects are specific to the various Departments and to the Programmes and Schemes under which the assistance is provided. To ensure maximum benefit from expenditure and value for money are achieved, all funding proposals, whether requiring Executive clearance or not, must be assessed in line with the Northern Ireland Guide to Expenditure Appraisal and Evaluation.

### Retirement

**Mr T Burns** asked the Minister of Finance and Personnel the average age of retirement for (i) men; and (ii) women in the senior civil service. (AQW 3332/10)

**Minister of Finance and Personnel:** The average age of retirement for Senior Civil Service staff in the Northern Ireland Senior Civil Service from 1st April 2008 to 31st March 2009 was 60 for both men and women.

### Civil Service Equal Pay Claim

**Mr J Shannon** asked the Minister of Finance and Personnel how many Administrative Assistants and Administrative Officers will not be entitled to a pay-out under the Civil Service equal pay claim because they left the service before August 2008. (AQW 3413/10)

**Minister of Finance and Personnel:** Under equal pay legislation, former employees have six months from the date of leaving their employment in which to lodge an equal pay claim with the Industrial Tribunal. Therefore, former Civil Service staff who resigned from the service before August 2008 have no legal entitlement to an equal pay claim.

In the period 1st February 2003 to 31st July 2008: 5426 staff at Administrative Assistant grade and 2650 staff at Administrative Officer grade have left the service due to retirement or other reasons.

### Civil Service Equal Pay Claim

**Mr B Wilson** asked the Minister of Finance and Personnel how many penalty charge notices have been issued as a result of home-owners failing to provide an energy performance certificate. (AQO 526/10)

**Minister of Finance and Personnel:** To date, there have been no penalty charge notices issued as a result of home-owners failing to provide an energy performance certificate.

### Budget 2010-11

**Mr P Weir** asked the Minister of Finance and Personnel what progress has been made in relation to the 2010/2011 budget. (AQO 528/10)

**Minister of Finance and Personnel:** In light of the public expenditure pressures facing the Executive next year, I have initiated a Review of the 2010-11 Spending Plans of Northern Ireland departments.

The aim of this process is to address these pressures and also to provide the Executive with more flexibility to respond to emerging issues as part of the 2010-11 In Year Monitoring Process.

Following initial discussions at the Executive, I recently held a series of bilateral meetings with my Ministerial colleagues. This has informed my formal recommendations to the Executive as regards the way forward which were considered last Thursday.

We are due to have a further discussion at the next meeting of the Executive. Once the proposed approach has been agreed by Ministers, I will present the draft revised spending plans to the Assembly for consultation.

### Government Departments: Savings

**Mr G Savage** asked the Minister of Finance and Personnel what discussions he has had with the First Minister and deputy First Minister and other Ministers about the potential to effect savings across all Departments. (AQO 529/10)

**Minister of Finance and Personnel:** As part of the ongoing Review of 2010-11 Spending Plans I have recently held separate meetings with all my Executive colleagues to provide me with a full understanding of the key issues involved for their departments.

The primary focus of these meeting was to discuss the scope for each department to make savings in 2010-11 in response to the financial pressures faced by the Executive.

However, there was also an opportunity for each Minister to highlight the departmental pressures they face next year.

I found these meetings most useful and they have informed my recommendations to the Executive in respect of how the spending pressures faced by the Executive might be addressed.

## DEPARTMENT OF HEALTH, SOCIAL SERVICES AND PUBLIC SAFETY

### Funding

**Mr R Beggs** asked the Minister of Health, Social Services and Public Safety to detail, for each Health and Social Care Trust, (i) the funding allocated for the 2009/10 financial year; (ii) the amount of under funding and over funding received based on (a) the Fourth Capitation Formula Review; and (b) the Fifth Capitation Formula Review; and (iii) when the review will be fully implemented. (AQW 139/10)

**Minister of Health, Social Services and Public Safety (Mr M McGimpsey):** Funding is allocated to commissioners of services and not Health and Social Care Trusts. It is for commissioners of services to decide upon the level of funding made available to HSC Trusts based on the services they provide.

AQW 7157/09 details the level of over and underfunding in relation to the Fourth Review Formula. During this period allocations were made to Health and Social Services Boards.

The Fifth Review Formula has now been implemented and is used to inform allocations. The table below details the over/underfunding position of the five Local Commissioning Groups in 2009/10.

|                   | Over/Under Funded £m | Equity Gap % |
|-------------------|----------------------|--------------|
| Belfast LCG       | 25.3                 | 4.2%         |
| South Eastern LCG | -5.5                 | -1.1%        |
| Northern LCG      | -6.4                 | -0.9%        |
| Southern LCG      | -10.5                | -1.9%        |
| Western LCG       | -2.9                 | -0.6%        |

The Department remains committed to moving all commissioners to within 1% of their target fair share. However, an immediate move could have a destabilising impact on services and a transitional movement to fair shares is therefore the preferred approach.

### Occupational Therapy Services: Funding

**Mr P Weir** asked the Minister of Health, Social Services and Public Safety to detail the level of funding for occupational therapy services and aids in North Down in each of the last five years. (AQW 553/10)

**Minister of Health, Social Services and Public Safety:** The tables shown below detail the level of funding for Occupational Therapy services and equipment expenditure, where available, during the last five years.

**TABLE 1: OCCUPATIONAL THERAPY TOTAL PLANNED EXPENDITURE NORTH DOWN**

|                      | 2005/06<br>£000 | 2006/07<br>£000 | 2007/08<br>£000 | 2008/09<br>£000 |
|----------------------|-----------------|-----------------|-----------------|-----------------|
| Occupational Therapy | 613             | 646             | 694             | 727             |

1. Source - Strategic Resources Framework 2005/06 to 2008/09.

2. Expenditure for occupational therapy services was not recorded separately pre 2005.

**Table 2: Occupational Therapy Equipment Expenditure**

| Year            | 2004/05 | 2005/06 | 2006/07 | 2007/08 | 2008/09 |
|-----------------|---------|---------|---------|---------|---------|
| Expenditure (£) | 120478  | 132339  | 123225  | 100115  | 89605   |

1. Source – South Eastern Health and Social Care Trust

2. Covers North Down and Ards.

### Health Service: Administrative Staff

**Mr S Hamilton** asked the Minister of Health, Social Services and Public Safety to detail (i) how many administrative staff are currently employed in the Health Service; and (ii) how many were employed in each grade, in each of the last five years. (AQW 751/10)

**Minister of Health, Social Services and Public Safety:** The number of administrative staff employed in the Health Service at present can be found at the following web link [http://www.dhsspsni.gov.uk/index/stats\\_research/work\\_force/stats-research.htm](http://www.dhsspsni.gov.uk/index/stats_research/work_force/stats-research.htm)

The analysis of the numbers employed in each grade is currently being updated to take account of staff turnover up the end of September. I will write to the member with details after that process is complete.

### Health Service: Administration

**Mr S Hamilton** asked the Minister of Health, Social Services and Public Safety how much has been spent on administration in the Health Service in each of the last five years. (AQW 752/10)

**Minister of Health, Social Services and Public Safety:** The table below shows administrative costs for the latest five years available.

| Year                   | 2003/04 | 2004/05 | 2005/06 | 2006/07 | 2007/08 |
|------------------------|---------|---------|---------|---------|---------|
| Total admin costs (£m) | 242.5   | 264.3   | 278.4   | 306.6   | 311.9   |

Expenditure includes staff costs and administrative expenses such as printing and stationery, telephones, postage and office equipment.

Administration costs have increased in the last five years though expenditure has reduced in real terms between the year ended March 2007 and the year ended March 2008. This is because it has not kept pace with the increases seen in the general rate of inflation or staff pay awards during this period.

Furthermore, year on year comparisons are expected to show an increase as the impact of moving the vast majority (63k Head Count) of the workforce to Agenda For Change rate of pay, including the payment of arrears over the past five years, takes place.

### Private and Independent Service Providers

**Mr K McCarthy** asked the Minister of Health, Social Services and Public Safety how much has been paid to private and independent service providers to undertake health service work in each Health and Social Care Trust. (AQW 1083/10)

**Minister of Health, Social Services and Public Safety:** In 2008/09, a total of circa £55.6m was paid to private and independent sector service providers to undertake health service work.

This was broken down by Trust as follows:

| Western Trust | Southern Trust | South Eastern Trust | Northern Trust | Belfast Trust |
|---------------|----------------|---------------------|----------------|---------------|
| circa £9.2m   | circa £6.6m    | circa £8.9m         | circa £5.3m    | circa £25.6m  |

### Financial Deficits

**Mr K McCarthy** asked the Minister of Health, Social Services and Public Safety to detail the current financial deficits in each Health and Social Care Trust. (AQW 1084/10)

**Minister of Health, Social Services and Public Safety:** The latest available forecast 2009/10 financial deficits reported by Health and Social Care Trusts as at the end of October 2009, adjusted to take account of contingency plans that I have recently approved, other savings identified and anticipated funding, are as follows:

| Trust                           | Belfast | Northern | South Eastern | Western | Southern | NIAS | Total |
|---------------------------------|---------|----------|---------------|---------|----------|------|-------|
| Adjusted year-end forecast (£m) | (2.0)   | (3.0)    | (1.0)         | (1.7)   | 0        | 0    | (7.7) |

Every trust has a statutory duty to break even over the course of the year and my Department, in conjunction with Health and Social Care commissioners, is working with the trusts in an effort to secure a break-even position in 2009/10.

### Expenditure on External Consultants

**Mr P McGlone** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 7899/09 and AQW 163/10, (i) to provide a breakdown by contract value of all expenditure on external consultants; and (ii) to explain the discrepancy in the figures given in these answers for the year 2006/07. (AQW 1299/10)

**Minister of Health, Social Services and Public Safety:** The Department, in line with DFP requirements, records external consultancy by consultancy exercises rather than contract value. The breakdown of Departmental expenditure (including Health Estates Agency) is as follows:-

| Financial Year | Consultancy Exercises by Value |         |       |
|----------------|--------------------------------|---------|-------|
|                | £0-10k                         | £11-50k | £50k+ |
| 2008/09        | 25                             | 13      | 2     |
| 2007/08        | 16                             | 22      | 16    |
| 2006/07        | 49                             | 41      | 15    |
| 2005/06        | 55                             | 32      | 12    |
| 2004/05        | 77                             | 33      | 10    |

There is no discrepancy in the figures given in the answers to AQW 7899/09 and AQW 163/10 for the year 2006/07. AQW 7899/09 provided expenditure on both internal and external consultancy. AQW 163/10 provided expenditure on external consultancy only.



### New Services: Cost

**Mr A Easton** asked the Minister of Health, Social Services and Public Safety to detail the cost of all new services introduced by his Department in the 2007/2008 financial year. (AQW 1317/10)

**Minister of Health, Social Services and Public Safety:** DHSSPS introduced some £61m of new services in 2007/08.

### New Services: Cost

**Mr A Easton** asked the Minister of Health, Social Services and Public Safety to detail the cost of all new services introduced by his Department in the 2008/2009 financial year. (AQW 1318/10)

**Minister of Health, Social Services and Public Safety:** DHSSPS introduced some £82m of new services in 2008-09.

### Ballykelly: Patients Transferred to the Private Clinic

**Mr T Buchanan** asked the Minister of Health, Social Services and Public Safety (i) how many patients have been transferred by the Western Health and Social Care Trust for surgery at the private clinic in Ballykelly; and (ii) what was the cost to the Trust, in each of the last three years. (AQW 1558/10)

**Minister of Health, Social Services and Public Safety:** As part of the ongoing initiatives to reduce waiting times, Health and Social Care providers procure services from the Independent Sector where capacity is not available within the Health Service.

I am advised that the number of patients referred by the Western Trust to the North West Independent Clinic for surgery and associated costs for the last two financial years are as follows

| Year    | Inpatients | Daycases | Costs         |
|---------|------------|----------|---------------|
| 2007/08 | 817        | 1317     | £6.02 million |
| 2008/09 | 1400       | 2504     | £9.87 million |

The Western Health and Social Care Trust became operational on 1 April 2007. Information on the numbers of patients referred in the 2006/07 year for surgery to the North West Independent Clinic and the associated costs is not held by the Trust.

### Hire Cars for Staff Use

**Mr A Easton** asked the Minister of Health, Social Services and Public Safety if any Health and Social Care Trusts currently use hire cars for staff use. (AQW 1568/10)

**Minister of Health, Social Services and Public Safety:** Southern, Western and South Eastern Health and Social Care Trusts do not use car hire for staff use.

The Belfast and Northern Trusts advised that hire cars may be used very occasionally for staff required to travel, for work purposes, outside Northern Ireland and only when it is not cost effective or practical to use public transport or taxi services.

### Advertising: Cost

**Mr A Easton** asked the Minister of Health, Social Services and Public Safety to detail the amount spent on all advertising by each Health and Social Care Trust in each of the last four financial years. (AQW 1708/10)

**Minister of Health, Social Services and Public Safety:** The following table details the expenditure on advertising by each Health and Social Care Trust. Information for 2008/9 is not currently available.

| Health and Social Care Trust       | 2005/06 £'000 | 2006/07 £'000 | 2007/08 £'000 |
|------------------------------------|---------------|---------------|---------------|
| Belfast HSC Trust                  | 804           | 661           | 470           |
| Northern HSC Trust                 | 482           | 399           | 267           |
| Northern Ireland Ambulance Service | 43            | 10            | 27            |
| South Eastern HSC Trust            | 366           | 309           | 309           |
| Southern HSC Trust                 | 352           | 327           | 280           |
| Western HSC Trust                  | 603           | 538           | 303           |
| <b>Total</b>                       | <b>2,650</b>  | <b>2,244</b>  | <b>1,656</b>  |

Source: Trust annual financial returns

Advertising relates to e.g. Recruitment of staff, Adverts for Board meetings and Annual AGMs, Adverts for Foster Carers etc.

### Regulatory and Quality Improvement Authority: Cost of Running

**Mr D Kennedy** asked the Minister of Health, Social Services and Public Safety to detail the cost of running the Regulatory and Quality Improvement Authority in each of the last 3 years. (AQW 1743/10)

**Minister of Health, Social Services and Public Safety:** The running costs for the Regulation and Quality Improvement Authority in each of the last 3 financial years were as follows:

| 2006/07    | 2007/08    | 2008/09    |
|------------|------------|------------|
| £4,325,807 | £5,027,646 | £6,290,687 |

The increase in costs between 2006/07 and 2008/09 can be explained by an increased number of staff and other costs required to carry out additional responsibilities

### Press Officers and Advertising: Cost

**Mr A Ross** asked the Minister of Health, Social Services and Public Safety how much money has been spent by his Department on (i) employing press officers; and (ii) advertising, in each of the last five years. (AQW 1755/10)

**Minister of Health, Social Services and Public Safety:** The information is set out in the table below:

| Financial Year | Press Office Salary Costs | Total Advertising and Publicity Costs* |
|----------------|---------------------------|--|
| 2008/09        | £284,617                  | £189,332                               |
| 2007/08        | £215,582                  | £270,583                               |
| 2006/07        | £209,795                  | £425,611                               |
| 2005/06        | £151,579                  | £479,990                               |
| 2004/05        | £143,899                  | £485,591                               |

\* The Department can not separately identify advertising and publicity costs; to do so would incur disproportionate cost. The expenditure therefore includes costs for public notices, recruitment advertising and publicity campaigns.

### Swine Flu

**Mr D O'Loan** asked the Minister of Health, Social Services and Public Safety to provide a breakdown of the £22 million capital investment stated as the minimum requirement to deal with swine flu; and to state the long term benefits of this investment. (AQW 1756/10)

**Minister of Health, Social Services and Public Safety:** Capital and Revenue projections are subject to change as the impact of swine flu becomes clearer and plans are finalised to deal with the threat. The September Monitoring bid was based on a mild virus spread and predicted capital costs of £22m.

| Description | Vaccines/Antivirals / Antibiotics | Critical Care Equipment | Personal Protection Equipment | Other | Total Potential Capital Requirement |
|-------------|-----------------------------------|-------------------------|-------------------------------|-------|-------------------------------------|
| £m          | 14.4                              | 4.5                     | 1.3                           | 1.8   | £22m                                |

Vaccines, antivirals, antibiotics and PPE equipment have been purchased to ensure that the Northern Ireland population has access to a stockpile that provides the same level of ongoing protection as the rest of the UK. Critical care ventilators purchased for the estimated surge in swine flu cases requiring critical care support will be used in the longer term to replace older medical equipment and meet future demand.

### Review of Public Administration

**Mrs I Robinson** asked the Minister of Health, Social Services and Public Safety to detail the cost of the redundancies made in each Health and Social Care Trust as a result of the Review of Public Administration.

(AQW 1760/10)

**Minister of Health, Social Services and Public Safety:** The cost of Review of Public Administration related voluntary redundancies, and voluntary early retirements on the grounds of redundancy, in each Health and Social Care Trust at 30 September 2009 is set out below:

| Belfast HSC Trust | Northern HSC Trust | Southern HSC Trust | South Eastern HSC Trust | Western HSC Trust |
|-------------------|--------------------|--------------------|-------------------------|-------------------|
| £18.226m          | £8.985m            | £7.903m            | £5.330m                 | £7.599m           |

These payments have been made in line with statutory entitlements and do not contain any compensation elements; this process is continuing.

### Cruse Bereavement Care: Cuts

**Mr A Easton** asked the Minister of Health, Social Services and Public Safety for his assessment of the 3% cuts by the South Eastern and Belfast Health and Social Care Trusts to Cruse Bereavement Care. (AQW 1766/10)

**Minister of Health, Social Services and Public Safety:** I would remind the Honourable Member that the Assembly voted for efficiency savings within Health on two occasions.

Given the challenge of achieving £700m efficiency savings across the Health and Social Care system, each Trust needs to consider pursuing some of its efficiency savings from providers in the third sector. I have said that Trusts should consider such providers and the services they deliver on a case by case basis, with due regard for the circumstances of those organisations, ensuring that clients and patients continue to receive the services they need.

South Eastern Health and Social Care Trust has stated that Cruse received a 0.6% cut.

Belfast Trust is currently meeting with community and voluntary partners to discuss efficiency savings.

### Paying Salaries to Suspended Staff: Cost

**Mr A Easton** asked the Minister of Health, Social Services and Public Safety the cost to the Health Service of paying salaries to suspended staff in the last financial year. (AQW 1787/10)

**Minister of Health, Social Services and Public Safety:** The gross cost in the last financial year to the Health Service of paying salaries to those employees that have been suspended was £854k.

### Water Charges

**Mr A Easton** asked the Minister of Health, Social Services and Public Safety the annual cost to each Health and Social Care Trust in respect of water charges. (AQW 1822/10)

**Minister of Health, Social Services and Public Safety:** The cost to the Health and Social Care Trusts in respect of water charges in 2008-09 are set out in the table below:

| HSC Trust            | 2008-09<br>£     |
|----------------------|------------------|
| Belfast              | 1,472,000        |
| Northern             | 487,422          |
| Southern             | 266,554          |
| South Eastern        | 498,000          |
| Western              | 610,449          |
| NI Ambulance Service | 5,196            |
| <b>Total</b>         | <b>3,339,621</b> |

### Patients with a Learning Disability or Mental Health Condition

**Mrs I Robinson** asked the Minister of Health, Social Services and Public Safety to detail the daily cost of providing 24-hour care for a patient with a learning disability or mental health condition in hospital as compared to a residential care home. (AQW 1832/10)

**Minister of Health, Social Services and Public Safety:** The following table shows the estimated daily cost of providing 24 hour care for the specified services;

| Service   | Estimated average daily cost (£) |
|---|----------------------------------|
| Residential Care<br>(Programme of Care 5 Mental Health)       | 69                               |
| Residential Care<br>(Programme of Care 6 Learning Disability) | 103                              |
| Mental Health Inpatient                                       | 238                              |
| Learning Disability Inpatient                                 | 237                              |

**Source:** Trust Financial Returns 2007-08

Please note:

1. The above average unit costs take no account of individual case complexity.
2. The Mental Health and Learning Disability Inpatient unit costs are weighted averages that have been calculated using costs and activity relating to all relevant services for both adults and children.

### British and Irish Sign Language Interpreters

**Mr T Lunn** asked the Minister of Health, Social Services and Public Safety how much was spent on the provision of (i) British Sign Language; and (ii) Irish Sign Language interpreters by each Health and Social Care Trust in the (a) 2007/08; and (b) 2008/09 financial years. (AQW 1877/10)

**Minister of Health, Social Services and Public Safety:** Information on the cost of sign language and sign language interpreters for 2007/08 and 2008/09 is set out in the Table below.

| Trust         | 2007/2008           |                       |        | 2008/2009           |                       |        |
|---------------|---------------------|-----------------------|--------|---------------------|-----------------------|--------|
|               | Irish Sign Language | British Sign Language | Total  | Irish Sign Language | British Sign Language | Total  |
|               | £                   | £                     | £      | £                   | £                     | £      |
| Belfast       |                     | 62,107                | 62,107 | 105                 | 64,327                | 64,432 |
| NIAS          |                     | 130                   | 130    |                     | 130                   | 130    |
| Northern      |                     | 48,000                | 48,000 |                     | 57,203                | 57,203 |
| South Eastern |                     | 125                   | 125    |                     | 1,338                 | 1,338  |

| Trust        | 2007/2008              |                       |                | 2008/2009           |                       |                |
|--------------|------------------------|-----------------------|----------------|---------------------|-----------------------|----------------|
|              | Irish Sign Language    | British Sign Language | Total          | Irish Sign Language | British Sign Language | Total          |
|              | £                      | £                     | £              | £                   | £                     | £              |
| Southern     |                        | 32,690                | 32,690         |                     | 32,088                | 32,088         |
| Western      | No breakdown available |                       | 42,807         | 8,773               | 36,626                | 45,399         |
| <b>Total</b> |                        | <b>143,052</b>        | <b>185,859</b> | <b>8,878</b>        | <b>191,712</b>        | <b>200,590</b> |

Source: Health and Social Care Trusts

### Senior Management: Bonuses

**Mr S Moutray** asked the Minister of Health, Social Services and Public Safety to detail the total amount spent in each Health and Social Care Trust on bonuses for senior management, in each of the last five years.

(AQW 1903/10)

**Minister of Health, Social Services and Public Safety:** As Health and Social Care Trusts have only been in existence in their current configuration since April 2007 details of the non-consolidated bonus type payments made to the Chief Executives and Directors are only available from that date.

The details are as follows:

| HSC Trust               | 2007/08 | 2008/09 | 2009/10 |
|-------------------------|---------|---------|---------|
| Belfast HSC Trust       | £8,880  | £9,563  | *       |
| Northern HSC Trust      | £4,354  | £2,650  | *       |
| Southern HSC Trust      | £9,312  | £6,452  | *       |
| Western HSC Trust       | £3,525  | £3,468  | *       |
| South Eastern HSC Trust | £6,280  | £8,549  | *       |

\* The 2009 pay award due from 1 April 2009 has not yet been agreed

These bonus payments are contractual entitlement and HSC Trusts would be at risk of legal challenge on the basis of “an unlawful deduction from wages” if they were to withhold them.

### Gardening and Landscaping: Cost

**Mr S Moutray** asked the Minister of Health, Social Services and Public Safety to detail (i) total amount spent by his Department; and (ii) the amount spent in each Health and Social Care Trust, on gardening and landscaping in each year since 2007.

(AQW 1904/10)

**Minister of Health, Social Services and Public Safety:** The Department of Finance and Personnel is responsible for the NICS estate including gardening or landscape works.

The total expenditure, both capital and revenue, incurred by Trusts on gardening and landscaping is set out in the table below.

| Trust         | 2007/08 |         |       | 2008/09 |         |       |
|---------------|---------|---------|-------|---------|---------|-------|
|               | Revenue | Capital | Total | Revenue | Capital | Total |
|               | £000    | £000    | £000  | £000    | £000    | £000  |
| Belfast       | 282     | 196     | 478   | 268     | 130     | 398   |
| Northern      | 187     | -       | 187   | 278     | -       | 278   |
| South Eastern | 217     | -       | 217   | 217     | 197     | 414   |
| Southern      | 245     | 5       | 250   | 245     | 241     | 486   |



| Trust             | 2007/08 |         |       | 2008/09 |         |       |
|-------------------|---------|---------|-------|---------|---------|-------|
|                   | Revenue | Capital | Total | Revenue | Capital | Total |
|                   | £000    | £000    | £000  | £000    | £000    | £000  |
| Western           | 366     | -       | 366   | 435     | 365     | 800   |
| Ambulance Service | -       | -       | -     | -       | -       | -     |

Source: Health and Social Care Trusts

### Private Consultants' Fees

**Ms S Ramsey** asked the Minister of Health, Social Services and Public Safety to detail (i) the cost incurred by the Belfast Health and Social Care Trust, since its inception on private consultants' fees; (ii) the cost incurred on travel; and (iii) the reasons for the consultancy and the travel. (AQW 1932/10)

**Minister of Health, Social Services and Public Safety:** The following tables present the total costs incurred by the Belfast Trust on management consultants (Table 1) and travel and subsistence (Table 2).

TABLE 1

|                              | 2007/08<br>£'000 | 2008/09<br>£'000 | 01/04/09 to 30/09/09<br>£'000 |
|------------------------------|------------------|------------------|-------------------------------|
| Management consultants' fees | 23               | 8                | 0                             |

Source: Belfast Health and Social Care Trust

Consultancy support is employed only when it is necessary and will provide value for money.

TABLE 2

|                        | 2007/08<br>£'000 | 2008/09<br>£'000 | 01/04/09 to 30/09/09<br>£'000 |
|------------------------|------------------|------------------|-------------------------------|
| Travel and Subsistence | 6,000            | 4,500            | 2,600                         |

Source: Belfast Health and Social Care Trust

Travel and subsistence costs are payable to staff only on official business i.e.

- where staff travel from their base to other places of work for meetings, training or client/patient visits.
- to cover the cost of travel to pre-approved training courses, conferences etc.
- excess mileage is payable for staff who are required to move locations as a result of RPA in accordance with guidelines
- subsistence for meals and accommodation is due when staff are away from their normal base of work.

### Belfast Health and Social Care Trust: Inherited Debt

**Ms S Ramsey** asked the Minister of Health, Social Services and Public Safety (i) to detail the debt inherited by the Belfast Health and Social Care Trust at its inception, and how the debt was incurred; and (ii) if any former Chief Executives or senior managers have been held to account for this debt. (AQW 2007/10)

**Minister of Health, Social Services and Public Safety:** From its financial accounts, the Belfast Health and Social Care Trust did not inherit any debt at inception. However, the Belfast Health and Social Care Trust has needed to use non recurrent income to offset recurrent costs and is taking steps to place the Trust on a more secure financial footing.

### Private Finance Initiative Projects: Cost

**Mr A Easton** asked the Minister of Health, Social Services and Public Safety to detail the cost to his Department of Private Finance Initiative projects in each of the last three years. (AQW 2051/10)

**Minister of Health, Social Services and Public Safety:** The breakdown of PFI projects in the last three years is listed below:

| 2006/07 | 2007/08 | 2008/09 |
|---------|---------|---------|
| £10.93m | £16.53m | £16.97m |

This spend relates to the recurrent unitary payments on completed PFI projects.

### Taxi Hire: Cost

**Mr T Gallagher** asked the Minister of Health, Social Services and Public Safety to detail the total amount spent by each Health and Social Care Trust on taxi hire in (i) 2007/08; and (ii) 2008/09. (AQW 2059/10)

**Minister of Health, Social Services and Public Safety:** Taxis may be used by Health and Social Care Trusts for various purposes, for example, the transportation of blood, medical records, equipment, staff, clients or patients. Most of the expenditure is incurred on the transport of patients and clients.

The following table details the amount spent on taxis by each Health and Social Care Trust for the financial years 2007/08 and 2008/09.

| Health and Social Care Trust | 2007/08<br>£'000 | 2008/09<br>£'000 |
|------------------------------|------------------|------------------|
| Belfast HSC Trust            | 795*             | 916              |
| Northern HSC Trust           | Not available    | 1,067            |
| South Eastern HSC Trust      | 573              | 631              |
| Southern HSC Trust           | 985              | 1,163            |
| Western HSC Trust            | 706              | 795              |
| NIAS                         | 126              | 236              |

\* Estimate

### Physiotherapy Posts

**Mrs D Kelly** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 8298/09, how many of these physiotherapy posts have now been filled. (AQW 2192/10)

**Minister of Health, Social Services and Public Safety:** The information requested is provided in the table below.

| HSC Trust     | Vacant Physiotherapy posts at<br>June 2009 (WTE) | Physiotherapy post at June 2009<br>now filled (WTE) | Physiotherapists in post at 30th<br>Sept 2009 (WTE) |
|---------------|--|---|---|
| Belfast       | 37.06  | 28.6  | 279.6   |
| Northern      | 3.0  | 2.5   | 146.2   |
| South Eastern | 7.1  | 2.4   | 135.7   |
| Southern      | 13.2   | 1.6   | 147.3   |
| Western       | 8.5  | 8.5   | 103.4   |

**Source:** Health & Social Care Trusts

**Notes:**

1. WTE = whole-time equivalent.

### Mid-Ulster Hospital: Beds

**Mr P McGlone** asked the Minister of Health, Social Services and Public Safety if there will be a reduction in the number of beds in the Mid-Ulster Hospital after 6 November 2009, and if so, by how many. (AQW 2311/10)

**Minister of Health, Social Services and Public Safety:** The Northern Trust's proposals to consolidate acute inpatient surgery services at Antrim Area and Causeway Hospitals will mean the removal of inpatient surgical services at the Mid-Ulster Hospital. To assist with the implementation of these changes I am advised that the Trust is planning to remove 7 beds at the Mid-Ulster hospital. The Trust will re-provide this capacity within the current bed complement at Antrim Area Hospital through the more efficient utilisation of existing surgical beds.

The Mid-Ulster will be developed as a local hospital and whilst acute services will not be provided there, the hospital will play a key role in supporting the acute hospitals. This change creates the opportunity to develop and broaden the range of services provided there including a minor injuries service, day procedures, diagnostics and outpatient services. This change also offers the potential to maximise day surgery capacity, increasing the volume of work done at the hospital and reducing the need for overnight stays.

I expect that after these changes have been implemented, the Mid Ulster will continue to provide the vast majority of hospital services needed by local people.

### Health Service Staff: Harassment Against

**Mr T Burns** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 1768/10, to detail the number of recorded incidents of (i) sexual; (ii) racial; and (iii) religious or political harassment against health service staff by (a) other members of staff; (b) patients; (c) visitors; and (d) any other person, in each of the last five years. (AQW 2317/10)

**Minister of Health, Social Services and Public Safety:** The information requested is shown in the table below:

| Harassment category and year           | By other members of staff | By patients | By visitors | By other persons |
|--|---------------------------|-------------|-------------|------------------|
| <b>Sexual<sup>1</sup></b>              |                           |             |             |                  |
| 2004/05                                | 1                         | 33 (21)     | 1           | 0                |
| 2005/06                                | 2                         | 54 (35)     | 0           | 4                |
| 2006/07                                | 2                         | 71 (61)     | 1           | 2                |
| 2007/08                                | 1                         | 71 (62)     | 0           | 0                |
| 2008/09                                | 6                         | 78 (60)     | 3           | 10               |
| <b>Racial</b>                          |                           |             |             |                  |
| 2004/05                                | 0                         | 11          | 0           | 2                |
| 2005/06                                | 0                         | 9           | 0           | 2                |
| 2006/07                                | 1                         | 15          | 0           | 0                |
| 2007/08                                | 0                         | 9           | 0           | 0                |
| 2008/09                                | 1                         | 19          | 1           | 0                |
| <b>Religious/Political<sup>2</sup></b> |                           |             |             |                  |
| 2004/05                                | 0                         | 3           | 0           | 0                |
| 2005/06                                | 0                         | 1           | 0           | 1                |
| 2006/07                                | 0                         | 2           | 0           | 2                |
| 2007/08                                | 1                         | 2           | 0           | 0                |
| 2008/09                                | 0                         | 7           | 0           | 1                |

<sup>1</sup> Figures in brackets refer to instances of unintentional inappropriate sexual behaviour by mentally ill patients or those with learning disabilities.

<sup>2</sup> The Belfast Health and Social Care Trust does not collect data for this category.

### Erne Hospital: Employment of Locum Consultants

**Lord Morrow** asked the Minister of Health, Social Services and Public Safety how many locum consultants were employed in the Erne Hospital from 1 September 2009 to 31 October 2009, and how much they were paid. (AQW 2373/10)

**Minister of Health, Social Services and Public Safety:** 12 locum consultants were employed in the Erne Hospital from 1 September 2009 to 31 October 2009.

The total cost was £200,787.41

### Hospitality: Cost

**Mr A Easton** asked the Minister of Health, Social Services and Public Safety to detail the money spent by each Health and Social Care Trust on hospitality and the hosting of functions in each of the last three financial years. (AQW 2594/10)

**Minister of Health, Social Services and Public Safety:** The following table details the money spent by each Health and Social Care Trust on hospitality and the hosting of functions for the financial years 2007/08 and 2008/09. Information for 2009/10 is not available until the end of the financial year. All Trusts have recently introduced additional limitations on the use of hospitality in the context of current financial constraints.

| Health and Social Care Trust       | 2008/09 (£K) | 2007/08 (£K) |
|------------------------------------|--------------|--------------|
| Belfast HSC Trust                  | 12           | 35           |
| Northern HSC Trust                 | 44           | 35           |
| South Eastern HSC Trust            | 149*         | 100*         |
| Southern HSC Trust                 | 67*          | 62*          |
| Western HSC Trust                  | 86           | 109          |
| Northern Ireland Ambulance Service | 9            | 4            |

\* SEHSCT costs are indicative and SHSCT costs include a degree of estimation

Costs recorded as ‘hospitality’ cover a wide range of activities, including:

- Public meetings, health awareness raising events, launches of new facilities and services, birthday/Christmas parties for patients/residents, Northern Ireland Assembly Health Committee visits to Trusts, etc
- Training events for essential skills for staff; and
- Staff meetings over lunch where meetings at other times clash with patient activities.

It is not possible to further analyse the costs without disproportionate cost.

### Future Department of Justice

**Dr S Farry** asked the Minister of Health, Social Services and Public Safety (i) what steps his Department intends to take to engage with a future devolved Department of Justice on cross-cutting matters; and (ii) what contribution his Department can make to cross-cutting justice and community safety issues such as reducing levels of offending. (AQW 2681/10)

**Minister of Health, Social Services and Public Safety:** New legislation will be introduced in the next few months, in line with England and Wales, allowing the removal of individuals who create a nuisance or disturbance from hospital premises. In the event of the establishment of a devolved Department of Justice prior to this, my Department will engage fully to ensure introduction of the legislation.

In addition, the NI Fire and Rescue Service undertakes a number of youth engagement projects such as Local Intervention Fire Education Schemes, a Cadet Fire Fighters Scheme and a Schools Programme aimed at community engagement with young people who are often involved in anti-social behaviour towards the emergency services.

### Specialist Bladder/Urinary Services

**Mr A Ross** asked the Minister of Health, Social Services and Public Safety (i) which hospitals currently offer specialist bladder/urinary services; and (ii) to detail the current waiting lists for these services at each hospital. (AQW 2806/10)

**Minister of Health, Social Services and Public Safety:** Urology services are currently<sup>1</sup> provided at the following hospitals.

| Inpatient services        | Outpatient services               |
|---------------------------|-----------------------------------|
| Belfast City Hospital     | Belfast City Hospital             |
| Ards Hospital             | Ards Hospital                     |
| Ulster Hospital           | Ulster Hospital                   |
| Royal Victoria Hospital   | Bangor Hospital                   |
| Mater Infirmorum Hospital | Royal Victoria Hospital           |
| Lagan Valley Hospital     | Mater Infirmorum Hospital         |
| Downe Hospital            | Lagan Valley Hospital             |
| Causeway Hospital         | Downe Hospital                    |
| South Tyrone Hospital     | Causeway Hospital                 |
| Craigavon Area Hospital   | South Tyrone Hospital             |
| Altnagelvin Area Hospital | Banbridge Hospital                |
|                           | Craigavon Area Hospital           |
|                           | Altnagelvin Area Hospital         |
|                           | Roe Valley (Outpatients) Hospital |
|                           | Tyrone County Hospital            |

**Source:** Departmental Returns KH03a and QOAR

<sup>1</sup> – Urology services provided during quarter ending 30th September 2009

- (ii) Waiting times for both Inpatient admission and a first outpatient appointment are collected by the Department by Health and Social Care Trust, and are not available by hospital. Information on general waiting times, including urology, at 30<sup>th</sup> September, the latest position for which official figures are available, can be found at the following link:

[http://www.dhsspsni.gov.uk/waiting\\_times\\_september\\_2009\\_\\_final.pdf](http://www.dhsspsni.gov.uk/waiting_times_september_2009__final.pdf)

### Northern Health and Social Care Trust: Ambulances and Rapid Response Vehicles

**Mr P McGlone** asked the Minister of Health, Social Services and Public Safety to detail the numbers of (i) ambulances; and (ii) rapid response vehicles based in the Northern Health and Social Care Trust area in (a) 2007/08; (b) 2008/09; and (c) 2009/10. (AQW 2821/10)

**Minister of Health, Social Services and Public Safety:** The number of A&E ambulances and rapid response vehicles (RRVs) in the Northern Ireland Ambulance Service (NIAS) Northern Division, which is broadly coterminous with the Northern Health and Social Care Trust area, is as follows:

|                | 2007/08 | 2008/09 | 2009/10 |
|----------------|---------|---------|---------|
| A&E ambulances | 36      | 36      | 32      |
| RRVs           | 5       | 5       | 5       |

It is important to note that the number of vehicles in NIAS's emergency response fleet is determined solely by operational requirements. There has been substantial investment in new, more reliable, vehicles over the current CSR period.



The base locations from which these vehicles are despatched are as follows:

| Station       | Address                                       |
|---------------|---|
| Antrim        | Holywell Hospital, 62 Steeple Road            |
| Ballycastle   | Dalriada Hospital, Coleraine Rd               |
| Ballymena     | Braid Valley Hospital, Cushendall Road        |
| Ballymoney    | St James Road                                 |
| Carrickfergus | Prince William Way                            |
| Coleraine     | Newmills Industrial Estate, Lower Newmills Rd |
| Cookstown     | Orritor Road                                  |
| Larne         | Moyle Hospital, Gloucester Ave                |
| Magherafelt   | Mid-Ulster Hospital, Hospital Road            |
| Newtownabbey  | Whiteabbey Hospital Doagh Rd                  |

### Northern Health and Social Care Trust: Ambulances and Rapid Response Vehicles

**Mr P McGlone** asked the Minister of Health, Social Services and Public Safety to detail the base locations for ambulances and rapid response vehicles in the Northern Health and Social Care Trust area. (AQW 2822/10)

**Minister of Health, Social Services and Public Safety:** The number of A&E ambulances and rapid response vehicles (RRVs) in the Northern Ireland Ambulance Service (NIAS) Northern Division, which is broadly coterminous with the Northern Health and Social Care Trust area, is as follows:

|                | 2007/08 | 2008/09 | 2009/10 |
|----------------|---------|---------|---------|
| A&E ambulances | 36      | 36      | 32      |
| RRVs           | 5       | 5       | 5       |

It is important to note that the number of vehicles in NIAS's emergency response fleet is determined solely by operational requirements. There has been substantial investment in new, more reliable, vehicles over the current CSR period.

The base locations from which these vehicles are despatched are as follows:

| Station       | Address                                       |
|---------------|---|
| Antrim        | Holywell Hospital, 62 Steeple Road            |
| Ballycastle   | Dalriada Hospital, Coleraine Rd               |
| Ballymena     | Braid Valley Hospital, Cushendall Road        |
| Ballymoney    | St James Road                                 |
| Carrickfergus | Prince William Way                            |
| Coleraine     | Newmills Industrial Estate, Lower Newmills Rd |
| Cookstown     | Orritor Road                                  |
| Larne         | Moyle Hospital, Gloucester Ave                |
| Magherafelt   | Mid-Ulster Hospital, Hospital Road            |
| Newtownabbey  | Whiteabbey Hospital Doagh Rd                  |

### Empty Wards

**Mr A Easton** asked the Minister of Health, Social Services and Public Safety how many wards are currently empty in each Health and Social Care Trust. (AQW 2969/10)

**Minister of Health, Social Services and Public Safety:** On the 1st November 2009 there were no empty wards in any of the Health and Social Care Trusts.

This information has been supplied by Health and Social Care Trusts in Northern Ireland and has not been validated by the department.

### Department's Efficiency Delivery Plan

**Dr S Farry** asked the Minister of Health, Social Services and Public Safety for an update on his Department's Efficiency Delivery Plan. (AQW 2992/10)

**Minister of Health, Social Services and Public Safety:** The most recent information available (as at 30 September 2009) indicates that since April 2008 the following efficiencies have been delivered against the agreed categories in the Department's Efficiency Delivery Plan:

|    | Pharmaceutical Clinical Effectiveness | Productivity | RPA, admin & pay | Total |
|----|---------------------------------------|--------------|------------------|-------|
| £m | 27.4                                  | 55.3         | 61.3             | 144.0 |

### Causeway Hospital: Renal Dialysis Unit

**Mr M Storey** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 7087/08, for an update on the provision of a new Renal Dialysis Unit for the Causeway Hospital. (AQW 2993/10)

**Minister of Health, Social Services and Public Safety:** The Northern Health and Social Care Trust is currently developing a business case for the development of a renal unit at Causeway Hospital and is due to submit it to the Health and Social Care Board and my Department by February 2010.

### Urology Review

**Mr M Storey** asked the Minister of Health, Social Services and Public Safety for an update on the Urology Review. (AQW 2994/10)

**Minister of Health, Social Services and Public Safety:** The Health and Social Care Board is currently undertaking a public consultation on the Review of Urology Services in Northern Ireland, which will run until 18 December 2009. I would encourage interested parties to read the review document and respond if they wish to the Board.

The consultation documents can be accessed at the Board's website at <http://www.hscboard.hscni.net/>

### Neurologist Appointment: Waiting Time

**Mr G Robinson** asked the Minister of Health, Social Services and Public Safety the average waiting time for an appointment with a neurologist for a patient newly diagnosed with epilepsy. (AQW 2998/10)

**Minister of Health, Social Services and Public Safety:** Information on the waiting time for a first outpatient appointment is collected by specialty and the length of time that a patient is waiting, in timebands.

The waiting time position for a first outpatient appointment in the Neurology specialty, at the 30th June 2009, the most recent date for which official statistics are available, was published in the Northern Ireland Waiting Times Bulletin, which can be found at the following link:

[http://www.dhsspsni.gov.uk/waiting\\_list\\_bulletin\\_jun\\_09.pdf](http://www.dhsspsni.gov.uk/waiting_list_bulletin_jun_09.pdf)

### Swine Flu Vaccination

**Mr A Ross** asked the Minister of Health, Social Services and Public Safety how many people in East Antrim have been refused the swine flu vaccination; and the reasons. (AQW 3002/10)

**Minister of Health, Social Services and Public Safety:** Figures on those refused vaccination and the reasons why are not collected.

### Western Health and Social Care Trust: Occupational Therapy Services

**Mr B McElduff** asked the Minister of Health, Social Services and Public Safety to detail (i) a timeline and process for appointing a manager for occupational therapy services in the Western Health and Social Care Trust; and (ii) the potential backlog of appointments and casework as a result of this post remaining vacant. (AQW 3010/10)

**Minister of Health, Social Services and Public Safety:** I am informed by the Western Trust that the post has been advertised with a closing date for applications of 27 November 2009 and a provisional date for interviews in mid December 2009. The role of this new Head of Service is managerial and interim managerial arrangements are in place to ensure that there is no impact on waiting lists or patient appointments.

### Causeway Hospital: Urology Service

**Mr A McQuillan** asked the Minister of Health, Social Services and Public Safety if there are any plans to move the urology service from the Causeway Hospital to Antrim Area Hospital; and if so, when. (AQW 3011/10)

**Minister of Health, Social Services and Public Safety:** The Health and Social Care Board is currently undertaking a public consultation on the Review of Urology Services in Northern Ireland, which will run until 18 December 2009.

I would encourage interested parties to read the review document and respond if they wish to the Board.

The consultation documents can be accessed at the Board's website at <http://www.hscboard.hscni.net/>

### Overnight Stay in Hospital: Cost

**Mr S Hamilton** asked the Minister of Health, Social Services and Public Safety to detail the average cost to the Health Service of one overnight stay in hospital. (AQW 3013/10)

**Minister of Health, Social Services and Public Safety:** There is not a meaningful, or readily available, single average cost for one overnight stay in hospital.

### Overnight Stays in Hospital

**Mr S Hamilton** asked the Minister of Health, Social Services and Public Safety to detail, for the last five years, the average number of overnight stays in hospital for patients for whom appropriate care packages in the community could not be arranged. (AQW 3015/10)

**Minister of Health, Social Services and Public Safety:** The information is not available in the form requested.

### Cardiac Rehabilitation

**Mr M Storey** asked the Minister of Health, Social Services and Public Safety how many patients received cardiac rehabilitation, in each Health and Social Care Trust, in each of the last three years. (AQW 3067/10)

**Minister of Health, Social Services and Public Safety:** Information on the total number of patients who have received cardiac rehabilitation in previous years is not held centrally.

Cardiac rehabilitation service is costed within the overall cardiology service.

The current budget for 2008/09 to 2010/11 includes £12 million for cardiovascular services, £14 million for stroke services, £11 million for renal capacity, and a non-recurrent bridging supplement to support the delivery of the Framework, including cardiac rehabilitation.

### Cardiac Rehabilitation

**Mr M Storey** asked the Minister of Health, Social Services and Public Safety how many patients who did not receive cardiac rehabilitation had conditions that may have responded to cardiac rehabilitation in each Health and Social Care Trust, in each of the last three years. (AQW 3068/10)

**Minister of Health, Social Services and Public Safety:** Information on the total number of patients who have received cardiac rehabilitation in previous years is not held centrally.

Cardiac rehabilitation service is costed within the overall cardiology service.

The current budget for 2008/09 to 2010/11 includes £12 million for cardiovascular services, £14 million for stroke services, £11 million for renal capacity, and a non-recurrent bridging supplement to support the delivery of the Framework, including cardiac rehabilitation.

### Cardiac Rehabilitation

**Mr M Storey** asked the Minister of Health, Social Services and Public Safety what analysis has been conducted into the benefits of cardiac rehabilitation; and what is the estimated increase in life expectancy for patients who receive cardiac rehabilitation compared to those who do not. (AQW 3069/10)

**Minister of Health, Social Services and Public Safety:** Information on the total number of patients who have received cardiac rehabilitation in previous years is not held centrally.

Cardiac rehabilitation service is costed within the overall cardiology service.

The current budget for 2008/09 to 2010/11 includes £12 million for cardiovascular services, £14 million for stroke services, £11 million for renal capacity, and a non-recurrent bridging supplement to support the delivery of the Framework, including cardiac rehabilitation.

### Cardiac Rehabilitation

**Mr M Storey** asked the Minister of Health, Social Services and Public Safety how much has been spent on cardiac rehabilitation in each Health and Social Care Trust, in each of the last three years. (AQW 3070/10)

**Minister of Health, Social Services and Public Safety:** Information on the total number of patients who have received cardiac rehabilitation in previous years is not held centrally.

Cardiac rehabilitation service is costed within the overall cardiology service.

The current budget for 2008/09 to 2010/11 includes £12 million for cardiovascular services, £14 million for stroke services, £11 million for renal capacity, and a non-recurrent bridging supplement to support the delivery of the Framework, including cardiac rehabilitation.

### Locum Doctors and Consultants

**Lord Morrow** asked the Minister of Health, Social Services and Public Safety how many locum doctors and consultants are currently engaged in (i) the Erne Hospital; and (ii) South Tyrone Hospital. (AQW 3073/10)

**Minister of Health, Social Services and Public Safety:** The Western Trust has 11 (11 WTE) locum doctors currently engaged in the Erne Hospital and 1 (1 WTE) locum consultant.

The Southern Trust does not currently engage any locum doctors or consultants.

**Source:** Southern and Western Health & Social Care Trusts

**Notes:**

1. WTE = whole-time equivalent.

## Herbal Drugs

**Lord Morrow** asked the Minister of Health, Social Services and Public Safety if he has any plans to call for a ban on herbal drugs, which have a similar effect to illegal substances and can lead to complex addiction issues. (AQW 3074/10)

**Minister of Health, Social Services and Public Safety:** In order to ensure a consistent approach is taken to the law in relation to drugs use, all jurisdictions within the UK place the same restrictions on certain drugs as set out in the Misuse of Drugs Act – which is the responsibility of the Home Office in Westminster.

I understand that the Home Office is currently proposing to amend the Act to include a number of substances known as “legal highs”. The amendment will make it illegal to possess or distribute a range of substances including:

- GBL and 1,4-BD);
- BZP and a group of substituted piperazines;
- a range of synthetic cannabinoid receptor agonists; and
- 24 anabolic steroids and two growth promoters.

## Redundancy Payments

**Mr A Easton** asked the Minister of Health, Social Services and Public Safety to detail the cost to the Health Service of redundancy payments made under the Review of Public Administration. (AQW 3087/10)

**Minister of Health, Social Services and Public Safety:** The current cost of Review of Public Administration related voluntary redundancies and voluntary early retirements on the grounds of redundancy is £65.262m. These payments have been made in line with statutory entitlements and do not contain any compensation elements; this process is continuing.

## Prescription Fraud

**Mr A Easton** asked the Minister of Health, Social Services and Public Safety to detail the annual cost of prescription fraud in each of the last three years. (AQW 3088/10)

**Minister of Health, Social Services and Public Safety:** The estimated annual cost of prescription fraud for N Ireland for the last 3 financial years is as follows:

| Financial Year     | 2006/07 | 2007/08 | 2008/09 |
|--------------------|---------|---------|---------|
| Prescription fraud | £7.4m   | £8.3m   | £7.2m   |

I have announced that prescription charges will be abolished with effect from 1st April 2010.

## New GP Contract

**Mr A Easton** asked the Minister of Health, Social Services and Public Safety to detail the cost to the Health Service to date of implementing the new GP contract. (AQW 3089/10)

**Minister of Health, Social Services and Public Safety:** The following table shows the cost to the health service (year on year) to date of the implementation of the new UK wide GP contract from 1st April 2004.

| Year       | 2004/05 | 2005/06 | 2006/07 | 2007/08 | 2008/09 |
|------------|---------|---------|---------|---------|---------|
| Investment | £171.3m | £189.8m | £194.3m | £196.6m | £213.7m |

The investment shown above represents an average of 5.5% of the overall health budget in the years concerned.



## Restructuring of Statutory Residential Care

**Rt Hon J Donaldson** asked the Minister of Health, Social Services and Public Safety for his assessment of the impact the proposed reduction in staff, as a result of the restructuring of statutory residential care by the Southern Health and Social Care Trust, will have on the standard of care in residential homes for older people. (AQW 3095/10)

**Minister of Health, Social Services and Public Safety:** The Trust have confirmed that, taking account of the numbers and dependency levels of residents, staffing levels in all five statutory residential homes exceed those levels specified as the minimum required by the Regulation and Quality Improvement Authority and set out in their document "Staffing Guidance for Residential Care Homes".

## Ten-day Prompt Payment Scheme

**Dr S Farry** asked the Minister of Health, Social Services and Public Safety what action he is taking to ensure that the 10-day prompt payment scheme is passed on to sub-contractors by businesses who are receiving direct payments from the Department, and its related public bodies. (AQW 3097/10)

**Minister of Health, Social Services and Public Safety:** My Department and its related bodies take extremely seriously the obligation to pay promptly all organisations with which we do business directly. This includes taking all possible steps to ensure that suppliers are paid monthly in respect of validated invoices and within 10 days where possible. This being the case, it is to be expected that where main contractors benefit from earlier payment, this benefit would be passed on to sub contractors, although this remains a matter for agreement between these two parties.

## Air Ambulance Provision: Cost

**Mr B McElduff** asked the Minister of Health, Social Services and Public Safety to detail the cost to his Department of air ambulance provision in each Health and Social Care Trust area in (i) 2007/08; and (ii) 2008/09. (AQW 3114/10)

**Minister of Health, Social Services and Public Safety:** A regional contract has been in place with Woodgate Executive Air Charter (UK) Ltd since January 2006 for the transfer of critically ill patients, ie neonates, infants, paediatrics and adults to receiving hospitals in the UK. The contract also permits transfers, as required, outside of the UK eg Canada and Europe. Woodgate Executive Air Charter (UK) Ltd is based at Belfast International Airport and provides a 24 hour, 7 day a week service.

The information requested was collected by Health and Social Services Boards for the years concerned and is set out in the table below:

| Health and Social Services Board | Eastern<br>£         | Northern<br>£ | Southern<br>£ | Western<br>£ |
|----------------------------------|----------------------|---------------|---------------|--------------|
| 2007/08                          | 263,654              | 111,984       | 154,821       | 88,461       |
| 2008/09                          | 550,438 <sup>1</sup> | 198,614       | 122,717       | 96,479       |

<sup>1</sup> Includes flights to Canada, Germany and France totalling £124,437

## Pharmaceutical Price Regulation Scheme

**Rt Hon J Donaldson** asked the Minister of Health, Social Services and Public Safety if he has any plans to introduce a scheme similar to the Pharmaceutical Price Regulation Scheme, to encourage generic substitution by pharmacists. (AQW 3163/10)

**Minister of Health, Social Services and Public Safety:** The Pharmaceutical Price Regulation Scheme is UK wide and I am fully signed up to it including the proposals with regard to generic substitution.

### Children Act 1989: Modifications to

**Ms M Anderson** asked the Minister of Health, Social Services and Public Safety for his assessment of the modifications to the Children Act 1989 which were implemented in England and Wales as part of the Adoption and Children Act 2002; and if he has considered similar modifications here. (AQW 3190/10)

**Minister of Health, Social Services and Public Safety:** The amendments to the Children Act 1989 included within the 2002 Act cover private and public law matters as well as reserved and non-reserved issues. The impact of the changes in NI are the policy responsibility of:

- a) DHSSPS
- b) DFP or
- c) the NI Court Service which sits under the Ministry of Justice

For those areas which fall to my Department, we have made progress in a number of areas e.g. we have established an independent advocacy service for children in care although this is not yet placed this on a statutory basis. We have also consulted on other proposals as part of either the “Care Matters NI – A Bridge to a Better Future” or “Adopting the Future” consultations.

### Royal Victoria Hospital: Elliott Dynes Rehabilitation Unit

**Mr J Craig** asked the Minister of Health, Social Services and Public Safety to outline his Department’s plans for the Elliott Dynes Rehabilitation Unit at the Royal Victoria Hospital. (AQW 3218/10)

**Minister of Health, Social Services and Public Safety:** With respect to the 46-bed Elliott Dynes Unit, the Belfast Trust plans to re-provide 24 of the rehabilitation beds in the community and to provide a new 24-bedded unit for appropriate acute medical care within the main hospital building.

The Trust’s plan for elderly services is focused on the development and expansion of domiciliary and intermediate care alongside the increasing role of technology, enabling us to maintain more people in their own homes, or in community settings, thereby avoiding unnecessary admission to hospital or institutional care where possible.

I have assurances that throughout transition, quality and safety will be maintained and care standards will be met, that demand will be met and that there will be a process of meaningful and sensitive engagement with patients, families and carers.

### Special Guardianship Regulations 2005

**Ms M Anderson** asked the Minister of Health, Social Services and Public Safety for his assessment of the Special Guardianship Regulations 2005 which were introduced in England and Wales; and if he has given any consideration to introducing similar legislation here. (AQW 3226/10)

**Minister of Health, Social Services and Public Safety:** Under the Adopting the Future strategy it is proposed to introduce Special Guardianship as an amendment to the Children Order (Northern Ireland) 1995 through a proposed Adoption and Children Bill. A first draft paper is currently with the Executive seeking approval for the Bill proposals which includes Special Guardianship. My proposals are limited to introducing special guardianship in respect of public law cases for which I have responsibility.

### 2006 NICE Guidelines

**Mr D McClarty** asked the Minister of Health, Social Services and Public Safety (i) what steps his Department is taking to comply with the 2006 NICE guidelines which recommend that there should be one Parkinson’s disease nurse specialist for every 300 patients; (ii) how far short the Health Service currently is on this ratio; and (iii) when he expects to correct this shortfall. (AQW 3238/10)

**Minister of Health, Social Services and Public Safety:** There are currently 7 Parkinson’s disease specialist nurses working in Northern Ireland (equivalent to 6.06 WTE) who provide specialist advice and support to patients and non specialist health and social care staff groups within integrated teams. This number reflects our

integrated health and social care system and makes best use of all our resources. If our systems were not integrated the NICE recommendations would require us to have 9 WTE specialist nurses in Northern Ireland.

Care has been provided for people with Parkinson's disease as part of the overall neurological service provision rather than through disease-specific care packages.

HSC Trusts are taking every opportunity to deliver services around the needs of people with Parkinson's disease.

With the establishment of integrated teams, the ability of the service to more fully address the needs of people with long-term progressive conditions will be further developed.

### 2006 NICE Guidelines

**Rt Hon J Donaldson** asked the Minister of Health, Social Services and Public Safety (i) if he is aware of the 2006 NICE Guidelines which state that there should be one Parkinson's disease specialist nurse for every 300 patients; and that there is currently no such nurse in the South Eastern Health and Social Care Trust area which has 800 patients; and (ii) what action he is taking to address this shortfall. (AQW 3265/10)

**Minister of Health, Social Services and Public Safety:** I am aware of the NICE Guidance on Parkinson's disease published in 2006. There are currently 7 Parkinson's disease specialist nurses working in Northern Ireland (equivalent to 6.06 WTE) who provide specialist advice and support to patients and non specialist health and social care staff groups within integrated teams. This number reflects our integrated health and social care system and makes best use of all our resources. If our systems were not integrated the NICE recommendations would require us to have 9 WTE specialist nurses in Northern Ireland.

Patients from South Eastern Trust who attend the Movement Disorder clinic in Belfast Trust, (where there are 3 Specialist nurses) have their care needs coordinated currently by this team.

HSC Trusts are taking every opportunity to deliver services around the needs of people with Parkinson's disease.

With the establishment of integrated teams, the ability of the service to more fully address the needs of people with long-term progressive conditions will be further developed.

### Practical Support for Ward Sisters

**Mrs M O'Neill** asked the Minister of Health, Social Services and Public Safety to detail how the £2 million announced on the 5th June 2009, to provide practical support for ward sisters has been distributed; and if it has been ringfenced for this purpose. (AQW 3321/10)

**Minister of Health, Social Services and Public Safety:** The uncertainty over my budget, in particular the funding of the £64 million for swine flu, has meant that I have been unable to move forward on this issue, and many other vital service developments.

Now that I have been given clarity around my budget, I will ensure Ward Sisters are given every possible support to help them improve cleanliness and hygiene levels.

### Dorothy Gardner and Rathlin Wards at Knockbracken: Integration of

**Ms D Purvis** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 3225/10, for an update on the ongoing consultation process on the integration of the Dorothy Gardner and Rathlin wards at Knockbracken, including (i) the specific stages of the process; (ii) when it will conclude; (iii) when an official decision will be made on the integration of the wards, based on the findings of the consultation; and (iv) if he can confirm that no male patients will be admitted to the Rathlin ward until the consultation is fully concluded. (AQW 3397/10)

**Minister of Health, Social Services and Public Safety:** In making the decision to merge Dorothy Gardner and Rathlin villas the Belfast Trust consulted with user and carer representatives and senior staff from within Mental Health Services. The Trust is currently liaising with current inpatients and relatives/carers on the process. The Belfast Trust is confident that the changes it is making will bring a vast improvement in the quality of accommodation for patients who may spend lengthy periods of time in hospital.

The Trust anticipates admitting male patients to Rathlin when the designated male wing in Rathlin villa becomes available. It is expected that the merger of Dorothy Gardner and Rathlin villas will be completed by the end of January 2010.

The reduction in acute beds and the enhancement of community mental health services is in line with Bamford recommendations.

## DEPARTMENT FOR REGIONAL DEVELOPMENT

### Road Openings

**Mr S Gardiner** asked the Minister for Regional Development if he will amend his Department's system of data collection to differentiate between all road openings, and new roads completed within the last year which have been subject to road openings by utility and service providers. (AQW 2985/10)

**Minister for Regional Development (Mr C Murphy):** My Department's Roads Service has advised that it manages and shares information with utilities on road openings through the NI Streetworks Registration and Notification System (NISRANS). The system provides utilities with details of where substantial road works have been completed by Roads Service in the previous 12 months. A 12 month statutory restriction is imposed on such roads to prevent all further works taking place, with the exception of emergency works and new customer connections.

In order to assist in coordinating street works and to minimise the number of road openings within areas affected by restrictions, NISRANS is designed to report on potential violations. Roads Service is currently working closely with the system supplier to determine if reports on actual violations can be provided.

### Road Surfaces

**Mr G Robinson** asked the Minister for Regional Development if he can give an assurance that priority will be given to rectifying a road surface that has been identified as a contributing factor in a road accident. (AQW 3062/10)

**Minister for Regional Development:** I can advise the Member that my Department's Roads Service regularly receives data on collisions involving personal injury from the PSNI. This data is used to identify locations where there are a number of collisions over a three-year period and to identify if there is a common cause which can be treated by engineering measures. However, I should point out that most traffic collisions in the North, which result in death or serious injury, occur as a result of excessive speed, (inappropriate for the conditions or in excess of the speed limit), alcohol, or failure to wear a seatbelt. Continued success in reducing the number of fatalities or seriously injured will depend on the combined effects of education, enforcement and engineering, as well as the coordinated efforts of all involved in road safety.

However, I can assure the Member that road safety is, and will continue to be, a top priority for Roads Service. In recognition of its duty of care under Article 8 of the Roads (Northern Ireland) Order 1993, which places it under a duty to maintain all public roads in reasonable condition, Roads Service has put in place a set of Maintenance Standards for Safety and an inspection programme, to ensure that roads have a satisfactory level of skidding resistance, which reduces the risk of uncontrolled skids and improves braking efficiency. These standards are based on best practice, research, and consultation with both the public and other professional bodies and Industry and designed to ensure a consistent service level and a safe highway, while offering value for money.

Essentially, the Safety Standards and procedures currently in operation establish frequencies for road inspections and specify response times for the repair of defects. Inspection frequencies vary between daily cycles for motorways, to four monthly cycles for carriageways 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 simple inclusion in the next work programme for that particular route. These systems and procedures are recognised and accepted by the courts as being robust, given the finite level of funding available. The Standards were last reviewed in 2006 and continue to provide a systematic approach to road maintenance management.

Roads Service also has a programme of measuring skidding resistance on motorways, trunk roads and A Class roads and reports annually on the percentage of the road network which is equal to or below the recommended skid resistance standard. Roads Service engineers carry out investigations on all roads that are found to be below the investigatory level and arrange remedial work, where necessary.

### Ten-day Prompt Payment Scheme

**Dr S Farry** asked the Minister for Regional Development what action he is taking to ensure that the 10-day prompt payment scheme is passed on to sub-contractors by businesses who are receiving direct payments from the Department, and its related public bodies. (AQW 3104/10)

**Minister for Regional Development:** Payment within 10 days is not a binding requirement in Government contracts. However, the Department and its related public bodies require main contractors to enter into subcontracts on the same terms and conditions as the main contract.

Central Procurement Directorate is currently considering the inclusion of additional conditions in its supplies and services contracts in relation to fair payment to ensure that main contractors pass on the benefits of prompt payment to their subcontractors. Any additional conditions in this respect will be mirrored in contracts entered into by the Department and its related public bodies.

### EWAY Rapid Transit Scheme

**Mrs N Long** asked the Minister for Regional Development whether his Department is considering proposals to proceed with the EWAY Rapid Transit scheme on the Upper Newtownards Road, East Belfast. (AQW 3108/10)

**Minister for Regional Development:** At present, the Rapid Transit project is moving into the preliminary design stage and Rapid Transit Division is examining all the route options to confirm the findings of the Strategic Outline Case. This includes the Upper Newtownards Road in East Belfast.

### Road Resurfacing Schemes

**Mr I McCrea** asked the Minister for Regional Development what road resurfacing schemes are planned for the Mid-Ulster constituency in the next two years. (AQW 3111/10)

**Minister for Regional Development:** My Department's Roads Service has advised that its resurfacing programmes for 2010/11 and 2011/12, in the Mid-Ulster constituency, have not been finalised.

I would remind the Member that information on resurfacing schemes can be found in my Department's Roads Service's Spring and Autumn Reports to Councils. These reports can be accessed from the Roads Service internet site at the following web address:

[www.roadsni.gov.uk/index/publications/publications-council\\_reports.htm](http://www.roadsni.gov.uk/index/publications/publications-council_reports.htm)

Roads Service is currently compiling their Autumn Reports to Councils.

### Traffic Calming Schemes

**Mr I McCrea** asked the Minister for Regional Development what traffic calming schemes are planned for the Mid-Ulster constituency in the next two years. (AQW 3112/10)

**Minister for Regional Development:** I would remind the Member that information on my Department's Roads Service's future programme of traffic calming schemes can be found in the Spring and Autumn Reports to Councils. These reports can be accessed from the Roads Service internet site at the following web address:

[www.roadsni.gov.uk/index/publications/publications-council\\_reports.htm](http://www.roadsni.gov.uk/index/publications/publications-council_reports.htm)

Roads Service is currently compiling their Autumn Reports to Councils.



### Bridges in Northern Ireland: Stability of

**Mr P Weir** asked the Minister for Regional Development, in light of the collapse of the bridge in Cumbria due to heavy rain, what measures are in place or are planned to be in place to ensure the stability of bridges in Northern Ireland. (AQW 3127/10)

**Minister for Regional Development:** My Department's Roads Service has advised that, in accordance with the guidelines set out in the Design Manual for Roads and Bridges (DMRB), it carries out a programme of detailed bridge inspections, of all bridges on their network, on a two year cycle.

In addition, Roads Service recently completed an underwater bridge inspection programme of bridges susceptible to erosion, or scour, beneath the water line. This process will also be cyclical, and in accordance with the DMRB.

Following the recent heavy rainfall, Roads Service will also conduct further visual inspections of structures that are deemed at risk to undermining, once the flood levels recede.

With regard to bridges on the NI Railways (NIR) network, Translink and its sub-contractors carry out a visual inspection annually. In addition, 39 bridges over larger rivers and streams received underwater inspections in 2008. These inspections consider erosion to the river bed, and whether there has been a change since the previous inspection.

A further 116 bridges over smaller rivers and streams have been inspected in the last three months, with a further two bridges due to be inspected later this month.

All work recommended during the inspections has been completed, or is programmed.

### East Antrim: Adopted Roads

**Mr A Ross** asked the Minister for Regional Development to detail (i) the number; and (ii) the location of roads that have been adopted in East Antrim, in the last 12 months. (AQW 3144/10)

**Minister for Regional Development:** My Department's Roads Service has advised that it has adopted 23 roads, in the last 12 months in East Antrim.

The locations of the roads are:-

- Bay Road, Larne
- Bramble Glen, Old Carrick Road, Newtownabbey
- Brustin Lee, Ballygally
- Cherry Walk, Carrickfergus
- Clonvara, Jordanstown Road, Newtownabbey
- Craigs Close, Carrickfergus
- Drumahoe Gardens, Larne
- Edenmore Court, Jordanstown
- Edenvale Avenue/Copeland Road, Carrickfergus
- Greenwood Park, Carrickfergus
- Hawthorne Road, Carrickfergus
- Linn Road, Larne
- Mounthill Manor, Larne
- Mullaghmore Park, Carrickfergus
- Olde Forde, Islandmagee Road, Carrickfergus
- Prince Andrew Way, Carrickfergus
- Prospect Loanen, Carrickfergus
- Regent's Park, Larne
- Riverside, Gleno
- The Stables, Islandmagee
- Tudor Gardens, Carrickfergus

- Tudor Road, Broadlands, Carrickfergus
- Walnut Hollow, Larne

I would remind the Member that information on adopted roads can be found in my Department's Roads Service's Spring and Autumn Reports to Councils. These reports can be accessed from the Department for Regional Development's internet site at the following web addresses:

<http://www.drdni.gov.uk/index/publications/publications-searchall.htm>

## Railway Stations

**Mr S Gardiner** asked the Minister for Regional Development to what extent each major railway station is compliant with section 3 of the Disability Discrimination Act 1996 and subsequent acts to 2005. (AQW 3149/10)

**Minister for Regional Development:** Translink has recently completed a £17m Disability Discrimination Act (DDA) and New Rail Vision Upgrade Project across its stations and halts. The scope of the project was finalised in consultation with 'Disability Action' who recognised that providing full accessibility to all public transport infrastructures would involve enormous cost and recognised that due to limitations on funding that a means of prioritisation was required. The work carried out under the DDA project has resulted in major railway stations generally being in compliance with the DDA requirements.

In discussing a programme Disability Action did not set standards but agreed with Translink a pragmatic scope of works. Translink have informed me that to evidence in detail compliance with DDA regulations would take some time. I am aware that you have raised the issue of compliance with Translink in respect of Portadown railway station. Translink have informed me that over £400k has been spent on improvement works at the station recently. Major works would be required to remove the stepped access to the island platform. To overcome this shortcoming Translink can bring trains on request into platform 1 to assist passengers with access. I have discussed the issue of DDA plans at the station. It is estimated that £2m could be required to complete station modifications. It is envisaged that these plans, based on current budget scenarios, are to begin during the next Comprehensive Spending Review period.

## Portadown Railway Station

**Mr S Gardiner** asked the Minister for Regional Development when he plans to upgrade Portadown Railway Station, given that there are 400,000 passenger journeys out of it each year, and Translink does not plan to upgrade until 2014, especially since he has recently opened a new Railway station in his constituency of Newry and Armagh. (AQW 3152/10)

**Minister for Regional Development:** Translink had originally planned to complete the upgrade of Portadown station by 2013 but this has slipped to 2014 owing to pressures on available capital budgets. It is envisaged that the project will be delivered in phases, with the first phase designed to improve access to the island platform by constructing a footbridge serviced by passenger lifts. In the current plan which is subject to funding availability and approval, it is envisaged that work would start in 2013 and be completed in 2014. Whilst it is potentially feasible to bring the construction period forward, the funding pressures which already exist in the next few years suggest this is unlikely.

While it is accepted that major works may be required at Portadown Station, the facilities currently provided are clearly functional. In comparison, the old Newry Railway Station, which has now been replaced, was very basic and provided very poor conditions for both staff and passengers. Plans to build the new station were originally drawn up some fourteen years ago. The primary factors influencing station plans are in order; safety or legislative compliance; asset condition; business efficiency and strategic requirements.

## Newry Railway Station

**Mr S Gardiner** asked the Minister for Regional Development how many passengers depart from Newry Railway Station each year. (AQW 3153/10)

**Minister for Regional Development:** Owing to the open system of railway ticketing used by Translink, it is impossible to provide wholly accurate figures of passengers departing from Newry Railway Station.

Those passengers who have tickets which give unlimited access on bus and rail to the North of Ireland, commuter cards, family tickets or school passes cannot be recorded at individual train stations.

The following table provides details of the number of passengers, for which Translink have records, who have boarded the train at Newry over the past 3 years.

| Newry NIR Passenger Journeys |                     |                     |                     |
|------------------------------|---------------------|---------------------|---------------------|
|                              | 27/03/06 – 25/03/07 | 26/03/07 – 30/03/08 | 31/03/08 – 29/03/09 |
| Boarding                     | 110,207             | 115,134             | 108,545             |

In addition there will, of course, be significant numbers of passengers arriving at Newry Station.

## Airports: Development of

**Mr B Wilson** asked the Minister for Regional Development for his assessment on the limitations on planning the development of airports, because civil aviation is a reserved matter. (AQW 3157/10)

**Minister for Regional Development:** Although civil aviation is currently a reserved matter, all three commercial airports in the North have development plans which involve the growth of services. The extent of airport development is, of course, subject to statutory environmental constraints, including planning, which are the responsibility of the devolved administration.

## Roads

**Mr S Gardiner** asked the Minister for Regional Development how much his Department has spent in each of the last five years on (i) the construction of new roads; and (ii) roads maintenance and repairs, by (a) council area; and (b) constituency. (AQW 3165/10)

**Minister for Regional Development:** My Department's Roads Service does not distinguish between new roads and other improvement measures. However, details of the total expenditure on road improvements in each of the last five years are available by Roads Service Division, including the construction of new roads and road maintenance and repairs, and are provided in the tables below:

| Roads Service Division | Estimated Major Construction Spend* |             |             |             |             |
|------------------------|-------------------------------------|-------------|-------------|-------------|-------------|
|                        | 2004/05                             | 2005/06     | 2006/07     | 2007/08     | 2008/09     |
| Eastern                | £6,732,000                          | £915,000    | £2,829,000  | £28,379,000 | £68,929,000 |
| Northern               | £8,127,000                          | £6,767,000  | £819,000    | £5,262,000  | 0           |
| Southern               | £11,245,000                         | £13,458,000 | £16,427,000 | £5,456,000  | £3,933,000  |
| Western                | £3,118,000                          | £5,263,000  | £1,933,000  | £1,148,000  | £1,582,000  |

\* Major Construction includes Public Private Partnership Permission to Use payments.

| Roads Service Division | Estimated Minor Construction Spend* |             |            |            |            |
|------------------------|-------------------------------------|-------------|------------|------------|------------|
|                        | 2004/05                             | 2005/06     | 2006/07    | 2007/08    | 2008/09    |
| Eastern                | £10,065,000                         | £10,728,000 | £7,925,000 | £8,737,000 | £8,587,000 |
| Northern               | £10,086,000                         | £10,491,000 | £5,895,000 | £7,107,000 | £7,130,000 |
| Southern               | £9,962,000                          | £9,930,000  | £6,311,000 | £7,174,000 | £6,837,000 |
| Western                | £9,857,000                          | £10,645,000 | £6,355,000 | £7,977,000 | £7,324,000 |

\* Minor Construction includes Local Transport and Safety Measures, Bridge Strengthening and Large Minor Works.

| Roads Service Division | Structural Maintenance Spend* |             |             |             |             |
|------------------------|-------------------------------|-------------|-------------|-------------|-------------|
|                        | 2004/05                       | 2005/06     | 2006/07     | 2007/08     | 2008/09     |
| Eastern                | £15,917,000                   | £15,771,000 | £15,034,000 | £17,736,000 | £14,719,000 |

| Roads Service Division | Structural Maintenance Spend* |             |             |             |             |
|------------------------|-------------------------------|-------------|-------------|-------------|-------------|
|                        | 2004/05                       | 2005/06     | 2006/07     | 2007/08     | 2008/09     |
| Northern               | £16,677,000                   | £16,749,000 | £14,499,000 | £17,089,000 | £14,060,000 |
| Southern               | £20,340,000                   | £18,981,000 | £17,374,000 | £21,087,000 | £16,311,000 |
| Western                | £20,899,000                   | £19,017,000 | £18,658,000 | £21,418,000 | £17,892,000 |

\* Structural Maintenance includes resurfacing of roads and footways, surface dressing, patching and structural drainage.

## Road Maintenance

**Mr S Gardiner** asked the Minister for Regional Development, pursuant to AQW 266/10, to detail how the £4,000 per road mile spent on road maintenance compares to the amount spent per road mile in England, Wales and Scotland. (AQW 3168/10)

**Minister for Regional Development:** The following table contains broad comparison details of how my Department's Roads Service's structural maintenance expenditure for 2008/09, of £4,000 per mile of road, compares with details available for England, 2006/07, and Wales 2005/06. Unfortunately, a comparison figure is not available for Scotland:

| Structural Maintenance              | North of Ireland (08/09) | England (06/07) | Wales (05/06) |
|-------------------------------------|--------------------------|-----------------|---------------|
| All roads /carriageway – £ per mile | £4,000                   | £21,000         | £12,200       |

## Roads

**Mr S Gardiner** asked the Minister for Regional Development if he has examined the provision of service ducts for electricity, gas, water and other utilities on both sides of new roads being constructed or on roads being upgraded, to avoid widespread road opening in the future. (AQW 3169/10)

**Minister for Regional Development:** My Department's Roads Service has advised that, as part of the scheme appraisal process for new roads, they consult with all utility providers at an early stage to advise them of the proposals and also establish their current and future requirements within the vicinity of the scheme. Further enquiries are made to utility providers during the preliminary and detailed design stages, as to the location of existing apparatus and any proposals they may have for future works, which may need to be accommodated within the scheme. Liaison between Roads Service and the various utilities is enhanced through the workings of the NI Road Authority and Utilities Committee.

Roads Service endeavour to accommodate all utility works within the verge away from the carriageway, which not only removes the need for future road openings, but also helps reduce health and safety issues associated with any subsequent maintenance works. However, there is an exception in the case of motorways and special roads where access for utilities is restricted under the Roads (NI) Order 1993.

With the varying requirements of individual utility companies, there can be practical difficulties and significant expense to installing ducting along the entire length of a road scheme, particularly as much of the work could be of a nugatory nature, if it is never used.

However, through careful planning and liaison at the design stage of a project, it should be possible for Roads Service to minimise the requirement for widespread road openings in the future.

## East Antrim: Unadopted Roads

**Mr A Ross** asked the Minister for Regional Development (i) how many unadopted roads there are in East Antrim; (ii) to detail the location of these roads; and (iii) if Roads Service plans to adopt them. (AQW 3172/10)

**Minister for Regional Development:** My Department's Roads Service has advised that there are currently 57 roads / streets in the East Antrim area that are unadopted and which are subject to Private Streets Order Legislation.

The locations of these roads / streets are as follows:

- Cambridge Close , Carrick
- Cherry Walk, Carrick
- Loughview Terrace, Carrick
- North Lodge Court, Carrick
- Rathview , Carrick
- Riverdale Avenue, Carrick
- Shaftesbury Cross , Carrick
- Swifts Quay , Carrick
- Rodgers Quay, Carrick
- Cloughlands Park, Carrick
- Gorman Close, Green island
- Woodburn Avenue, Carrick
- Glynn Park , Carrick
- Rosemount Park / Mountpleasant Road , Jordanstown
- Knockmore Park , Carrick
- Glenavana House Hotel , Whiteabbey
- Upper Road , Greenisland
- Windmill Park , Carrick
- Old Turn , Eden
- 77 Woodburn Road , Carrick
- Riverbrook , Whitehaed
- Moyard Gardens , Carrick
- Woodfield , Jordanstown
- Meadowbank , Jordanstown
- Monkstown Mews , Jordanstown
- Glendhu Court , Monkstown
- Glenville Road , Whiteabbey
- Farmlodge , Green island
- Sloefield Road , Carrick
- Drumahoy Drive , Carrick
- Rhanbuoy Park, Carrick
- Ashbourne Manor , Carrick
- Charles Legg/Granville Drive , Carrick
- Rathview, Carrick
- The Close , Carrick
- Glenfield, Carrick
- Old Shore Court, Carrick
- Farmlodge Park , Carrick
- Edenvale Avenue , Carrick
- Longpark , Farm lodge , Carrick
- Cloughlands Park, Carrick
- Brooklands Close, Whitehead
- Walnut Hollow (part), Larne
- Coastguard Road, Larne
- Loranville, Larne



- Whinfield (part), Larne
- Casements View (part), Larne
- Inver Heights, Larne
- The Beeches Distributor Road, Larne
- Oakdene, Larne
- Castlevue Cottages, Mark St., Larne
- Drumnahoe Manor, Larne
- Forthill, Ballycarry
- Kiln Court, Larne
- Sallagh Park (car-parking), Larne
- Curragh Hill, Carnlough
- Allenbrook, Millbrook, Larne

If the developers of these streets fulfil their obligations under the Private Streets Order, and the roads are completed to adoption standard, Roads Service will then adopt them.

In addition, there are also a number of roads / streets in the East Antrim area that remain unadopted but which are not subject to Private Streets Order Legislation. Information on such roads is not readily available and a significant commitment of staff resources would be required in order to collate it. However, if the Member has concerns about specific unadopted roads within particular developments, I would recommend that he raises these matters directly with the relevant Divisional Roads Manager in either Eastern Division or Northern Division both of whom have responsibility for parts of the East Antrim constituency.

### Strategy to Address Flooding

**Mr J Shannon** asked the Minister for Regional Development if he has considered developing a new strategy to address flooding affecting homeowners and businesses. (AQW 3184/10)

**Minister for Regional Development:** My Department's Roads Service and Northern Ireland Water (NIW) contribute fully to the implementation of the EC Floods Directive in the North, through an inter-Agency Flooding Strategy Steering Group, under the leadership of the Department of Agriculture and Rural Development (DARD). The EC Floods Directive is designed to help Member States establish a new framework for managing flood risk, that is aimed at reducing the adverse consequences of flooding on human health, the environment, cultural heritage, and economic activity.

Responsibility for the drainage infrastructure in the North is shared between DARD and DRD, through the three main drainage organisations, namely Rivers Agency, Roads Service and NIW. The three agencies, through the Flood Strategy Steering group, have formulated procedures for liaison and co-ordination of the emergency response, resulting in the production of Best Practice Guidelines and a Flooding Hotspots register.

The flooding hotspots register includes a list of key flooding locations across the North. The register also identifies the agency which should take the lead during a flooding event for each location. The flooding hotspots register is continually updated, as new locations become apparent. However, even with the most thorough maintenance and careful planning, gullies, road drains and watercourses can be simply overwhelmed by a deluge of rain falling within a short period of time.

NIW has advised that they are developing long term solutions based on flooding records, and hydraulic modelling, and each of these solutions will be costed and prioritised according to the severity of the flooding. Progress on work to resolve flooding issues will be dependent on the outcome of the funding available to NIW as a result of the Price Control 2010-2013, which is currently under consideration by the Northern Ireland Authority for Utility Regulation. It is intended that expenditure will be focused upon those properties which are at risk of internal flooding.

With regards to the prevention of flooding related to future development, NIW's policy is that the 'foul' sewerage system should not accept storm run-off from greenfield developments. NIW is also fully supportive of the principle of Sustainable Urban Drainage Systems.

### Flashing Warning Signs Outside Schools

**Mr J Shannon** asked the Minister for Regional Development to detail (i) how many flashing warning signs have been placed outside schools in each constituency; and (ii) his plans to install more of these signs in the next three years. (AQW 3185/10)

**Minister for Regional Development:** My Department's Roads Service provides flashing school warning signs and enhanced road safety features near schools as part of the Travelwise Safer Routes to Schools initiative.

Roads Service does not maintain information on the number of flashing warning signs placed outside schools by constituency area. However, I can advise that as at the end of November 2009, Roads Service has implemented road safety schemes, incorporating flashing warning signs, outside 236 schools across the North.

With regard to future proposals, I can advise that Roads Service expect to implement 30 road safety schemes, with on average two flashing warning signs per scheme, in each of the next three years.

### Ballynure: Pumping Station

**Mr T Burns** asked the Minister for Regional Development for his assessment of the reliability and current operational condition of the pumping station at Ballynure; and to detail the maintenance that has been carried out on the station in the last five years and what plans there are to upgrade it. (AQW 3216/10)

**Minister for Regional Development:** I have been advised by Northern Ireland Water (NIW) that the Ballynure Sewage Pumping Station was constructed in 2006 and became operational in 2007. There are no current plans to upgrade the Pumping Station as it is deemed to be in good operational condition and performs as designed under normal operating conditions.

The Pumping Station is inspected on a weekly basis. Although NIW does not have detailed records of maintenance work on this Station prior to November 2008, the table below illustrates that, since then, in addition to the scheduled weekly inspections, maintenance work has been undertaken on nine separate occasions as shown in the table below.

| Date            | Type of Maintenance Work            |
|-----------------|-------------------------------------|
| 21 January 2009 | Grounds maintenance                 |
| 12 May 2009     | Dealing with Communications failure |
| 14 May 2009     | Scheduled degritting of pump sump   |
| 2 July 2009     | Telemetry aerial realignment        |
| 14 July 2009    | Pump maintenance                    |
| 29 July 2009    | Scheduled degritting of pump sump   |
| 03 August 2009  | Temporary radio replacement         |
| 2 November 2009 | Removal of Pump blockage            |
| 3 November 2009 | Degritting of pump sump             |

### South Antrim: Work Planned by Roads Service and NI Water

**Mr T Burns** asked the Minister for Regional Development to detail the work planned by Roads Service and NI Water in the South Antrim constituency in December 2009. (AQW 3217/10)

**Minister for Regional Development:** My Department's Roads Service does not hold information on schemes on a constituency basis. However, information on completed and proposed schemes can be found in the Roads Service's Spring and Autumn Reports to Councils. These reports can be accessed from the Roads Service internet site at the following web address:

<http://www.drdni.gov.uk/index/publications/publications-searchall.htm>

NI Water has advised that it plans to carry out the following works in the South Antrim Constituency during December 2009:

- Black Cave and Upper Roddens Sewage Improvements – conversion of outfall screen works;
- Joymount Drainage Area Plan - replacement of existing Shaftesbury Pumping Station with combined storage pump. New and upgraded storm pipes and desilting work;
- Manse Road, Camross Park, Newtownabbey – combined sewer overflow cleaning and repairs to storm system;
- Whiteabbey Lower – replacement of watermains; and
- various locations - upgrading of small wastewater treatment works.

This work is in addition to the day-to-day maintenance and repair required to the water and sewerage network.

## NI Railways

**Mr G Robinson** asked the Minister for Regional Development (i) to outline the reason for the 45 minute delay to the 06.30 Coleraine to Belfast NI Railways service on 1 December; (ii) whether passengers will receive full compensation for any loss of wages; and (iii) if complaints will be treated with urgency. (AQW 3246/10)

**Minister for Regional Development:** Translink have informed me that the delay to the service in question was due to engineering work which damaged a cable, causing a signalling fault at Slaght crossing.

Translink's Passengers' Charter and Delay Repay scheme (at [www.translink.co.uk](http://www.translink.co.uk)) cover customers' entitlements in relation to compensation as a result of such delays. In this instance (for a 45-minute delay) passengers are entitled to reclaim half the fare paid for the journey.

Translink's Passengers' Charter states "if you complain in writing and we cannot give you a full response straight away, we will acknowledge your letter within 3 working days of receiving it. We aim to give you a full response within another 10 working days (in 90% of cases) and respond to all complaints within 15 working days of receiving them".

## Road Openings

**Mr J Shannon** asked the Minister for Regional Development why NI Water has opened roads in Portaferry after completing a scheme of resurfacing which cost in the region of £6 million; and when will he establish a system of communication between departments on road openings. (AQW 3261/10)

**Minister for Regional Development:** I have been advised by Northern Ireland Water (NIW) that due to the nature, and in many cases, urgency of day-to-day repair and maintenance work on the water and sewerage network, it is not normally practicable to co-ordinate this work with road resurfacing schemes except in the case of major works which can be planned well in advance.

There have been no major NIW works in the Strand area of Portaferry recently, but four minor repairs were completed in the past two years which required small excavations, one in the carriageway and three in the footway.

With regards to communication between departments, my Department's Roads Service has advised that it manages and shares information with utilities on road openings through the NI Streetworks Registration and Notification System (NISRANS).

Following the completion of works, Roads Service also has powers to restrict works on roads for a further 12 months, except when works are required for emergency purposes or new customer connections. Details of such restrictions are notified to utilities through NISRANS. However, such restrictions are limited to works completed by Roads Service and do not extend to works carried out by utilities, such as NIW.

## Donaghadee Harbour

**Miss M McIlveen** asked the Minister for Regional Development what capital works are planned for Donaghadee Harbour including possible commencement dates. (AQW 3352/10)

**Minister for Regional Development:** There are currently no capital works planned for Donaghadee Harbour.

### **Donaghadee Harbour: Cost of Capital Works**

**Miss M McIlveen** asked the Minister for Regional Development the estimated cost of capital works required to ensure that Donaghadee Harbour is in a safe condition. (AQW 3373/10)

**Minister for Regional Development:** Nil. Provision is made in revenue expenditure for the continuing maintenance of the harbour.

### **Tyrone or Fermanagh: Old Railway Lines**

**Mr T Gallagher** asked the Minister for Regional Development if his Department has estimated the cost of re-opening the old railway lines in Tyrone or Fermanagh. (AQW 3434/10)

**Minister for Regional Development:** The cost of reopening the old railway lines in Tyrone or Fermanagh has not been formally estimated but from benchmarking information would have very significant capital and revenue consequences.

The planned investment in public transport by my Department in the North of Ireland, over the next ten years, is set out in the Investment Delivery Plan which is published on the Strategic Investment Board's website. Development of overall railway infrastructure was considered in the course of the production of the business case, completed in August 2007, for the New Trains Two Programme. This followed from the work of an inter-departmental group established in September 2006 which considered options for future investment in the railways network here. My priority currently is to maintain, improve and upgrade existing railway lines in the region. Subject to budget constraints I am conscious of the need to explore longer term options including possible cross border connectivities throughout the North West.

## **DEPARTMENT FOR SOCIAL DEVELOPMENT**

### **Housing Executive Properties: Adaptations**

**Mr J Shannon** asked the Minister for Social Development if she can explain why adaptations to Housing Executive properties are decreasing despite the increase in the Housing Executive budget. (AQW 2834/10)

**Minister for Social Development (Ms M Ritchie):** The adaptations service is demand led and all housing adaptations are tailored to meet the individual needs of each particular applicant and therefore will vary in complexity and cost. The number of adaptations carried out each year does not have a direct correlation to the costs. Such is the variance of the costs of individual adaptations that it is not possible to compare the number of adaptations and associated costs in any one year, against the number of adaptations and total costs of adaptations in another year.

### **Civil Servants' Earnings**

**Mr J Craig** asked the Minister for Social Development how many civil servants in her Department earn more than the Minister, inclusive of salaries, bonuses and any paid positions on outside bodies. (AQW 2907/10)

**Minister for Social Development:** The term civil servants encompasses members of the Northern Ireland Civil Service including the Senior Civil Service and, under a special arrangement, Special Advisors to Ministers. Salaries for civil servants are determined in pay scales relative to the appropriate grading structure. The grading structures are underpinned by job evaluation methodologies. Civil Service salaries paid in 2008-2009 have been used for the purpose of this comparison.

The Ministerial salary used for comparison purposes in this response is the annual salary payable in 2008-2009 to a Ministerial Office Holder of £37,801 plus the basic annual salary payable to a Member of the Legislative Assembly of £43,101.

During the 2008-2009 year 6 civil servants in the Department for Social Development earned more than the Minister. Information relating to paid positions on outside bodies is not held.

### Rathfern Estate: Replacement Windows

**Mr A Ross** asked the Minister for Social Development why replacement windows for homes in the Rathfern estate have been cancelled despite residents being informed that they would receive them. (AQW 3020/10)

**Minister for Social Development:** Physical surveys of Housing Executive properties in the Rathfern estate resulted in servicing and repairs being deemed adequate for the majority of window units. Residents were not informed they would receive them as the Housing Executive has not issued any formal notification to residents in Rathfern Estate to advise that window replacement forms part of the proposed External Cyclical Maintenance work.

### Glenville Estate and the Rathfern Estate: Replacement Windows

**Mr A Ross** asked the Minister for Social Development how many homes will benefit from replacement windows in (i) the Glenville Estate; and (ii) the Rathfern Estate; and how many were originally informed that they would benefit. (AQW 3021/10)

**Minister for Social Development:** Within the Glenville Estate, 84 tenanted dwellings are scheduled for full window replacement and in the Rathfern Estate two properties are scheduled to have full window replacement and two for partial window replacement. The Housing Executive has not issued any formal notifications to any residents in Rathfern Estate or Glenville Estate that window replacements will be included within the proposed External Cyclical Maintenance work.

### Disabled Facilities Extensions

**Mr A Ross** asked the Minister for Social Development how many applications are currently held for disabled facilities extensions in (i) Larne; (ii) Carrickfergus; and (iii) Newtownabbey. (AQW 3022/10)

**Minister for Social Development:** The Housing Executive currently hold applications (approvals pending) for the following Disabled Facilities Grants involving extensions;

| Larne | Carrickfergus | Newtownabbey |
|-------|---------------|--------------|
| 1     | 0             | 2            |

There are also 423 applications in these areas at a preliminary stage and it is not known how many will involve extensions until the Occupational Therapy Service's recommendations are received.

### Disabled Facilities Extensions

**Mr A Ross** asked the Minister for Social Development to detail the average waiting time for residents to have disabled facilities extensions carried out in (i) Larne; (ii) Carrickfergus; and (iii) Newtownabbey. (AQW 3023/10)

**Minister for Social Development:** The average waiting time for carrying out disabled facilities extensions in the Housing Executive's District Offices in the above areas (from Occupational Therapist's referral to commencement) are as follows:-

| Larne    | Carrickfergus | Newtownabbey * |
|----------|---------------|----------------|
| 70 weeks | 69 weeks      | 107 weeks      |

\* This delay was due to the need to agree suitable decant accommodation with a number of tenants requiring adaptation works.



### Disabled Facilities Extensions

**Mr A Ross** asked the Minister for Social Development how many people have received disabled facilities extensions in (i) Larne; (ii) Carrickfergus; and (iii) Newtownabbey in each of the last 3 years. (AQW 3024/10)

**Minister for Social Development:** The table below details the number of disabled facilities extensions completed in each of the last 3 years.

|         | Larne | Carrickfergus | Newtownabbey |
|---------|-------|---------------|--------------|
| 2006/07 | 12    | 8             | 20           |
| 2007/08 | 3     | 15            | 17           |
| 2008/09 | 6     | 9             | 20           |

### Small Pockets of Deprivation Funding

**Mr S Hamilton** asked the Minister for Social Development how, and when, areas receiving Small Pockets of Deprivation funding were informed that a 30 September 2009 deadline was in place for the receipt of new applications. (AQW 3055/10)

**Minister for Social Development:** In response to your previous question (AQW 2914) I stated that there was a deadline of 30 September for the submission of project funding applications with regards to the Small Pockets of Deprivation (SPOD) programme. This deadline has been communicated on an on-going basis through meetings and conversations with the groups throughout the year. Following a meeting between DSD and NIHE Officials on 19 August 2009, all groups were contacted again by telephone or visited to remind them of the deadline.

### Ten-day Prompt Payment Scheme

**Dr S Farry** asked the Minister for Social Development what action she is taking to ensure that the 10-day prompt payment scheme is passed on to sub-contractors by businesses who are receiving direct payments from the Department, and its related public bodies. (AQW 3098/10)

**Minister for Social Development:** All contracts entered into by this Department follow strict tendering processes set by the Central Procurement Directorate of the Department of Finance & Personnel. For construction contracts procured through the Central Procurement Directorate, main contractors are required to comply with the 'Code of Practice for Government Construction Clients and their Supply Chains.' As such, this Department complies with Central Procurement Directorate guidance, which includes the need for fair dealing in the supply chain.

### Housing Executive Properties

**Mr I McCrea** asked the Minister for Social Development how many Housing Executive houses in (i) Cookstown District Council area; and (ii) Magherafelt District Council area are currently awaiting modernisation or renovation before being allocated to tenants. (AQW 3113/10)

**Minister for Social Development:** Currently there are no dwellings in Magherafelt or Cookstown awaiting major repairs or improvements before being allocated to applicants.

### Housing Executive Sales

**Mr S Hamilton** asked the Minister for Social Development to detail (i) the number of Housing Executive houses sales; (ii) the money received from those sales to date in this financial year; and (iii) how these figures compare to the same period in the last two financial years. (AQW 3122/10)

**Minister for Social Development:** Housing Executive house sales for this financial year up to 30 November 2009, stood at 170 and £9.2m was received from the sale of these. During the corresponding period in 2008/09,

the figure for house sales was 34 and £2.6m was received from the sale of these. For the same period in 2007/08 there were 743 sales and £52.2m was received from the sale of these.

### Efficiencies Agreed by the Executive

**Mr S Hamilton** asked the Minister for Social Development to outline the areas where her Department has made the efficiencies agreed by the Executive in each financial year since the restoration of devolution including the current year to date, and to outline the monetary value of these efficiencies. (AQW 3123/10)

**Minister for Social Development:** Efficiencies have been made in Housing, Urban Regeneration and Community Development programmes, the Social Security Agency, the Child Maintenance and Enforcement Division and in my Department's Core administration.

The efficiency target for 2007/08 of £49.4m was agreed with the previous direct rule administration, and was achieved. In 2008/09, the value of achieved efficiencies was £19.62m. As at 30 September 09, my Department was on track to achieve the cumulative full year efficiency target of £37.5m.

### Women's Centres Childcare Fund

**Mr P Weir** asked the Minister for Social Development what groups her Department will consult on the review of the Women's Centres Childcare Fund. (AQW 3126/10)

**Minister for Social Development:** There are currently no plans to review the Women's Centres Childcare Fund (WCCF).

WCCF was introduced to protect childcare places in disadvantaged areas that had been funded by DSD under the Secretary of State's Children & Young People's Fund. WCCF was introduced as a possible three year programme that would only continue on a year on year basis in the absence of a coherent Northern Ireland Childcare Strategy.

The current financial year is the second year of the three year programme and therefore not subject to review.

Future decisions on funding childcare through the WCCF will be guided by the deliberations and outcomes of the Executive review of childcare currently being undertaken by OFMdfM under the guidance of the Ministerial sub-group on children and young people.

### Women's Centres Childcare Fund

**Mr P Weir** asked the Minister for Social Development if she will ensure that women's centres and women's groups, who are outside the Women's Regional Centre's Partnership, will be able to access the Women's Centres Childcare Fund. (AQW 3128/10)

**Minister for Social Development:** In its new contract awarded in April 2009, the Women's Centres Regional Partnership was tasked with expanding its support network to include all women's groups in disadvantaged areas throughout Northern Ireland. This Regional Infrastructure Programme contract is totally separate from the 13 contracts provided under the Women's Centres Childcare Fund which my Department has neither plans nor the financial resources to add to.

WCCF was introduced to protect childcare places in disadvantaged areas that had been funded by DSD under the Secretary of State's Children & Young People's Fund. WCCF was introduced as a possible three year programme that would only continue on a year on year basis in the absence of a coherent Northern Ireland Childcare Strategy.

Future decisions on funding childcare through the WCCF will be guided by the deliberations and outcomes of the Executive review of childcare currently being undertaken by OFMdfM under the guidance of the Ministerial sub-group on children and young people.

### Housing Executive's West Belfast Housing Strategy

**Mr P Butler** asked the Minister for Social Development how many dwellings have been built (i) in West Belfast; and (ii) in the Colin area since the beginning of the Housing Executive's West Belfast Housing Strategy. (AQW 3130/10)

**Minister for Social Development:** The table below provides details of the Social Housing Development Programme for the West Belfast and Colin areas since the beginning of the West Belfast Housing Strategy in 2003

| Year         | West Belfast | Colin Area |
|--------------|--------------|------------|
| 2003/2004    | 192          | 213        |
| 2004/2005    | 335          | 78         |
| 2005/2006    | 323          | 31         |
| 2006/2007    | 69           | 51         |
| 2007/2008    | 176          | 25         |
| 2008/2009    | 16           | 11         |
| 2009/2010    | 22           | 0          |
| <b>Total</b> | <b>1,133</b> | <b>409</b> |

### Housing Maintenance Programmes

**Mr S Hamilton** asked the Minister for Social Development to detail (i) the housing maintenance programmes scheduled for this financial year that have been delayed, broken down by each NI Housing Executive District office; and (ii) the monetary value of each delayed programme. (AQW 3145/10)

**Minister for Social Development:** There have been no delays in the housing maintenance programme for this financial year. This is because the Housing Executive formulates a rolling programme of planned maintenance and improvement schemes to ensure that it meets agreed annual physical targets. It anticipates that it will deliver all of the funded schemes included within its programme for the current financial year.

### Warm Homes Scheme

**Mr S Hamilton** asked the Minister for Social Development (i) how many households have received assistance under the Warm Homes Scheme this financial year to date through (a) insulation; and (b) heating interventions; and (ii) how much has been spent to date on the scheme in each local Government district. (AQW 3160/10)

**Minister for Social Development:** Between 1 April and 30 November 2009, 1,808 insulation installations have been provided and 303 heating interventions have been provided. From 1 April until 30 November £2.3 million has been spent. It is not possible to detail the expenditure by local government district.

### Maintenance Schemes

**Mr A Easton** asked the Minister for Social Development, given her Department's commitment to spend an extra £20 million on maintenance schemes, to explain why £6 million remains unspent. (AQW 3166/10)

**Minister for Social Development:** The £20m capital funding for grants allocated in the June Monitoring Round had a strict condition that a further £20m would be released to Egan contractors, for kitchen and refurbishments and other maintenance work, from current resource allocations.

However, existing pressures faced by the Housing Executive maintenance budget means that any additional funding provided to Egan contractors can only be released by reducing other essential maintenance works done by a range of other contractors. Many of these contractors are also reliant on the work they are allocated by the Housing Executive and are already suffering from the economic downturn.

It is my intention that the remainder of the Egan funding will be released later this financial year, but this is dependent on Executive approval of the proposed reallocations included in the December monitoring round submission.

### Contractors Paid Within the Six Week Period

**Mr A Easton** asked the Minister for Social Development why her Department is failing to pay contractors within the six week period specified by the Finance Minister and the Executive. (AQW 3167/10)

**Minister for Social Development:** I understand that the six week payment period the Member refers to relates to Housing Executive Private Sector Grants payments. The Housing Executive generally makes payments to the applicant and cannot pay contractors unless the applicant has assigned the payments directly to the contractor. The Housing Executive acknowledges that performance this year to date is not of the level that they would expect and this reflects the exceptional circumstances in the early part of this year when grants cases had to be refused or cancelled due to the shortfall in the Housing Executive's budget. This, together with dealing with the resultant queries, imposed a substantial administrative workload on the grants offices which has impacted on performance in processing payments. The Housing Executive has now written to grants offices to reinforce the importance of prompt payments of grants.

### Housing Executive: Newtownards

**Mr J Shannon** asked the Minister for Social Development what the budget was for the Newtownards Housing Executive office area for (i) 2006/07; (ii) 2007/08; (iii) 2008/09; and (iv) 2009/10. (AQW 3186/10)

**Minister for Social Development:** The information is not available in the format requested as Housing Executive budgets are allocated on the basis of their five administrative areas and not by District Office. However, the table below details the Housing Executive expenditure within its Newtownards District Office area for the period 2006-07 to 2009/10.

| Activity                 | 2006-07           | 2007-08          | 2008-09          | 2009-10 to<br>31 October 2009 |
|--------------------------|-------------------|------------------|------------------|-------------------------------|
|                          | £K                | £K               | £K               | £K                            |
| Capital Improvement Work | 5,692,000         | 2,638,000        | 2,374,000        | 839,000                       |
| Planned Maintenance Work | 1,720,000         | 631,000          | 1,004,000        | 1,644,000                     |
| Response Maintenance     | 1,793,000         | 1,909,000        | 1,889,000        | 1,547,000                     |
| Private Sector Grants    | 1,157,000         | 1,393,000        | 1,468,000        | 869,000                       |
| Disabled Adaptations     | 829,000           | 645,000          | 635,000          | 498,000                       |
| <b>Total</b>             | <b>11,191,000</b> | <b>7,216,000</b> | <b>7,370,000</b> | <b>5,397,000</b>              |

### Newbuild Social Housing Schemes

**Ms C Ní Chuilín** asked the Minister for Social Development to detail (i) the number of new build social housing schemes in each common landlord area in the Housing Executive's North Belfast District; (ii) the total number of units provided through these schemes in each area; and (iii) the total expenditure involved in each scheme since 2007. (AQW 3221/10)

**Minister for Social Development:** In relation to (i) and (ii) the number of new build social housing schemes and units started in the North Belfast Strategy Area, by Common Landlord Area, for 2007/08 and 2008/09 are shown in the Table below. Details for 2009/10 will be available in April 2010. In relation to (iii) the Housing Executive does not release individual scheme cost information as this is considered commercially sensitive. However, the total Social Housing Development Programme expenditure for the North Belfast Strategy Area for 2007/08 was £49,436,162 and 2008/09 was £33,241,437.

| Common Landlord Area | 2007/08   |            | 2008/09   |            |
|----------------------|-----------|------------|-----------|------------|
|                      | Schemes   | Units      | Schemes   | Units      |
| Alliance             | 0         | 0          | 1         | 7          |
| Ardoyne              | 10        | 105        | 2         | 3          |
| Bawnmore             | 1         | 8          | 0         | 0          |
| Carlisle             | 0         | 0          | 1         | 1          |
| Cavehill             | 9         | 72         | 2         | 12         |
| Cliftonville         | 5         | 43         | 0         | 0          |
| Glandore             | 1         | 5          | 0         | 0          |
| Grove                | 2         | 3          | 2         | 3          |
| Longlands            | 0         | 0          | 1         | 56         |
| Newington            | 3         | 17         | 4         | 6          |
| Oldpark              | 0         | 0          | 1         | 15         |
| Skegoniell           | 1         | 1          | 0         | 0          |
| Torrens              | 0         | 0          | 1         | 112        |
| Upper Ligoniel       | 1         | 32         | 1         | 8          |
| Whitewell            | 1         | 12         | 1         | 11         |
| <b>Total Units</b>   | <b>34</b> | <b>298</b> | <b>17</b> | <b>234</b> |

### Maintenance and Refurbishment Schemes

**Ms C Ní Chuilín** asked the Minister for Social Development to detail (i) the number of planned maintenance and refurbishment schemes in each common landlord area in the Housing Executive's North Belfast District; (ii) the nature and purpose of these schemes; and (iii) the total expenditure involved in each scheme since 2007. (AQW 3223/10)

**Minister for Social Development:** The table below details the information requested for the North Belfast Area:-

| Common Landlord Area | Number of Schemes | Nature and Purpose of Scheme | Total Expenditure in each Scheme since 2007 |
|----------------------|-------------------|------------------------------|---|
| Alliance             | 3                 | External maintenance         | £32,914                                     |
|                      |                   | External maintenance         | £72,072                                     |
|                      |                   | Kitchen replacement          | £180,000                                    |
| Alliance/Cliftondene | 1                 | External maintenance         | £220,900                                    |
| Ardoyne              | 9                 | External maintenance         | £126,994                                    |
|                      |                   | External maintenance         | £635,179                                    |
|                      |                   | External maintenance         | £493,497                                    |
|                      |                   | Change of heating to gas     | £103,018                                    |
|                      |                   | Change of heating to gas     | £454,536                                    |
|                      |                   | Kitchen replacement          | £486,601                                    |
|                      |                   | Kitchen replacement          | £233,622                                    |
|                      |                   | Kitchen replacement          | £481,958                                    |
|                      |                   | Kitchen replacement          | £226,907                                    |



| Common Landlord Area      | Number of Schemes | Nature and Purpose of Scheme  | Total Expenditure in each Scheme since 2007 |
|---------------------------|-------------------|---|---|
| Ballysillan               | 3                 | External maintenance  | £299,974                                    |
|                           |                   | Kitchen replacement   | £198,000                                    |
|                           |                   | Kitchen replacement   | £396,930                                    |
| Carlisle                  | 5                 | External maintenance  | £322,435                                    |
|                           |                   | External maintenance  | £230,293                                    |
|                           |                   | Kitchen replacement   | £291,733                                    |
|                           |                   | Kitchen replacement   | £412,119                                    |
|                           |                   | Kitchen replacement   | £145,324                                    |
| Cavehill                  | 2                 | External maintenance  | £316,000                                    |
|                           |                   | External maintenance  | £507,069                                    |
| Cliftonville/Antrim       | 1                 | Window replacement and external maintenance                           | £339,950                                    |
| Duncairn                  | 4                 | Full improvements and health and safety (including fire safety) works | £2,375,116                                  |
|                           |                   | Kitchen replacement   | £462,125                                    |
|                           |                   | Kitchen replacement   | £379,365                                    |
|                           |                   | Kitchen replacement   | £355,298                                    |
| Fairhill/Waveney/Downview | 1                 | Kitchen replacement   | £346,000                                    |
| Gainsborough              | 3                 | External maintenance  | £361,602                                    |
|                           |                   | Change of heating to gas  | £358,707                                    |
|                           |                   | Extensions and full improvements                                      | £605,000                                    |
| Limestone                 | 2                 | Kitchen replacement   | £342,118                                    |
|                           |                   | Kitchen replacement   | £189,318                                    |
| Lower Oldpark             | 1                 | Kitchen replacement   | £208,000                                    |
| Mount Vernon              | 1                 | Asbestos removal  | £352,548                                    |
| Newington                 | 3                 | External maintenance  | £636,997                                    |
|                           |                   | External maintenance  | £638,844                                    |
|                           |                   | External maintenance  | £371,000                                    |
| New Lodge Multis          | 2                 | Soil stack replacement  | £249,750                                    |
|                           |                   | External maintenance  | £780,000                                    |
| Skegoniel                 | 4                 | External maintenance  | £321,786                                    |
|                           |                   | External maintenance  | £294,747                                    |
|                           |                   | External maintenance  | £510,000                                    |
|                           |                   | External maintenance  | £411,200                                    |
| Sunningdale/Joanmount     | 1                 | External maintenance and window replacement                           | £347,039                                    |
| Upper Ligoneil/Alliance   | 1                 | Change of heating to gas  | £621,502                                    |
| Upper Whitewell           | 1                 | Window and roof replacement, and external maintenance                 | £477,080                                    |
| White City                | 1                 | Change of heating to gas  | £379,935                                    |

| Common Landlord Area | Number of Schemes | Nature and Purpose of Scheme  | Total Expenditure in each Scheme since 2007 |
|----------------------|-------------------|---|---|
| Various              | 3                 | External maintenance  | £46,227                                     |
|                      |                   | Change of heating to gas  | £122,049                                    |
|                      |                   | Continuing programme of smoke alarm installation to flats, maisonettes, bungalows and 3 storey houses | £15,990                                     |

### National Federation of Sub-Postmasters Report ‘Six Steps of a Sustainable Post Office Network’

**Mr D Kinahan** asked the Minister for Social Development for her assessment of the recommendations aimed at devolved institutions and local councils in the National Federation of Sub-Postmasters Report ‘Six Steps of a Sustainable Post Office Network’ (March 2009); and whether the Department has identified how it can make better use of the Post Office network. (AQW 3235/10)

**Minister for Social Development:** I am aware of the Report produced by the Federation regarding the Post Office Network. My Department has already considered whether any further services could be delivered through Post Offices, but none were identified.

### Haemophilia

**Lord Morrow** asked the Minister for Social Development to explain why people diagnosed with haemophilia cannot claim Incapacity Benefit or Disability Living Allowance because they are otherwise healthy, but cannot claim Job Seekers Allowance as they are not deemed fit to be sent for any available work; and if she has considered that this could be deemed discriminatory. (AQW 3242/10)

**Minister for Social Development:** Incapacity benefit is a non-means tested benefit for people who are unable to work because of sickness or disability and entitlement depends on the effects of sickness or disability on a person's life, not on a particular diagnosis or disability. From October 2008 incapacity benefit was replaced with employment and support allowance which focuses on how people can be helped into work and is based on the effects a condition has on a person's capacity to work rather than simply on diagnosis. Disability living allowance is intended to help severely disabled people with the extra costs arising as a result of their disabilities; entitlement depends on the effects of disability on a person's personal care needs and mobility restrictions, not on a particular diagnosis or disability. There is no bar to people with haemophilia claiming these benefits and a claim for disability living allowance, employment and support allowance or incapacity benefit from a person living with haemophilia will be treated in the same way as claims from those with other medical conditions. Jobseeker's allowance is a benefit specifically for unemployed people and the basic conditions of entitlement for its receipt are that a person should be available for and actively seeking work each week. Regard is given to the circumstances of each individual case and the requirement regarding availability for work can be restricted in light of a person's mental or physical condition. A jobseeker's physical or mental limitations are also taken into consideration in determining whether they have been actively seeking work.

### Londonderry: Waterloo Place Public Realm Scheme

**Mr S Hamilton** asked the Minister for Social Development from which budget line within her Department was the additional £800,000 funding found for the Waterloo Place public realm scheme in Londonderry; and if any other regeneration schemes have had their funding reduced as a result. (AQW 3274/10)

**Minister for Social Development:** The additional funding for the Derry City Centre Public Realm Scheme is available within DSD's public realm budget line. With the application of the 10% tolerance limit allowable within normal business case approvals the Department expects to deliver the scheme successfully.

No funding has been reduced in respect of any other regeneration schemes.

**Rinmore, Londonderry: Stock Transfer Scheme**

**Mr S Hamilton** asked the Minister for Social Development what assessment her Department has made of the stock transfer scheme in Rinmore, Londonderry; and when she intends to publish the results. (AQW 3275/10)

**Minister for Social Development:** My Department is still working with the Housing Executive to assess the implications for a possible stock transfer of properties in Rinmore.

The work is still ongoing and the outcome is not expected to be known until March next year at the earliest.

**Housing Benefit, Income Support and Income Based Jobseeker's Allowance: Rates for People Under the Age of 25**

**Ms M Anderson** asked the Minister for Social Development (i) why Housing Benefit, Income Support and income based Job Seekers Allowance are paid at a lower rate for people who are under the age of 25; (ii) for her assessment of whether this is age-based discrimination; and (iii) if her Department has the authority or intention to redress it. (AQW 3311/10)

**Minister for Social Development:** The rates of Housing Benefit, Income Support and Jobseeker's Allowance for younger, single people take account of the fact that the majority of this group live in someone else's household and can reasonably be assumed to have fewer financial responsibilities than those who are older and more likely to live independently. The rates also reflect the lower earnings expectations of younger people. The Minimum Wage is set at a different rate for people under the age of 25. (ii) I do not consider that this demonstrates age-related discrimination. (iii) The rates of income-related benefits are the same in Northern Ireland as in Britain and there are no plans at present to change them.

**Annadale, South Belfast: Multi-Element Improvement Scheme**

**Mr J Spratt** asked the Minister for Social Development for an update on the Multi-Element Improvement Scheme in Annadale, South Belfast. (AQW 3314/10)

**Minister for Social Development:** I advised you earlier this year that Phase 1 of the Multi Element Improvement Scheme was planned, subject to budget provision, for 2009/2010. However, due to the shortfall in the Housing Budget for 2009/10, the Housing Executive had to prioritise its expenditure in relation to housing programmes, including Multi Element Improvement Schemes. Consequently, the Housing Executive is unable to confirm at present when this scheme is likely to commence.

**NORTHERN IRELAND ASSEMBLY COMMISSION****Assembly Staff Earnings**

**Mr T Burns** asked the Assembly Commission how many Assembly staff, excluding Members, currently earn more than £43,101 per annum. (AQW 3156/10)

**The Representative of the Assembly Commission (Mr S Neeson):** Currently, 50 staff of the Northern Ireland Assembly Secretariat earn more than £43,101 per annum.

## NORTHERN IRELAND ASSEMBLY

Friday 18 December 2009

### Written Answers to Questions

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

##### Evangelical Christian Community

**Mr M Storey** asked the First Minister and deputy First Minister, pursuant to AQW 1937/10, if their Department has made any contribution to Community Relations Council publications aimed at promoting understanding of the Evangelical Christian community which remains apart from the ecumenical movement. (AQW 2666/10)

**First Minister and deputy First Minister (Mr P Robinson and Mr M McGuinness):** We have not contributed to any Community Relations Council publications on promoting understanding of the Evangelical Christian community.

##### Community Relations Council

**Mr D Ford** asked the First Minister and deputy First Minister what advice has been issued to the Community Relations Council and victims groups in respect of staff redundancy issues and funding after 1 April 2010. (AQW 3148/10)

**First Minister and deputy First Minister:** No advice has been issued to the Community Relations Council or victims groups in respect of staff redundancy issues.

The new Strategy for Victims and Survivors was published on 8 December. In addition, we are currently considering responses to our consultation on proposals for a new victims and survivors service. It is our intention that no groups will be disadvantaged as we implement the new strategy.

We intend to make an announcement on the transitional arrangements that will be put in place to support victims and survivors in the near future. In line with the overall funding proposals, funding will not be reduced. Therefore we do not anticipate any redundancies.

##### Rose Energy

**Mr M McLaughlin** asked the First Minister and deputy First Minister, given that the proposed Rose Energy Poultry Litter Incinerator is a cross-departmental project relevant to DARD, DETI and DFP, if they can confirm whether any proposed funding for the project will require discussion at the Executive and Executive approval. (AQW 3241/10)

**First Minister and deputy First Minister:** It would, in the first instance, be a matter for the relevant Minister to consider whether any proposal to offer grant-aid to Rose Energy required referral to the Executive under the terms of paragraph 2.4 of the Ministerial Code, which sets out the categories of matter which all Ministers are under an obligation to bring to the attention of the Executive for its consideration.

### **National Federation of Sub-Postmasters Report ‘Six Steps of a Sustainable Post Office Network’**

**Mr D Kinahan** asked the First Minister and deputy First Minister for their assessment of the recommendations aimed at devolved institutions and local councils in the National Federation of Sub-Postmasters Report ‘Six Steps of a Sustainable Post Office Network’ (March 2009); and whether the Department has identified how it can make better use of the Post Office network. (AQW 3258/10)

**First Minister and deputy First Minister:** The Office of the First Minister and deputy First Minister is aware of the Report produced by the Federation regarding the Post Office Network.

The Office of the First Minister and deputy First Minister has already considered whether any of its services could be offered through post offices, but none were identified.

### **Lifestart Mid-Ards**

**Mr J Shannon** asked the First Minister and deputy First Minister if they would consider allocating any unspent monies from their Departmental budget to Lifestart Mid-Ards, whose current funding is coming to an end. (AQW 3309/10)

**First Minister and deputy First Minister:** Funding for Lifestart has to date been obtained from a range of sources including some government departments. OFMDFM cannot fund activities for which other Departments hold the policy responsibility and legislative authority. While we are supportive of early intervention and sympathetic to projects such as Lifestart, we do not have an appropriate grant funding scheme and are therefore not in a position to fund the Lifestart Foundation.

## **DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT**

### **Flooding**

**Mr P McGlone** asked the Minister of Agriculture and Rural Development what emergency funds are available for farmers and people living in rural areas to address the problems caused by the recent heavy rainfall and flooding. (AQW 3179/10)

**Minister of Agriculture and Rural Development (Ms M Gildernew):** The recent heavy rainfall and flooding has caused problems and created great inconvenience to people here and in other parts of Ireland, and I have seen directly the adverse effects on farmers and those living in rural areas. My thoughts are with everyone who has suffered disruption.

There are currently no emergency funds or compensation schemes available for farmers’ losses, however at the last Executive meeting I raised the issue of the recent flooding with my Executive Colleagues, and they have agreed to set up a task force on the matter.

Business owners, farmers and individuals may be able to pursue support through their insurers for any flood damage to property, and I would strongly urge all those affected, to do so as soon as possible.

DARD Development Advisers are available to provide technical support in dealing with problems brought on by flooding such as feed shortage.

In availing of this resource, farmers can help alleviate some of the problems that impact their businesses following a flooding incident and I would urge them to do so.



## EU Technical Conservation Regulations

**Mr J Shannon** asked the Minister of Agriculture and Rural Development to outline any consultation she has held with fishing organisations about the EU Technical Conservation Regulation to change net mesh sizes. (AQW 3187/10)

**Minister of Agriculture and Rural Development:** Copies of the draft technical conservation regulations were circulated to the NI Fish Producers Organisation (NIFPO), the Anglo-North Irish Fish Producers Organisation (ANIFPO), and NI Seafood in August 2008. My Department received comments from NIFPO and ANIFPO. Progress on the Regulation was very slow until September 2009 and despite strong representations to the Commission about issues important to our fleet there was little movement in the revised texts going into the November Council. A meeting of catchers and processors on 12 November 2009 discussed revised Commission proposals that were presented in early November. At the November Council there was no agreement to a compromise Regulation and existing technical measures, with minor changes, were rolled over until June 2011. This is good news in the short term as it represents no change for our industry on the important issues of minimum landing sizes for nephrops and rules on nets. However over the next six months work will start again on revised proposals and we understand that the Commission is still against issues such as regional minimum landing sizes that are vitally important for our prawn fleet.

## National Federation of Sub-Postmasters Report ‘Six Steps of a Sustainable Post Office Network’

**Mr D Kinahan** asked the Minister of Agriculture and Rural Development for her assessment of the recommendations aimed at devolved institutions and local councils in the National Federation of Sub-Postmasters Report ‘Six Steps of a Sustainable Post Office Network’ (March 2009); and whether the Department has identified how it can make better use of the Post Office network. (AQW 3234/10)

**Minister of Agriculture and Rural Development:** Post Offices continue to be a reserved matter, however there are some interesting suggestions in this report for devolved and local governments.

My Department has previously explored how to make better use of the Post Office, however we have not identified any significant existing or proposed services which could be delivered through the Post Office at this time. We will continue to consider this delivery option in the future development of services but any new service delivery would be subject to the appropriate procurement policy.

## Tree Planting Schemes

**Mr J Shannon** asked the Minister of Agriculture and Rural Development what co-operation and assistance is available for schools and community groups to enable them to be involved in tree planting schemes in their own areas. (AQW 3324/10)

**Minister of Agriculture and Rural Development:** The Forest Service (an agency of the Department of Agriculture and Rural Development) offers advice and grant assistance up to £1850 per hectare under the Woodland Grant Scheme, for the creation of new woodland. In addition the Community Woodland Supplement, currently £1000 per hectare is also available to contribute towards the creation of woodland close to towns and villages especially designed for public access.

Forest Service also offers Forest Environments grants to develop existing woodland, currently up to 50% of agreed cost, or a maximum of £3000 for projects which contribute towards the management and maintenance of existing woodland for biodiversity or public access objectives.

All of these forestry grants are currently available to schools and community groups.

## County Fermanagh: Flooding

**Mr T Elliott** asked the Minister of Agriculture and Rural Development if hardship payments will be made available to individuals, farmers and businesses who have suffered as a result of the recent flooding in County Fermanagh. (AQW 3340/10)

**Minister of Agriculture and Rural Development:** The recent heavy rainfall and flooding has caused problems and created great inconvenience to people in County Fermanagh and I have seen directly the adverse effects on farmers and those living in the county. My thoughts are with all those individuals and businesses who have suffered disruption.

There are currently no Executive hardship payments or compensation schemes available for farmers' losses; however at the last Executive meeting I raised the issue of the recent flooding with my Executive Colleagues, and the Executive agreed to set up a task force on the matter.

In addition, business owners, farmers and individuals may be able to pursue support through their insurers for any flood damage to property, and I would strongly urge all those affected, to do so as soon as possible.

DARD Development Advisers are available to provide technical support in dealing with problems brought on by flooding such as feed supply. In availing of this resource, farmers can help alleviate some of the problems that impact their businesses following the flooding incident.

## Cycle Trails

**Mr M Durkan** asked the Minister of Agriculture and Rural Development (i) how many kilometres of cycle trails are available in publicly-owned forests; and (ii) what steps her Department intends to take to increase this. (AQW 3394/10)

**Minister of Agriculture and Rural Development:** There are 38 kilometres of cycle trails available in publicly-owned forests. These trails provide a variety of challenges depending on an individual's physical abilities. They range in nature from family cycling to mountain bike trails. In addition, there are also 32 kilometres of Sustrans routes available on Forest Service land. These are part of a wider national network of cycle trails.

Forest Service has also facilitated various bike events within its forests, with individual trails identified and designated for the period of the event.

My Department launched a Recreation and Social Use strategy for forests in July this year. This strategy sets out how we propose to promote the recreational and social use of forests in the north of Ireland, including cycling. I am personally very keen that this strategy should help realise the full potential of our forests.

This strategy acknowledges that Forest Service, on its own, will have neither the resource nor, in some cases, the expertise to fully develop the opportunities that exist. For this reason, we will have to work in partnership with a range of other providers, and my officials in Forest Service have already started to explore partnership opportunities with a number of stakeholders including the NI Tourist Board, Countryside and Activities Network, National Trust and District Councils.

## Renewable Energy

**Mr J Shannon** asked the Minister of Agriculture and Rural Development what financial assistance is available for the coppicing and planting of willow trees for renewable energy. (AQW 3412/10)

**Minister of Agriculture and Rural Development:** The Forest Service, an agency within the Department of Agriculture and Rural Development, offers grant aid towards the establishment of short rotation coppice willow. The Short Rotation Coppice Scheme 2007 aids the establishment of approved varieties of willow, planted at close spacing for the purposes of producing woodchip to be used as a renewable energy resource. The minimum area per application is 3 hectares and the crop is harvested at 2-3 year intervals. Grant aid is paid at a rate of up to £1000/hectare, 70% after planting and the remaining 30% after first harvest.

Applicants must undertake to establish and maintain the crop for at least 5 years, and must provide evidence of an energy end use for the woodchip.

### Kent County Council: Quarantine of Dogs

**Mr J Shannon** asked the Minister of Agriculture and Rural Development what action she is taking to address the decision by Kent County Council to quarantine dogs from Northern Ireland for 10 days. (AQW 3539/10)

**Minister of Agriculture and Rural Development:** I am not aware of any decision by Kent County Council to quarantine dogs from here. Kent County Council would fall under the jurisdiction of the Department for Environment, Food and Rural Affairs (Defra). My officials have been in contact with officials in Defra who have confirmed that they are not aware of any such action.

However if you would provide specific information I will investigate the matter further as such action would not be permissible under current EU and domestic legislation.

### DEPARTMENT OF CULTURE, ARTS AND LEISURE

#### Ethnic Minority Languages

**Mr B McElduff** asked the Minister of Culture, Arts and Leisure to outline the work undertaken by his Department to promote and enhance ethnic minority languages in the last five years. (AQW 3474/10)

**Minister of Culture, Arts and Leisure (Mr N McCausland):** The primary responsibility of my department for languages relates to Northern Ireland's indigenous minority languages, Ulster-Scots and Irish. They are supported through the North-South Language Body which comprises Foras na Gaeilge and the Ulster-Scots Agency.

My department has also initiated work on a Strategy for Indigenous or Regional Minority Languages which will seek to enhance and protect the development of the Irish language and enhance and develop the Ulster-Scots culture, heritage and language.

My department has lead responsibility for the management of the Northern Ireland Civil Service wide Irish translations contract which was introduced on 8 June 2009. The translation contract provides quality assured Irish language translations.

It is the responsibility of each individual Department to source minority language translations to meet its own business requirements.

#### Civil Servants' Earnings

**Mr P Weir** asked the Minister of Culture, Arts and Leisure how many civil servants in his Department receive an annual salary (i) between £37,801-£43,100; (ii) between £43,101-50,537; (iii) between £50,538-71,433; (iv) between £71,434-82,975; and (v) above £82,976. (AQW 3492/10)

**Minister of Culture, Arts and Leisure:**

ANSWER

| Annual Salary               | Number of Civil Servants |
|-----------------------------|--------------------------|
| £37,801-£43,100             | 18                       |
| £43,101-£50,537             | 6                        |
| £50,538-£71,433             | 10                       |
| £71,434-£82,975             | nil                      |
| Above £ 82,976              | 2                        |
| <b>Total Civil Servants</b> | <b>36</b>                |

### Civil Servants' Earnings

**Mr J Craig** asked the Minister of Culture, Arts and Leisure, pursuant to AQW 2997/10, to detail (i) the job titles; (ii) pay scale; and (iii) the total amount earned by the civil servants in question. (AQW 3495/10)

**Minister of Culture, Arts and Leisure:**

| Job Titles          | Pay Scale £    | Total Amount Earned £'000 |
|---------------------|----------------|---------------------------|
| Permanent Secretary | 98,059-205,000 | 105-110                   |
| Deputy Secretary    | 81,600-160,000 | 90-95                     |

### Investing for Health Strategy

**Ms S Ramsey** asked the Minister of Culture, Arts and Leisure what targets his Department set towards the Investing for Health strategy; and what progress has been made to date against these targets. (AQW 3506/10)

**Minister of Culture, Arts and Leisure:** DCAL, in partnership with Sport Northern Ireland (SNI), has developed a new 10 year strategy for sport and physical recreation entitled 'Sport Matters: The Northern Ireland Strategy for Sport and Physical Recreation, 2009-2019'. Sport Matters recognises the role of sport and physical recreation in improving public health. It contains 26 targets, in the areas of participation, performance and places for sport, over the next 10 years which are expected to contribute towards the Investing for Health Strategy. Sport Matters, including its 26 targets, was recently approved by the Northern Ireland Executive. The Department is now arranging for the full implementation of Sport Matters and the delivery of the 26 targets.

Libraries NI operate 'Book prescription schemes' – partnerships with Health Trusts which have funded the purchase of specific books. GPs then 'prescribe' these to patients who come and borrow them from the library.

### Local Soccer: Funding

**Mr D McClarty** asked the Minister of Culture, Arts and Leisure (i) to detail the funding made available to each Irish Football Association member club over the past ten years, with particular regard to upgrading stadia and spectator facilities; (ii) what funding sources are currently available; and (iii) what funding streams are anticipated in the future. (AQW 3510/10)

**Minister of Culture, Arts and Leisure:** Sport Northern Ireland (SNI) is responsible for the development of sport in Northern Ireland including the distribution of funding. Over the past ten financial years, SNI has made funding available to Irish Football Association (IFA) member clubs, with particular regard to upgrading stadia and spectator facilities, as detailed in the attached tables.

SNI is currently making available a new small grants programme, Awards for Sport, which is designed to help sports organisations, including IFA member clubs, purchase sports equipment. This programme closes for receipt of applications on 6th January 2010. In addition, SNI hopes, subject to a successful bid in the next Comprehensive Spending Review (CSR) period, to complete further phases of its Stadia Safety Programme and launch a third phase of its Places for Sport Programme. IFA member clubs are already eligible to apply for funding under these programmes.

**FINANCIAL YEAR – 1999/00**

| Club              | Programme | Award   |
|-------------------|-----------|---------|
| Coleraine FC      | Lottery   | £50,000 |
| Glenavon FC       | Lottery   | £50,000 |
| Killen Rangers FC | Lottery   | £45,742 |
| Dergview FC       | Lottery   | £90,000 |
| Seagoe FC         | Lottery   | £38,500 |

**FINANCIAL YEAR – 2000/01**

| <b>Club</b>                 | <b>Programme</b>    | <b>Award</b> |
|-----------------------------|---------------------|--------------|
| Ballymena United FC         | Safe Sports Grounds | £225,000     |
| Portadown FC                | Safe Sports Grounds | £26,994      |
| Derry City FC               | Safe Sports Grounds | £25,000      |
| Glenavon FC                 | Safe Sports Grounds | £260,000     |
| Crusaders FC                | Safe Sports Grounds | £28,156      |
| Lisburn Distillery FC       | Safe Sports Grounds | £12,384      |
| Newry City FC               | Safe Sports Grounds | £275,000     |
| Coleraine FC                | Safe Sports Grounds | £155,000     |
| Omagh Town FC               | Safe Sports Grounds | £222,491     |
| Linfield FC                 | Safe Sports Grounds | £171,590     |
| Armagh City FC              | Safe Sports Grounds | £15,000      |
| Dungannon Swifts FC         | Safe Sports Grounds | £12,133      |
| Bangor FC                   | Safe Sports Grounds | £14,807      |
| Larne FC                    | Safe Sports Grounds | £15,000      |
| Limavady United FC          | Safe Sports Grounds | £15,000      |
| Glentoran FC                | Safe Sports Grounds | £217,000     |
| Cliftonville FC             | Safe Sports Grounds | £275,000     |
| Carrick Rangers FC          | Safe Sports Grounds | £15,000      |
| Institute FC                | Safe Sports Grounds | £18,000      |
| Larne FC                    | Lottery             | £15,000      |
| Coleraine FC                | Lottery             | £44,448      |
| Newry City FC               | Lottery             | £61,600      |
| Linfield FC                 | Lottery             | £60,000      |
| Glentoran FC                | Lottery             | £30,000      |
| Dungannon Utd Youth FC      | Lottery             | £17,500      |
| Brantwood FC                | Lottery             | £70,000      |
| Kilmore Rec FC              | Lottery             | £65,000      |
| Fivemiletown Utd FC         | Lottery             | £57,000      |
| Carnlough FC                | Lottery             | £8,420       |
| Sport & Leisure/Celtic Boys | Lottery             | £79,500      |

**FINANCIAL YEAR – 2001/02**

| <b>Club</b>        | <b>Programme</b>    | <b>Award</b> |
|--------------------|---------------------|--------------|
| Limavady United FC | Safe Sports Grounds | £15,000      |
| Institute FC       | Safe Sports Grounds | £12,000      |
| Glentoran FC       | Safe Sports Grounds | £50,597      |
| Derry City FC      | Safe Sports Grounds | £9,724       |
| Armagh City FC     | Safe Sports Grounds | £15,000      |
| Dungannon Swifts   | Safe Sports Grounds | £13,233      |



| Club                  | Programme           | Award    |
|-----------------------|---------------------|----------|
| Bangor FC             | Safe Sports Grounds | £14,663  |
| Ards FC               | Safe Sports Grounds | £40,000  |
| Portadown FC          | Safe Sports Grounds | £245,256 |
| Newry City FC         | Safe Sports Grounds | £27,000  |
| Killyleagh FC         | Lottery             | £48,000  |
| Ballinamallard Utd FC | Lottery             | £23,591  |
| Saintfield United FC  | Lottery             | £78,137  |
| Islandmagee FC        | Lottery             | £70,000  |

**FINANCIAL YEAR – 2002/03**

| Club                 | Programme           | Award   |
|----------------------|---------------------|---------|
| Linfield FC          | Safe Sports Grounds | £85,000 |
| Glenavon FC          | Safe Sports Grounds | £70,000 |
| Institute FC         | Safe Sports Grounds | £11,900 |
| Coleraine FC         | Safe Sports Grounds | £70,000 |
| Portadown FC         | Safe Sports Grounds | £65,000 |
| Ballymena United FC  | Safe Sports Grounds | £20,000 |
| Crusaders FC         | Safe Sports Grounds | £77,450 |
| Knockbreda FC        | Lottery             | £48,000 |
| Saintfield United FC | Lottery             | £13,761 |
| Tollymore United FC  | Lottery             | £57,383 |
| Tandragee Rovers FC  | Lottery             | £70,000 |
| 18 Newtownabbey FC   | Lottery             | £80,000 |

**FINANCIAL YEAR – 2003/04**

| Club                  | Programme | Award   |
|-----------------------|-----------|---------|
| Ballinamallard Utd FC | Lottery   | £85,000 |
| Dungiven Celtic FC    | Lottery   | £70,000 |
| Rathfriland FC        | Lottery   | £76,004 |

**FINANCIAL YEAR – 2004/05**

| Club | Programme | Award |
|------|-----------|-------|
| N/A  | N/A       | 0     |

**FINANCIAL YEAR – 2005/06**

| Club            | Programme               | Award    |
|-----------------|-------------------------|----------|
| Cliftonville FC | Stadia Safety Programme | £800,000 |

**FINANCIAL YEAR – 2006/07**

| Club             | Programme                 | Award    |
|------------------|---------------------------|----------|
| Ballymena Utd FC | Stadia Safety Programme   | £161,636 |
| Ballymena Utd FC | Revenue Safety Management | £6,690   |

| Club                | Programme                 | Award   |
|---------------------|---------------------------|---------|
| Glentoran FC        | Revenue Safety Management | £11,706 |
| Linfield FC         | Revenue Safety Management | £11,628 |
| Cliftonville FC     | Revenue Safety Management | £4,023  |
| Donegal Celtic FC   | Revenue Safety Management | £3,150  |
| Crusaders FC        | Revenue Safety Management | £2,135  |
| Portadown FC        | Revenue Safety Management | £4,995  |
| Armagh City FC      | Revenue Safety Management | £3,365  |
| Newry City FC       | Revenue Safety Management | £2,179  |
| Ards FC             | Revenue Safety Management | £1,888  |
| Dungannon Swifts FC | Revenue Safety Management | £2,402  |

**FINANCIAL YEAR – 2007/08**

| Club              | Programme                 | Award    |
|-------------------|---------------------------|----------|
| Portadown FC      | Stadia Safety Programme   | £800,000 |
| Donegal Celtic FC | Revenue Safety Management | £938     |
| Linfield FC       | Revenue Safety Management | £4,425   |
| Portadown FC      | Revenue Safety Management | £900     |

**FINANCIAL YEAR – 2008/09**

| Club              | Programme               | Award    |
|-------------------|-------------------------|----------|
| Donegal Celtic FC | Stadia Safety Programme | £627,764 |
| Donegal Celtic FC | Soccer Strategy         | £186,523 |
| Cliftonville FC   | Soccer Strategy         | £300,000 |
| Moyola Park FC    | Lottery Capital         | £1.57m   |
| Coagh UTD FC      | Building Sport          | £213,329 |
| Killen Rangers FC | Building Sport          | £175,585 |
| Dergview FC       | Building Sport          | £152,284 |

**Departmental Initiatives**

**Mr P McGlone** asked the Minister of Culture, Arts and Leisure what new initiatives, measures and practices have been implemented by his Department as a means of assisting the community and achieving improved, efficient decision-making during the current economic crisis. (AQW 3531/10)

**Minister of Culture, Arts and Leisure:** My Department, along with all other Departments, has a target of 10 days in which to pay suppliers against valid invoices. Prior to the current economic downturn the target was 30 days. This is designed to improve the cash flow of local business.

Furthermore, DCAL, through its arms length bodies, process applications for grants and release payments to successful applicants promptly. For example, Arts Council NI aim to ensure that all publicized timelines are met and that all grant instalment payments, subsequent to offer, are paid promptly so as to ease the cash flow situation of community groups.

In addition, my Department, through its arms length bodies, and subject to available resources, continue to promote and develop the culture, arts and leisure sectors, conscious of the important contribution that this sector can make to economic development, for example:

- the Arts Council is currently undertaking a multi-million pound arts infrastructure programme which will lead to the construction of new arts facilities of world class standards. This will make a significant contribution to Northern Ireland's cultural tourism; attracting visitors and investment to Northern Ireland;
- in addition the Arts Council is administering the Creative Industries Innovation Fund. The programme aims to deliver support to 140 Northern Ireland creative businesses over the period to March 2011; and
- Initiatives undertaken by NI Screen continue to attract significant investment in the local economy through Film and Television. This has helped develop the Northern Ireland skills base and support local industry.

### Band Tuition Classes: Funding

**Mr D Kennedy** asked the Minister of Culture, Arts and Leisure why funding for band tuition classes is currently frozen; and when funds will be made available for such projects. (AQW 3579/10)

**Minister of Culture, Arts and Leisure:** The Ulster-Scots Agency, through its Financial Assistance Scheme, may provide funding for musical tuition. Applications for tuition can also be made under the Arts Council's Small Grants Programme or, depending on the scale of the project, under Lottery Project Funding.

Applications for grant assistance to the Ulster-Scots Agency for music and dance tuition exceeded the resources available to the Agency. Options to address this issue were being considered and agreement has now been reached with the Department to proceed with this programme. Letters of offer should issue from the Ulster-Scots Agency to the successful organisation in the coming weeks.

The Small Grants Programme operates on a rolling basis. Lottery Project funding has two application points per year; the next application date will be in March/April 2010.

### Arts Council

**Mr D Kennedy** asked the Minister of Culture, Arts and Leisure if he plans to encourage the Arts Council to increase funding allocations to the Marching Bands community. (AQW 3580/10)

**Minister of Culture, Arts and Leisure:** The Arts Council has allocated almost £900,000 funding to Marching Bands in the last five years. My Department, through the Arts Council, will continue to ensure that appropriate funding is provided for the artistic development of marching bands.

I recently met with the Arts Council and with representatives of the bands sector to discuss increased access for funding and I hope that this will result in a greater uptake of available funding in future years.

## DEPARTMENT OF EDUCATION

### Teacher Appointment Committee

**Mr A Ross** asked the Minister of Education how the Teacher Appointment Committee will operate in the Belfast Education and Library Board after 1 January 2010, given reduced numbers of representatives from the Transferor Representative Council. (AQW 3318/10)

**Minister of Education (Ms C Ruane):** I mo ráiteas ar 1 Nollaig, chuir mé in iúl go mbeadh tuilleadh díospóireachtaí agam ar an ghné de rialachas eatramhach agus socruithe bainistíochta le haghaidh eagraíochtaí oideachais. Ó shin i leith, bhreithnigh mé roinnt tuairimí a d'ardaigh na Boird Oideachais agus Leabharlainne, agus an Coiste Oideachais. Mar gheall air sin, molaim mionathruithe a dhéanamh ar líon na mball de Bhoird Oideachais agus Leabharlainne Bhéal Feirste agus an Iarthair.

In my statement on 1 December, I indicated that I would be having further discussions on the detail of interim governance and management arrangements for education organisations. Since then, I have considered a number of points raised by Education and Library Boards, and the Education Committee. As a consequence, I propose to

make minor changes to the numbers of members of the Belfast and Western Education and Library Boards. These are reflected in the table below, which replaces the table attached to my statement of 1 December.

In relation to the Belfast Board, I propose to appoint two members nominated by Transferors, and two members nominated by the Trustees of maintained schools. This will facilitate the establishment of a Teaching Appointments Committee.

#### MEMBERSHIP OF EDUCATION AND LIBRARY BOARDS

| Category     | BELB      | SELB      | WELB      | NEELB     |
|--------------|-----------|-----------|-----------|-----------|
| Councillor   | 4         | 6         | 5         | 9         |
| Transferors  | 2         | 2         | 2         | 4         |
| Trustees     | 2         | 2         | 2         | 2         |
| Others       | 4         | 5         | 4         | 8         |
| <b>Total</b> | <b>12</b> | <b>15</b> | <b>13</b> | <b>23</b> |

### Education and Skills Authority

**Mr K Robinson** asked the Minister of Education, pursuant to AQW 2817/10, to detail the number of staff employed by the Education and Skills Authority to date, broken down by (i) job title; (ii) salary scale; (iii) jobs which were publicly advertised; and (iv) jobs which were filled by internal trawl procedures. (AQW 3400/10)

**Minister of Education:** Níl aon fhoireann fostaithe ag an Údarás um Oideachas agus Scileanna cionn is nár tháinig an tÚdarás chun bheith ann go fóill.

No staff are currently employed by the Education and Skills Authority since the Authority has not yet come into existence.

### Education and Skills Authority

**Mr K Robinson** asked the Minister of Education, pursuant to AQW 2817/10, to detail the support services used by the Education and Skills Authority, broken down by (i) the cost involved in obtaining and retaining support services; (ii) the type of service provided; and (iii) the location of the service provided. (AQW 3446/10)

**Minister of Education:** Níl aon sheirbhísí tacaíochta á n-úsáid ag an Údarás um Oideachas agus Scileanna cionn is nár tháinig an tÚdarás chun bheith ann go fóill.

No support services are currently used by the Education and Skills Authority as the Authority has not yet come into existence.

### Education and Skills Authority

**Mr K Robinson** asked the Minister of Education, pursuant to AQW 2817/10, to detail (i) the location of the accommodation used to date by the Education and Skills Authority; (ii) the cost of accommodation at each location; and (iii) the length of any leases taken out by the Education and Skills Authority at each location. (AQW 3476/10)

**Minister of Education:** Níor úsáideadh aon chóiríocht go dtí seo agus níor íocadh as léas ar bith ag an Údarás um Oideachas agus Scileanna cionn is nár tháinig an tÚdarás chun bheith ann go fóill.

No accommodation has been used to date and no leases have been taken out by the Education and Skills Authority as the Authority has not yet come into existence.

### Civil Servants' Earnings

**Mr P Weir** asked the Minister of Education how many civil servants within her Department receive an annual salary in excess of (i) £37,801; (ii) £43,101; (iii) £50,538; (iv) £71,434; and (v) £82,976. (AQW 3491/10)

**Minister of Education:** Tá an t-eolas a iarradh leagtha amach sa tábla thíos.

The information requested is set out in the table below.

| Salary band (£) | Number of DE staff |
|-----------------|--------------------|
| 37801-43100     | 30                 |
| 43101-50537     | 39                 |
| 50538-71433     | 56                 |
| 71434-82975     | 1                  |
| 82976 and above | 5                  |

### Investing for Health Strategy

**Ms S Ramsey** asked the Minister of Education what targets her Department set within the Investing for Health strategy; and what progress has been made to date against these targets. (AQW 3516/10)

**Minister of Education:** There are 2 targets in the Investing for Health Strategy that are specific to my Department. They are:

Objective 2 - To enable all people and young people in particular to develop skills and attitudes that will give them the capacity to reach their full potential and make healthy choices.

**Target i:**

In the 25% of Primary Schools with the highest percentage of Free School Meal Entitlement, to reduce the proportion of pupils not achieving the expected (level 4) at Key Stage 2 to 25% in both English and Mathematics by 2005/06.

**Target ii:**

In the 25% of Secondary Schools with the highest percentage Free School Meal Entitlement, to reduce the proportion of year 12 pupils achieving no GCSEs to 5 % by 2005/06

The most up to date statistics (2007/08) show that the target for secondary schools was met (3.8%) but that the target for primary schools was not (32.2% English and 29.9% Maths).

My Department has a range of policies and initiatives which support the key aims and objectives of the Investing for Health strategy and will continue to impact upon the targets aimed primarily at

- raising standards and tackling educational underachievement, in particular on closing the achievement gaps between the highest and lowest achievers and between the most and least disadvantaged; and
- making schools a healthy setting by promoting healthy choices in relation to healthy eating, physical activity, personal development and emotional health and wellbeing for the whole school community.

Tá áthas orm a thuairisciú go bhfuil cuid mhór de na polasaithe seo i bhfeidhm cheana féin, mar shampla, an curaclam athbhreithnithe, Gach Scoil ina Scoil Mhaith- Beartas um Fheabhsúchán Scoile, Caighdeáin chothaitheacha do lónta scoile, Tús Cinnte, is araile. Tá dul chun cinn suntasach á dhéanamh i roinnt polasaithe agus tionscnamh eile, mar shampla, sláinte mheabhrach agus folláine daltaí, an Beartas Bia i Scoileanna, an Straitéis Litearthachta agus Uimhearthachta, an Straitéis Luathbhlianta 0-6.

I am pleased to report that many of these policies are already in place eg the revised curriculum, Every School a Good School – a Policy for School Improvement, Nutritional standards for school lunches, Surestart etc. Significant progress is being made in a number of other policies and initiatives eg pupil's emotional health and wellbeing, Food in Schools policy, Literacy and Numeracy strategy, Early Years 0- 6 strategy.



## Education and Skills Authority

**Mr K Robinson** asked the Minister of Education, pursuant to AQW 2817/10, to provide a breakdown of the 'other costs' by (i) the location for which these costs were incurred; (ii) the types of costs incurred; (iii) any recurrent costs and their nature; and (iv) the actual costs within the 'other costs' category. (AQW 3521/10)

**Minister of Education:** Tá miondealú ar an chaiteachas a nochtadh mar 'Costais Eile' in AQW 2817/10 leagtha amach sa tábla thíos.

A breakdown of the expenditure disclosed in AQW 2817/10 as 'Other Costs' is set out in the table below:

| Type of Cost incurred                                    | Location where costs incurred |                     | Total<br>£'000 |
|--|-------------------------------|---------------------|----------------|
|  | Rathgael House, Bangor        | Forestview, Belfast |                |
|  | £'000                         | £'000               |                |
| DFP Notional Expenditure re Business Consultancy service | 247                           | 0                   | 247            |
| Premises Running Costs                                   | 4                             | 99                  | 103            |
| Conferences/Meetings                                     | 55                            | 40                  | 95             |
| IT Services  | 0                             | 33                  | 33             |
| Staff Travel and Subsistence                             | 18                            | 51                  | 69             |
| Printing and Stationery                                  | 7                             | 59                  | 66             |
| Temporary Staff/ Recruitment Expenses                    | 38                            | 0                   | 38             |
| Other Admin Costs  | 61                            | 15                  | 76             |
| <b>Total</b>   | <b>430</b>                    | <b>297</b>          | <b>727</b>     |

All of the expenditure detailed in the table above is deemed to be recurrent expenditure as it is charged to the operating cost statement in the Departmental resource account.

## Fathers' Rights

**Mr P Weir** asked the Minister of Education what plans her Department has to safeguard and increase fathers' rights to access their children's educational records. (AQW 3524/10)

**Minister of Education:** Tacaíonn an reachtaíocht reatha le cearta freagrachta thuistí a bheith ag aithreacha, seachas i gcásanna inár cuireadh an chúirt srianta ar na cearta seo. Tá gach duine a bhfuil freagracht thuistí ar pháiste aige i dteideal réimse iomlán ceart a chleachtadh atá sa reachtaíocht oideachais nó i reachtaíocht eile, lena n-áirítear an ceart le teacht ar thaifid oideachais i dtaca leis an pháiste sin.

Current legislation provides for fathers to have parental responsibility rights except where restrictions are placed on this by a court. Anyone with parental responsibility for a child is entitled to exercise the full range of rights contained in education or other legislation, including rights to access educational records in relation to that child.

For children who have reached the age of compulsory schooling, education legislation provides for schools to make available to parents annually a range of information on their children's educational progress, and to report to parents in each autumn term on assessment outcomes for children in Years 4 to 7. Schools are also required to keep a formal record of a pupil's academic and other achievements and, on receipt of a written request from a pupil's parent, to make this available to the parent.

More generally, schools also have obligations to parents under the Data Protection Act 1998. A parent acting on behalf of their child can access his or her personal data held by a school under the Act.

I recognise the importance of involving parents in the education of their children and keeping them informed. I believe that, where possible, it is in a child's interests to have the encouragement and support of both parents. Where a school may not be aware that a person has parental responsibility rights, it is for the person to ensure that they can exercise them and, if necessary, satisfy the school that they have these rights.

## Economic Crisis

**Mr P McGlone** asked the Minister of Education what new initiatives, measures and practices have been implemented in her Department as a means of assisting the community and achieving improved, efficient decision-making during the current economic crisis. (AQW 3526/10)

**Minister of Education:** Tá an Coiste ag obair le chéile chun an cor chun donais eacnamaíoch a bhainistiú agus chun daoine agus gnóthaí áitiúla a chosaint ó éifeachtaí is measa an choir chun donais eacnamaíoch. Sa chomhthéacs seo, cuireadh £4 mhilliún ar fáil sa bhliain 2009/10 le dul i ngleic le cothabháil an riaráiste laistigh den earnáil oideachais. Ina theannta sin, chuir mé £5 mhilliún breise ar fáil do scoileanna sa bhliain airgeadais seo le déileáil leis na himthosca seo. Sholáthar na hacmhainní breise seo tuilleadh deiseanna don earnáil foirgníochta áitiúla.

The Executive is collectively managing the response to the economic downturn with the aim of protecting local people and businesses from the worst effects of the economic downturn. In this context £4 million was made available in 2009/10 to tackle backlog maintenance within the education sector. In addition to this I have made an additional £5 million available to schools in this financial year to help address the situation. These additional resources have provided further opportunities for the local construction industry.

I also have in place policies which are specifically targeted at addressing social need for example free school meals and clothing allowances. Mindful of the economic downturn and the financial impact on families, particularly those on low incomes, I have extended the current grant scheme which assists parents on low incomes with the cost of school uniforms to include, from this year, parents of primary school children. This is a very practical measure which I believe will make a real difference to children in our society.

In addition, I strongly support the prompt payment target of making payments within ten working days to ease any financial burden on suppliers particularly during the current economic downturn.

## Newbuild Schools

**Mrs I Robinson** asked the Minister of Education (i) how many schools are awaiting new builds; and (ii) to provide an update on the progress of each new build application. (AQW 3559/10)

**Minister of Education:** In line with the Investment Delivery Plan for schools and youth services, my Department tracks progress on 108 schemes. Of these 22 are complete and 18 are under construction or about to commence construction. The remaining 68 schemes are at various stages of development as outlined in Annex A.

In addition my Department has received 100 proposals for construction of new schools. All of these are at initial Economic Appraisal stage as outlined in Annex B.

Beidh gach scéim chaipitil nach bhfuil tiomnaithe go conarthach, beidh siad faoi réir an athbhreithnithe a d'fhógair mé ar 15 Deireadh Fómhair 2009, lena chinntiú go bhfuil siad ar fad i gcomhréir le mo chreat foriomlán beartais agus go mbeidh siad inmharthana agus inbhuanaithe san fhadtréimhse.

All capital schemes not contractually committed will be subject to the review I announced on 15 October 2009, to ensure that all are consistent with my overall policy framework and will be viable and sustainable in the long term.

### ANNEX A

#### PROJECTS ANNOUNCED AND IN PLANNING

| School Name                            | Current Position             |
|--|------------------------------|
| Artigarvan P.S. Strabane               | Final sketch plans awaited   |
| Arvalee / Cranny Special School, Omagh | Initial sketch plans awaited |
| Ballykelly P.S. Limavady               | Final sketch plans awaited   |
| Ballymoney H.S.                        | Initial sketch plans awaited |
| Bangor G.S.                            | Pre-tender                   |
| Belmont Special School, Derry          | Initial sketch plans awaited |

| School Name                                | Current Position                                 |
|--|--|
| Carrick P.S. Warrenpoint                   | Pre-tender                                       |
| Colaiste Feirste Belfast                   | Revised final sketch plans under consideration   |
| Coranny & Cornagogue P.S. Roslea           | Pre-tender                                       |
| Dean Maguirc College, Carrickmore          | Initial sketch plans awaited                     |
| Devenish College, Enniskillen              | Initial sketch plans awaited                     |
| Dromintee P.S. Newry                       | Pre-tender                                       |
| Dromore Central P.S.                       | Final sketch plans awaited                       |
| Ebrington P.S. Derry                       | Initial sketch plans awaited                     |
| Edendork P.S. Dungannon                    | Revised initial sketch plans under consideration |
| Eglinton P.S. Derry                        | Final sketch plans awaited                       |
| Enniskillen Model P.S.                     | Final sketch plans awaited                       |
| Foyle & Londonderry College                | Initial sketch plans awaited                     |
| Glastry College, Ballyhalbert              | Initial sketch plans under consideration         |
| Glenwood P.S. / Edenderry N.S. Belfast     | Initial sketch plans awaited                     |
| Greenwood Assessment Centre, Belfast       | EA under review                                  |
| Holy Family P.S. Magherafelt               | Initial sketch plans awaited                     |
| Holy Trinity College, Cookstown            | EA under review                                  |
| Hollywood Primary School                   | Revised initial sketch plans under consideration |
| Knockbreda H.S. Belfast                    | Pre-tender                                       |
| Knockevin Special School, Downpatrick      | Revised final sketch plans awaited               |
| Lagan College, Belfast (PPP)               | Preferred bidder not yet appointed               |
| Limegrove/Glasvey Special School, Limavady | Initial sketch plans awaited                     |
| Little Flower Girls S.S. Belfast           | Initial sketch plans under consideration         |
| Loreto College, Omagh                      | EA under review                                  |
| Magherafelt P.S.                           | Pre-tender                                       |
| Methodist College, Belfast                 | Initial sketch plans awaited                     |
| Mitchell House Special School, Belfast     | EA under review                                  |
| Newbuilding's P.S. Derry                   | Final sketch plans awaited                       |
| Omagh Integrated P.S.                      | Initial sketch plans awaited                     |
| Parkhall College, Antrim                   | Pre-tender                                       |
| Portadown College                          | Initial sketch plans awaited                     |
| Priory College Holywood                    | Revised initial sketch plans under consideration |
| Rainey Endowed School, Magherafelt         | Initial sketch plans awaited                     |
| Scoil Na Fuisioige P.S. Belfast            | Final sketch plans under consideration           |
| Springhill P.S. Belfast                    | Revised initial sketch plans awaited             |
| St Bronagh's P.S. Rostrevor                | Revised initial sketch plans awaited             |
| St Clare's Abbey P.S. Newry                | Revised initial sketch plans awaited             |
| St Colman's P.S. Lambeg                    | Pre-tender                                       |
| St Columba's P.S. Straw, Draperstown       | Pre-tender                                       |

| School Name                              | Current Position                               |
|--|--|
| St Columbanus College, Bangor            | Pre-tender                                     |
| St Columbkille's P.S. Carrickmore        | Pre-tender submission awaited                  |
| St Conor's P.S. Omagh                    | Revised initial sketch plans awaited           |
| St Joseph's Convent P.S. Newry           | Final sketch plans awaited                     |
| St Joseph's P.S. Madden                  | Pre-tender                                     |
| St Louis G.S. Kilkeel                    | Pre-tender submission awaited                  |
| St Mary's P.S. Banbridge                 | Revised initial sketch plans awaited           |
| St Mary's P.S. Newcastle                 | Pre-tender submission under consideration      |
| St Oliver Plunkett P.S. Forkhill         | Pre-tender                                     |
| St Patrick's Academy Dungannon           | Revised final sketch plans under consideration |
| St Patrick's College, Banbridge          | Revised final sketch plans under consideration |
| St Patrick's G.S. Armagh                 | Initial sketch plans under consideration       |
| St Paul's P.S. Irvinestown               | Initial sketch plans awaited                   |
| St Teresa's P.S. Lurgan                  | Revised final sketch plans awaited             |
| Strand/Sydenham P.S. Belfast             | Initial sketch plans awaited                   |
| Strandtown P.S. Belfast                  | Initial sketch plans awaited                   |
| Strathearn G.S. Belfast                  | Pre-tender                                     |
| Tannaghmore P.S. Lurgan                  | Finals sketch plans under consideration        |
| Taughmonagh P.S. Belfast                 | Final sketch plans under consideration         |
| The High School, Ballynahinch            | Initial sketch plans awaited                   |
| Tor Bank Special School, Dundonald (PPP) | Preferred bidder not yet appointed             |
| Victoria College, Belfast                | Revised final sketch plans awaited             |
| Whitehouse P.S. Newtownabbey             | Tender Stage                                   |

**ANNEX B****SCHEMES NOT YET ANNOUNCED**

| School Name                  | Current Position                       |
|------------------------------|--|
| Abercorn PS, Banbridge       | Feasibility Study / Economic Appraisal |
| Anahorish PS, Toomebridge    | Feasibility Study / Economic Appraisal |
| Antrim PS                    | Feasibility Study / Economic Appraisal |
| Ballycastle HS               | Feasibility Study / Economic Appraisal |
| Ballyclare HS                | Feasibility Study / Economic Appraisal |
| Ballyclare PS                | Feasibility Study / Economic Appraisal |
| Ballymena Academy            | Feasibility Study / Economic Appraisal |
| Ballymena PS                 | Feasibility Study / Economic Appraisal |
| Ballynahinch PS              | Feasibility Study / Economic Appraisal |
| Ballywalter PS               | Feasibility Study / Economic Appraisal |
| Bangor Central Integrated PS | Feasibility Study / Economic Appraisal |
| Belfast HS                   | Feasibility Study / Economic Appraisal |
| Belfast Royal Academy        | Feasibility Study / Economic Appraisal |

| School Name   | Current Position                       |
|---|--|
| Braidside Integrated PS, Ballymena  | Feasibility Study / Economic Appraisal |
| Broadbridge, Derry  | Feasibility Study / Economic Appraisal |
| Bunscoil an Iuir, Newry   | Feasibility Study / Economic Appraisal |
| Bunscoil Bheann Mhadagain Belfast   | Feasibility Study / Economic Appraisal |
| Bunscoil Cholmcille, Derry  | Feasibility Study / Economic Appraisal |
| Cambridge House, Ballymena  | Feasibility Study / Economic Appraisal |
| Carrickfergus College   | Feasibility Study / Economic Appraisal |
| Carrickfergus Grammar   | Feasibility Study / Economic Appraisal |
| Castle Tower Special School, Ballymena  | Feasibility Study / Economic Appraisal |
| Christian Brothers' PS ,Mount St Catherine's PS , St Malachy's PS St Patrick's PS ( Possible Rationalisation) | Feasibility Study / Economic Appraisal |
| Coleraine Academical College  | Feasibility Study / Economic Appraisal |
| Corran Integrated PS, Larne   | Feasibility Study / Economic Appraisal |
| Cross and Passion College, Ballycastle  | Feasibility Study / Economic Appraisal |
| Crossroads, Kilrea & St Columbas PS, Kilrea   | Feasibility Study / Economic Appraisal |
| Crumlin HS  | Feasibility Study / Economic Appraisal |
| Cullybackey HS  | Feasibility Study / Economic Appraisal |
| Dalriada, Ballymoney  | Feasibility Study / Economic Appraisal |
| Downpatrick PS  | Feasibility Study / Economic Appraisal |
| Dromore High School   | Feasibility Study / Economic Appraisal |
| Edmund Rice CB PS & Star of the Sea P.S. Belfast  | Feasibility Study / Economic Appraisal |
| Faughanvale Parish P.S. Derry   | Feasibility Study / Economic Appraisal |
| Fermanagh post-primary (controlled)   | Feasibility Study / Economic Appraisal |
| Fermanagh post-primary (maintained)   | Feasibility Study / Economic Appraisal |
| Friends School, Lisburn   | Feasibility Study / Economic Appraisal |
| Gaelscoil Eadain Mhoir, Derry   | Feasibility Study / Economic Appraisal |
| Gaelscoil ui Dhochartaigh, Strabane   | Feasibility Study / Economic Appraisal |
| Gaelscoil Ui Neill, Coalisland  | Feasibility Study / Economic Appraisal |
| Glenravel, Martinstown & St Mary's PS, Cargan   | Feasibility Study / Economic Appraisal |
| Hart Memorial PS, Portadown   | Feasibility Study / Economic Appraisal |
| Hazelwood Integrated College, Belfast   | Feasibility Study / Economic Appraisal |
| Holy Cross Boys' & Girls' & Mercy PS Belfast  | Feasibility Study / Economic Appraisal |
| Holy Trinity PS, Belfast  | Feasibility Study / Economic Appraisal |
| Iveagh PS, Rathfriland  | Feasibility Study / Economic Appraisal |
| Kilcoan & Mullaghduh PS, Islandmagee P.S.   | Feasibility Study / Economic Appraisal |
| Kilkeel High School   | Feasibility Study / Economic Appraisal |
| Killinchy PS  | Feasibility Study / Economic Appraisal |
| Kilmoyle PS, Ballymoney   | Feasibility Study / Economic Appraisal |
| King's Park PS, Lurgan  | Feasibility Study / Economic Appraisal |
| Larne HS  | Feasibility Study / Economic Appraisal |



| School Name  | Current Position                       |
|--|--|
| Lismore Comprehensive, Craigavon   | Feasibility Study / Economic Appraisal |
| Loreto/St Colmcille's P.S., Omagh  | Feasibility Study / Economic Appraisal |
| Lower Mourne Rationalisation (amalgamation of - Moneydarragh PS, St Joseph's, Ballymartin, St Mary's, Glassdrumman). | Feasibility Study / Economic Appraisal |
| Malone College, Belfast  | Feasibility Study / Economic Appraisal |
| Markethill High School   | Feasibility Study / Economic Appraisal |
| Millstrand PS, Portrush  | Feasibility Study / Economic Appraisal |
| New Bridge Integrated College, Banbridge   | Feasibility Study / Economic Appraisal |
| New Row PS, Castledawson   | Feasibility Study / Economic Appraisal |
| Omagh County P.S.  | Feasibility Study / Economic Appraisal |
| Our Lady of Lourdes PS, Belfast  | Feasibility Study / Economic Appraisal |
| Portadown IPS  | Feasibility Study / Economic Appraisal |
| Recarson P.S., Omagh   | Feasibility Study / Economic Appraisal |
| Roe Valley P.S. Limavady   | Feasibility Study / Economic Appraisal |
| Saintfield H.S.  | Feasibility Study / Economic Appraisal |
| Slemish College, Ballymena   | Feasibility Study / Economic Appraisal |
| St Aidan's CB PS & St Bernadette's PS Belfast  | Feasibility Study / Economic Appraisal |
| St Anne's PS, Finaghy  | Feasibility Study / Economic Appraisal |
| St Benedict's College, Randalstown   | Feasibility Study / Economic Appraisal |
| St Catherine's College Armagh  | Feasibility Study / Economic Appraisal |
| St Colm's HS, Twinbrook  | Feasibility Study / Economic Appraisal |
| St Colm's HS, Draperstown  | Feasibility Study / Economic Appraisal |
| St Eugene's Parish re-organisation, Derry  | Feasibility Study / Economic Appraisal |
| St Gerard's Educational Resource Centre, Belfast   | Feasibility Study / Economic Appraisal |
| St John the Baptist Boys' & Girls PS Belfast   | Feasibility Study / Economic Appraisal |
| St Joseph's College, Belfast   | Feasibility Study / Economic Appraisal |
| St Joseph's HS, Crossmaglen  | Feasibility Study / Economic Appraisal |
| St Joseph's & St James' PS, Poyntzpass   | Feasibility Study / Economic Appraisal |
| St Joseph's PS Galbally  | Feasibility Study / Economic Appraisal |
| St Killians College Garron Tower (St Comgalls, St Aloysius, St MacNissi's)   | Feasibility Study / Economic Appraisal |
| St Louis G.S. Ballymena  | Feasibility Study / Economic Appraisal |
| St Louise's Comprehensive College, Belfast   | Feasibility Study / Economic Appraisal |
| St Malachy's College, Belfast  | Feasibility Study / Economic Appraisal |
| St Mark's and St Luke's (incl nursery), Twinbrook  | Feasibility Study / Economic Appraisal |
| St Mary's CBS Belfast  | Feasibility Study / Economic Appraisal |
| St Mary's JHS ) proposed amalgamation with St Paul's JHS) St Michael's Grammar Lurgan                                | Feasibility Study / Economic Appraisal |
| St Mary's on the Hill PS, Glengormley  | Feasibility Study / Economic Appraisal |
| St Mary's PS, Glenview, Maghera  | Feasibility Study / Economic Appraisal |
| St Mary's G.S., Magherafelt  | Feasibility Study / Economic Appraisal |

| School Name                                    | Current Position                       |
|--|--|
| St Mary's PS, Newtownbutler                    | Feasibility Study / Economic Appraisal |
| St Mary's, Barr & St John's PS Newry           | Feasibility Study / Economic Appraisal |
| St Patrick's and Convent of Mercy, Downpatrick | Feasibility Study / Economic Appraisal |
| St Peter's, Moy, Dungannon                     | Feasibility Study / Economic Appraisal |
| Strabane post-pr amalgamation                  | Feasibility Study / Economic Appraisal |
| Straid PS, Ballyclare                          | Feasibility Study / Economic Appraisal |
| The Thompson PS, Ballyclare                    | Feasibility Study / Economic Appraisal |
| Wallace High, Lisburn                          | Feasibility Study / Economic Appraisal |
| Whiteabbey PS                                  | Feasibility Study / Economic Appraisal |
| Woodburn PS, Carrickfergus                     | Feasibility Study / Economic Appraisal |

### Irish: Documents in

**Mr S Gardiner** asked the Minister of Education why official documents, such as the recent circular reminding Boards of Governors of their curricular responsibilities, are issued in Irish to non-Irish medium schools; and what additional cost is involved in terms of paper and postage. (AQW 3577/10)

**Minister of Education:** Léiríonn úsáid na Gaeilge sa chiorclán a ndearna tú tagairt dó an tiomantas atá agam don Ghaeilge a urramú agus a léiriú i mbealach cuí i ráitis na Roinne. Tá mionchostais bhreise ag baint leis an fhormáid dhátheangach maidir le postas agus le húsáid páipéir cionn is go ndéanann mo Roinn cumarsáid le scoileanna trí ríomhphost de ghnáth. Soláthróidh suíomh gréasáin na Roinne leaganacha dátheangacha, leaganacha Gaeilge-amháin agus leaganacha Béarla-amháin de dhoiciméid, lena n-áirítear ciorcláin scoile, le clódóireacht a éascú.

The use of Irish in the circular you refer to reflects my commitment to respect the Irish language and reflect it in an appropriate way in Departmental communications.

The bilingual format has minimal additional costs in terms of postage and paper use as my Department communicates with schools mainly via e-mail. The Department's website will provide bilingual and Irish-only and English-only versions of documents, including school circulars, to facilitate printing.

### Foreign Language Teaching

**Mr M Durkan** asked the Minister of Education what measures are in place to provide foreign language teaching in primary schools. (AQW 3586/10)

**Minister of Education:** Thug mé an Clár Teangacha Bunscoile isteach chun tacaíocht pheiripitéatach a thabhairt do bhunscoileanna atá ag iarraidh an Spáinnis, an Ghaeilge, agus níos déanaí, an Pholainnis a sholáthar. Tá lúchair orm go bhfuil 349 bunscoil ag glacadh páirte sa chlár le breis agus 22,000 dalta ag baint an tairbhe le teanga bhreise a fhoghlaim i seisiúin sheachtainiúla a bhfuil baint ag múinteoirí agus teagascóirí teanga araon leo.

I have introduced the Primary Languages Programme, providing peripatetic support for primary schools wishing to deliver Spanish, Irish and, more recently, Polish. I am delighted that 349 schools are currently participating in the programme, with over 22,000 pupils benefitting from learning an additional language in weekly sessions involving both teachers and language tutors.

Additionally, the Education and Library Boards Language Advisors provide support to primary schools wishing to deliver an additional language. Primary schools are also encouraged to become involved in programmes such as Comenius and the Regio programme, which support primary schools and teachers in language learning. Following the Primary Languages Pilot programme run by CCEA, which focused on German, French, Spanish and Irish, work has also been undertaken to develop a Primary Languages Website which was launched in June 2009 and provides support and resources for schools choosing to offer teaching of these four languages based on the experiences of the programme. CCEA also continues to provide support and resources for primary schools that wish to introduce an additional language.

## Foreign Language Teaching

**Mr M Durkan** asked the Minister of Education in how many primary schools is foreign language teaching available during school hours. (AQW 3587/10)

**Minister of Education:** Ní choinníonn an Roinn taifead de líon na mbunscoileanna a theagascann teangacha iasachta faoi láthair. Áfach, coinníonn an Roinn eolas ar na scoileanna sin atá ag glacadh páirte sa Chlár Teangacha Bunscoile a sholáthraíonn tacaíocht pheiripitéiteach do bhunscoileanna atá ag iarraidh Gaeilge, Spáinnis nó Polainnis a chur ar fáil. Is féidir liom a dheimhniú go bhfuil 349 bunscoil ag glacadh páirte sa chlár faoi láthair, a thugann deiseanna iontacha do bhreis agus 22,000 dalta teanga nua a fhoghlaim.

The Department does not hold records of the number of primary schools currently delivering foreign language teaching. It does, however, hold information on those schools participating in my Primary Languages Programme which provides peripatetic support to primary schools wishing to deliver Spanish, Irish and, more recently, Polish. I can confirm that 349 primary schools are currently participating in this programme, providing excellent opportunities for over 22,000 pupils to learn a new language.

## DEPARTMENT FOR EMPLOYMENT AND LEARNING

### Further Education College Associate Lecturers

**Mr P Ramsey** asked the Minister for Employment and Learning if an Equality Impact Assessment has been carried out into HR practices relating to Further Education College Associate Lecturers; and if their terms and conditions relating to pay, teaching and preparation time ratio and overtime are managed on a pro-rata basis with full-time teaching staff. (AQW 3213/10)

**Minister for Employment and Learning (Sir Reg Empey):** I am advised by the Colleges' Human Resource Group that the terms and conditions of associate lecturers are managed on a pro-rata basis with full-time teaching staff.

My Department has not carried out an Equality Impact Assessment into Human Resource practices relating to Further Education College Associate Lecturers. This is a matter for the further education colleges as the employing authorities.

### National Federation of Sub-Postmasters Report 'Six Steps of a Sustainable Post Office Network'

**Mr D Kinahan** asked the Minister for Employment and Learning for his assessment of the recommendations aimed at devolved institutions and local councils in the National Federation of Sub-Postmasters Report 'Six Steps of a Sustainable Post Office Network' (March 2009); and whether the Department has identified how it can make better use of the Post Office network. (AQW 3282/10)

**Minister for Employment and Learning:** This Department's engagement with the Post Office network is limited to links - as with other workplace learning venues - to encourage and facilitate the development of essential skills in the workforce

The location or otherwise of Post Office locations would also have relevance to those trainees on the Department's programmes who opt to have their allowances paid via the Post office. However, this is primarily an issue for the Social Security Agency.

### Swine Flu

**Mr J Shannon** asked the Minister for Employment and Learning how much money was redirected from his departmental budget to fund the cost of dealing with the Swine Flu pandemic. (AQW 3359/10)

**Minister for Employment and Learning:** As stated in the Finance Minister's Statement to the Assembly on 13 October 2009 in relation to the 2009/10 September Monitoring exercise, the Executive unanimously agreed that, having taken account of the amounts available within the existing DHSSPS budget, the balance of funding required to meet the cost of dealing with the swine flu pandemic should be funded by way of a pro rata contribution from all other departments. The Department for Employment and Learning redirected a total of £5.025m, £4.690m current expenditure budget and £0.335m capital expenditure budget, as its pro rata contribution to fund the cost of dealing with the Swine Flu pandemic.

### Funding Learning Units

**Mr J Shannon** asked the Minister for Employment and Learning if he would consider increasing the number of Funding Learning Units for the South Eastern Regional College, due to the increasing number of students.  
(AQW 3360/10)

**Minister for Employment and Learning:** The college's recurrent block grant allocation and number of Funded Learning Units for the 2009/10 academic year has been agreed in negotiation with my Department. For South Eastern Regional College, this has resulted in an increase in grant of £2.4 million on the previous academic year.

My Department is currently analysing the November enrolment data received from each of the FE Colleges however at this time I have no additional resources available to me to increase existing allocations. All Colleges are required to have sound financial controls in place and are required to live within the budget set.

### Full-time and Part-time Teaching Jobs

**Mr J Shannon** asked the Minister for Employment and Learning if the full-time and part-time teaching jobs at the Ballyboley, Newtownards and Bangor campuses of the South Eastern Regional College will be secure until the end of the academic year.  
(AQW 3361/10)

**Minister for Employment and Learning:** Matters relating to the employment of staff are a matter for the Governing Body of South Eastern Regional College (SERC), as the employing authority.

The College has advised me that the contracts of its full-time lecturers will be secure for the remainder of the current academic year, at least; the contracts of part-time lecturers are determined by the duration of the course they have been appointed to teach.

### South Eastern Regional College

**Mr J Shannon** asked the Minister for Employment and Learning, given that the Ballyboley and Newtownards campuses of the South Eastern Regional College are receiving only limited funding for 2010, what action he intends to take to assist them to deliver courses.  
(AQW 3364/10)

**Minister for Employment and Learning:** The Department does not fund individual campuses. Each Regional College is funded on an academic year basis, through the recurrent block grant allocation.

The governing body of South Eastern Regional College is responsible for deciding how funding is allocated throughout the various campuses.

### South Eastern Regional College

**Mr J Shannon** asked the Minister for Employment and Learning what action he is taking to ensure that enrolment at the Ballyboley Campus of the South Eastern Regional College can continue in January, March and September 2010.  
(AQW 3460/10)

**Minister for Employment and Learning:** Further Education Colleges are responsible for determining the nature and timetabling of provision offered at each of their campuses, based on local demand.

South Eastern Regional College has advised that provision will continue where there are sufficient enrolment numbers.

### South Eastern Regional College

**Mr J Shannon** asked the Minister for Employment and Learning if he will consider providing additional financial assistance for the South Eastern Regional College, in light of the increasing number of students.

(AQW 3461/10)

**Minister for Employment and Learning:** Please also refer to AQW 3360/10. The college's recurrent block grant allocation for the 2009/10 academic year was agreed in negotiation with my Department in April 2009. Additionally, further funding is made available sector wide for specific purposes, which is allocated through earmarked funds. My Department is currently analysing the November enrolment data received from each of the Colleges. However at this time I have no additional resources available to me to increase existing allocations.

## DEPARTMENT OF ENTERPRISE, TRADE AND INVESTMENT

### Tourism Industry

**Mr S Gardiner** asked the Minister of Enterprise, Trade and Investment how many meetings her officials have had with officials in other Departments and public bodies in each of the last three years regarding the management of the tourism industry.

(AQW 3170/10)

**Minister of Enterprise, Trade and Investment (Mrs A Foster):** Officials in the Department of Enterprise, Trade and Investment have formal Oversight and Liaison Meetings with management from the Northern Ireland Tourist Board and Tourism Ireland on a quarterly basis.

In addition, officials in DETI meet their colleagues in NITB and Tourism Ireland on a regular and frequent basis to discuss a wide range of matters relating to tourism and also meet colleagues from other Departments occasionally to consider, consult and develop a number of cross cutting tourism related issues.

### Capital for Enterprise Fund

**Mr S Gardiner** asked the Minister of Enterprise, Trade and Investment (i) how many businesses have received assistance under the Capital for Enterprise Fund since its inception; and (ii) how much has been spent on this assistance.

(AQW 3171/10)

**Minister of Enterprise, Trade and Investment:** Since the launch, in January 2009, of the £75 million Capital for Enterprise Fund equity scheme, the appointed fund managers have so far made offers totalling £68.7m to 44 businesses across the UK. Eight businesses have received investment totalling £12.4m with a further thirteen businesses having accepted the terms of the funding offered with a total value of £20.3m.

The Capital for Enterprise Fund is being run in Northern Ireland by Maven Capital Partners who held a seminar in June 2009 in Belfast to help publicise the fund. Although there have been a number of enquiries from Northern Ireland companies, none to date has made a successful application or is under current consideration.

### Economically Inactive People

**Mr A Ross** asked the Minister of Enterprise, Trade and Investment how many people were economically inactive in the East Antrim constituency, in each of the last five years.

(AQW 3182/10)

**Minister of Enterprise, Trade and Investment:** Estimates of economic inactivity at constituency level are sourced to the Northern Ireland Labour Force Survey annual dataset and are only available on a consistent basis from 2005 onwards. The table below provides the estimated<sup>1</sup> total number of economically inactive people in the East Antrim Parliamentary Constituency Area, aged 16 & over and of working age, from 2005 – 2008.

Number of economically inactive<sup>2</sup> persons in the East Antrim Constituency, 2005 - 2008



| Year | Total Economically Inactive<br>Aged 16+ | Total Economically Inactive<br>Working Age <sup>3</sup> |
|------|---|---|
| 2005 | 21,000                                  | 9,000   |
| 2006 | 22,000                                  | 10,000  |
| 2007 | 26,000                                  | 11,000  |
| 2008 | 30,000                                  | 14,000  |

1 The LFS is a sample survey and the estimate has an associated degree of sampling error. In particular, estimates at constituency level are based on relatively small sample sizes and are subject to a higher degree of sampling variability. They should, therefore, be treated with caution.

2 The economically inactive are those people who are neither in employment nor unemployed. This group includes, for example, all those who are looking after the family/home, retired, sick/disabled or in full-time education etc.

3 Working age refers to females aged 16 to 59 and males aged 16 to 64.

Source: NI Labour Force Survey (LFS), January - December annual dataset.

### Working Capital Scheme

**Mr S Gardiner** asked the Minister of Enterprise, Trade and Investment (i) how many businesses have received assistance under the Working Capital Scheme since its inception; and (ii) how much has been spent on it.

(AQW 3192/10)

**Minister of Enterprise, Trade and Investment:** £2bn of guarantees have been provided to two banks under The Working Capital Scheme (WCS), which is administered by the UK Department for Business, Innovation and Skills (BIS). It provides guarantees to participating banks related to working capital portfolios, rather than individual loans. It is designed to free up capital for new lending to UK companies. Companies themselves do not apply for WCS guarantees and are not aware that their loans are guaranteed under the scheme. BIS does not hold records by region of companies which have loans underpinned by WCS guarantees.

### Accelerated Support Fund

**Mr S Gardiner** asked the Minister of Enterprise, Trade and Investment (i) how many businesses have received assistance under the Accelerated Support Fund since its inception; and (ii) how much has been spent on it.

(AQW 3194/10)

**Minister of Enterprise, Trade and Investment:** The gateway to Accelerated Support Fund (ASF) support is the 'credit crunch diagnostic', which is free to Invest NI clients attending 'Challenges and Opportunities – the Credit Crunch' events.

(i) 527 diagnostics contracts have been issued valued at £1,283,279.

Following on from the diagnostic activity 112 clients have received ASF offers of support totalling £3,645,296.

(ii) Total expenditure to 30 November 2009 is £1,521,248 This includes expenditure on the free diagnostic undertaken in each of the participating companies and grant support paid under ASF

As at 30 November 2009 the total support committed to ASF both via diagnostic and project support is £4,928,575.

Clients can access information on ASF through nibusinessinfo.co.uk which gives details on the scheme and eligibility considerations.

### Invest NI

**Mr K Robinson** asked the Minister of Enterprise, Trade and Investment, pursuant to AQW 1362/10, to detail the orders generated by Invest NI's overseas trade missions in each constituency, in each of the last three years.

(AQW 3251/10)

**Minister of Enterprise, Trade and Investment:** The following table gives details of the orders reported by companies participating in Invest NI's trade mission activities by constituency in each of the past three years.

| Constituency             | 2006/07<br>£000'S | 2007/08<br>£000'S | 2008/09<br>£000'S |
|--------------------------|-------------------|-------------------|-------------------|
| Belfast East             | 5,150             | 3,430             | 2,923             |
| Belfast North            | 900               | 10,080            | 6,209             |
| Belfast South            | 7,068             | 158,520           | 4,811             |
| Belfast West             | 65,866            | 14,030            | 3,200             |
| East Antrim              | 25,800            | 500               | 3,008             |
| East Londonderry         | 11,240            | 2,493             | 1,495             |
| Fermanagh & South Tyrone | 5,264             | 17,000            | 9,575             |
| Foyle                    | 4,461             | 12,553            | 13,535            |
| Lagan Valley             | 28,796            | 1,310             | 348               |
| Mid Ulster               | 37,605            | 22,303            | 4,478             |
| Newry & Armagh           | 3,086             | 4,650             | 5,790             |
| North Antrim             | 30,625            | 17,200            | 2,313             |
| North Down               | 2,432             | 580               | 1,569             |
| *Other                   | 27                | 0                 | 306               |
| South Antrim             | 16,472            | 19,087            | 23,280            |
| South Down               | 6,022             | 61,285            | 4,522             |
| Strangford               | 489               | 2,041             | 11,845            |
| Upper Bann               | 30,001            | 6,230             | 3,342             |
| West Tyrone              | 8,059             | 14,100            | 14,651            |
| <b>Totals</b>            | <b>289,363</b>    | <b>367,392</b>    | <b>117,200</b>    |

\* Orders received by RoI-based companies which participated in Invest NI's trade mission programme

### Civil Servants' Earnings

**Mr J Craig** asked the Minister of Enterprise, Trade and Investment, pursuant to AQW 2954/10, to detail (i) the job title; (ii) pay scale; and (iii) the total amount earned by the civil servant in question. (AQW 3259/10)

**Minister of Enterprise, Trade and Investment:** The one Civil Servant who currently earns more than the Minister in the Department of Enterprise, Trade and Investment is the Permanent Secretary. The current pay band scale for Permanent Secretary in the NICS is £98,059 to £205,000. The DETI Permanent Secretary currently earns between £100,000- £105,000.

### National Federation of Sub-Postmasters Report 'Six Steps of a Sustainable Post Office Network'

**Mr D Kinahan** asked the Minister of Enterprise, Trade and Investment for her assessment of the recommendations aimed at devolved institutions and local councils in the National Federation of Sub-Postmasters Report 'Six Steps of a Sustainable Post Office Network' (March 2009); and whether the Department has identified how it can make better use of the Post Office network. (AQW 3283/10)

**Minister of Enterprise, Trade and Investment:** The document 'Six Steps to a Sustainable Post Office Network' – A Report by the National Federation of Sub Postmasters provides opportunities to enable the sustainability of the national network of Post Offices. At page 13, the document provides a list of services which

might be delivered within Post Offices; the only example relevant to my Department is the delivery of tourist information.

In Northern Ireland, tourist information is formally delivered by local councils, mainly through the network of 31 Tourism Information Centres (TICs). In addition, there are Local Information Centres (LICs); Tourism Information Points (TIPs); and Electronic Kiosks.

The Northern Ireland Tourist Board (NITB) is currently considering how servicing of visitor information might be co-ordinated into a seamless integrated network accessible throughout Northern Ireland.

NITB welcomes the opportunity to increase visitor opportunities to gain quality visitor information at locations which are highly accessible and in formats which are suitable to the visitors' needs and preferences.

Nevertheless, NITB would wish to ensure that all visitors continue to avail of the highly skilled and quality experience delivered in the Tourist Information Centres (TICs) across Northern Ireland.

The successful delivery of visitor information requires detailed knowledge of Northern Ireland, as well as local authority districts. During September 2009, NITB commissioned a survey of 1,000 visitors at Tourist Information Centres and visitor attractions across Northern Ireland. The survey identified that of those visitors who used the services of a TIC, 55% stated that they visited an attraction which they had not planned to visit, while 31% indicated that they were greatly encouraged to return to Northern Ireland following their visit to the TIC.

NITB would consider any potential role for Post Offices in the delivery of visitor information to be concerned with hosting self service materials only.

### **Fermanagh and Tyrone: Wireless Network**

**Mr P Doherty** asked the Minister of Enterprise, Trade and Investment to outline the reasons for the delay in the availability of the wireless network in parts of Fermanagh and Tyrone, given that some of the contract winners have received funding to provide the service. (AQW 3296/10)

**Minister of Enterprise, Trade and Investment:** My Department is currently supporting the deployment of fixed wireless networks in the rural west, Foyle Basin/North Sperrins and Co. Fermanagh border areas. Delivery of services using fixed wireless technologies is dependent on line-of-sight and while the core network in the rural west has been completed on schedule this month, some minor in-fill work is underway to address not-spot areas. Commercial services are therefore already being delivered in some areas under this project.

Work on the Foyle Basin/North Sperrins network, being delivered by the same company, will commence in December 2009 and will take approximately 6 months. A condition of funding this project was that it would commence only when work was substantially completed on the rural west network.

Work on delivery of the Co. Fermanagh network began in August 2009 and is scheduled to run for approximately 12 months, at which point commercial services will be made available.

No funds have been paid out, to date, in respect of either the Foyle Basin/North Sperrins or Co. Fermanagh projects.

### **Rose Energy**

**Mr T Burns** asked the Minister of Enterprise, Trade and Investment why funding sought by Rose Energy from Invest NI for a proposed biomass fuelled power plant is being considered by the Food Division of Invest NI and not the Energy Division of Invest NI. (AQW 3297/10)

**Minister of Enterprise, Trade and Investment:** My response to AQW 2923/10 indicated that the evaluation of this project was at an advanced stage. The project rests with Invest NI's Food Division because of the links with the Northern Ireland poultry industry but the evaluation process goes much wider and has involved Energy Division in DETI.

## NI Electricity

**Mr S Gardiner** asked the Minister of Enterprise, Trade and Investment if she has had discussions with NI Electricity on the early introduction of smart meters which calculate how much gas or electricity is used each time an appliance is switched on. (AQW 3300/10)

**Minister of Enterprise, Trade and Investment:** To date my Department has not had any discussions with NI Electricity on the early introduction of smart meters. Northern Ireland Authority for Utility Regulation (NIAUR) is currently engaged with both the electricity and gas companies in looking at the potential for smart meters in both the electricity and gas sectors.

DETI is currently working closely with NIAUR in this area, particularly in a study looking at potential technical solutions for a smart metering rollout in Northern Ireland which is nearing completion.

Some smart meters have the functionality to output the amount of electricity or gas being consumed to a separate real time display. These types of displays can identify the switching on and off of appliances.

DETI will issue a further consultation on the options for Northern Ireland once an impact assessment has been completed to identify the likely costs of any solution and the potential impact on consumer bills.

## NI Electricity

**Mr S Gardiner** asked the Minister of Enterprise, Trade and Investment if an assessment has been made of the impact the introduction of smart meters would have on the employment of NI Electricity staff. (AQW 3301/10)

**Minister of Enterprise, Trade and Investment:** The introduction of smart meters has the potential to reduce the need for meter readers in the longer term. However at this stage, neither DETI nor NIE can make an assessment of the impact on meter readers until the technical solution for a smart metering rollout in Northern Ireland has been completed.

DETI is currently working closely with the Northern Ireland Authority for Utility Regulation (NIAUR) in this area, and a study looking at potential technical solutions for a smart metering rollout in Northern Ireland is nearing completion.

## Smart Meters

**Mr S Gardiner** asked the Minister of Enterprise, Trade and Investment if she has had any discussions with the Secretary of State for Energy on the newly announced Government scheme to introduce smart meters across the UK by 2020. (AQW 3302/10)

**Minister of Enterprise, Trade and Investment:** I have not had any discussions with the Secretary of State for Energy on smart meters, although officials from Energy Division work closely with their counterparts in the Department of Energy and Climate Change (DECC) in this area. Energy policy is a devolved matter and therefore recent announcements by DECC apply to GB only.

In April 2009 my Department issued a consultation on Better Billing and Metering, including smart metering and the majority of respondents were in favour of a smart meter rollout. DETI is currently working closely with the Northern Ireland Authority for Utility Regulation (NIAUR) in this area, and a study looking at potential technical solutions for a smart metering rollout in Northern Ireland is nearing completion.

DETI will issue a further consultation on these options once an impact assessment has been completed to identify the likely costs of any solution and the potential impact on consumer bills.

## Broadband

**Mr P Doherty** asked the Minister of Enterprise, Trade and Investment (i) why County Fermanagh is not deemed a priority area in the latest Broadband Fund call, given that in January 2009 Fermanagh District Council presented a list of over 50 townlands which do not receive broadband; and (ii) when County Fermanagh can expect to receive broadband coverage other than that currently being offered by Avanti Communications. (AQW 3312/10)

**Minister of Enterprise, Trade and Investment:**

- (i) There are no areas in Co. Fermanagh or indeed anywhere else in Northern Ireland that do not have access to broadband. As a direct consequence of my Department's initiative in developing the 2004 Local Broadband Access Contract, Northern Ireland has 100% access to broadband services. Less than 1% of existing broadband services across Northern Ireland are delivered using the satellite in-fill service put in place by my Department with Avanti Communications.

The Broadband Fund is a mechanism for supporting projects delivering next generation broadband services into rural locations. My Department engaged extensively with Fermanagh District Council when identifying priority areas under the 3rd call for projects. One application was received and approved for funding assistance, involving the development of a fixed wireless network. The project began in August 2009 and is on schedule for completion and delivery of commercial services in August 2010. Although no specific locations in Co Fermanagh were prioritised under the recently closed 4th call, my officials wrote to the Council, and all of the others, advising them of the opportunities under the 4th call.

- (ii) Co. Fermanagh, like every other part of Northern Ireland, has broadband coverage. This is delivered by fixed line, wireless and satellite technologies, but in the main by fixed line (with less than 1% using the other solutions). Co. Fermanagh will also benefit from my announcement this week of the award of a contract to BT for delivery of a next generation solution for Northern Ireland businesses.

**Broadband**

**Mr P Doherty** asked the Minister of Enterprise, Trade and Investment why her Department and Avanti Communications are marketing a satellite service with speeds of 512 Kbps as a broadband service when, according to the BT Group, internet speeds of below 1Mbps are not classified as broadband. (AQW 3325/10)

**Minister of Enterprise, Trade and Investment:** The telecommunications market is privatised and independently regulated nationally by Ofcom. Although there are many definitions of broadband, Ofcom, in numerous publications, including its latest Communications Market Report (2009), defines broadband as "a service or connection generally defined as being 'always on' and providing a bandwidth greater than narrowband". Narrowband is in turn defined as "a service or connection providing data speeds up to 128 kilobits per second, such as via an analogue telephone line, or via ISDN".

In awarding the contract to Avanti Communications (as was the case in awarding the previous 5-year contract to BT) DETI specified that services delivered should provide a minimum data transfer speed of 500kbps and this is clearly in line with the Telecommunications Regulator's definition of broadband as well as meeting the recommendations of internationally renowned groups such as the Organisation for Economic Co-operation and Development (OECD) which suggests that broadband services should offer internet connectivity capable of download speeds of at least 256kbps. In addition BT in Northern Ireland have confirmed that they can find no reference to substantiate the claim that internet speeds of below 1Mbps are not classified as broadband.

**Broadband**

**Mr P Doherty** asked the Minister of Enterprise, Trade and Investment why Avanti Communication customers pay £24.47 a month for 512kbps, when BT Retail could offer the same service for £17.99 a month through their phone lines, but refuse to as it provides a speed of less than 1Mbps. (AQW 3326/10)

**Minister of Enterprise, Trade and Investment:** The telecommunications market is privatised and independently regulated nationally by Ofcom. Investment decisions in the delivery and pricing of services are typically made by the Private Sector service providers. DETI has made investments in the marketplace to deliver networks or improve their extent, quality and reliability where it notes underlying market failure.

The contract between DETI and Avanti Communications was put in place to counter a market failure in the delivery of broadband services to those living and working in rural areas but unable to access broadband services via a fixed-line solution.

Avanti provides a portfolio of services under its contract with DETI ranging from a 512/128 kbps service at £24.47 per month (including VAT) to a 3mbps/768kbps service at £67.56 per month (including VAT). These costs are heavily subsidised by the Department and are very favourable in relation to those for comparable services



elsewhere in the UK where, on average, the cost of a direct satellite service is £1400 for installation and £70 per month thereafter.

While BT Retail or, indeed, any other service provider operating in Northern Ireland can make the commercial decision to supply an ADSL broadband service to Northern Ireland customers at lower prices and higher speeds, this can only be achieved where the line length to the customer's premises will accommodate the signal.

### Broadband

**Mr T Burns** asked the Minister of Enterprise, Trade and Investment (i) to detail the 166 telephone exchanges which will be upgraded as part of the recently announced £50 million investment in broadband provision; and (ii) what the anticipated date of the upgrade is. (AQW 3333/10)

**Minister of Enterprise, Trade and Investment:** On 3 December 2009 I announced jointly with BT the Next Generation Broadband project which will deliver Next Generation Services to 85% of businesses across Northern Ireland by 2011. The project will involve the deployment of fibre optic cable deeper into our urban districts, towns, villages and countryside and upgrades to equipment across 166 exchanges.

(i) These are listed below.

#### Exchange

- Bangor
- Newcastle
- Warrenpoint
- Cookstown
- Moira
- Aghalee
- Whiteabbey
- Kilkeel
- Rathfriland
- Crossmaglen
- Portadown
- Lurgan
- Cregagh, Belfast
- Ormeau, Belfast
- Magherafelt
- Maze
- Hillsborough
- Portstewart
- Ballycastle
- Balmoral
- Enniskillen
- Maghera
- Irvinestown
- Dundonald
- Keady
- Portglenone
- Ahoghill
- Cullybackey
- Rostrevor
- Newry

- Killeavy
- Donaghadee
- Castlederg
- Newtownards
- Bessbrook
- Carrickfergus
- Whitehead
- Castlewellan
- Ballymena
- Glarryford
- Cloughmills
- Portaferry
- Kircubbin
- Crossgar
- Downpatrick
- Banbridge
- Gilford
- Ballynahinch
- Saintfield
- Baillies Mills
- Coagh
- Moneymore
- Ballyronan
- Ballywalter
- Portavogie
- Waringstown
- Templepatrick
- Antrim
- Ardglass
- Killyleagh
- Millisle
- Portrush
- Lisburn
- Stoneyford
- Belfast City
- Campsie
- Ballymoney
- Glengormley
- Ballygowan
- Carryduff
- Strabane
- Waterside
- Annaghmore
- Castlereagh
- Comber
- Coleraine

- Ballysillan, Belfast
- Londonderry/Brookhall
- Tandragee
- Eglinton
- Limavady
- Helens Bay
- Londonderry
- Bready
- Cross
- Kesh
- Coalisland
- Pomeroy
- Newtownhamilton
- Annalong
- Forkhill
- Kilrea
- Garvagh
- Moy
- Dungannon
- Toomebridge
- Randalstown
- Aghadowey
- Armagh
- Benburb
- Loughall
- Caledon
- Ballyclare
- Lisnaskea
- Lisbellaw
- Brookeborough
- Fivemiletown
- Clogher
- Beragh
- Omagh
- Fintona
- Carrickmore
- Dundrod
- Crumlin
- Holywood
- Bushmills
- Dervock
- Draperstown
- Castledawson
- Donaghmore
- Newtonstewart
- Drumquin

- Rasharkin
- Swatragh
- Kells
- Feeny
- Claudy
- Dunamanagh
- Dromara
- Stewartstown
- Malone, Belfast
- Bellarena
- Larne
- Drumore
- Aughnacloy
- Cushendall
- Gortin
- Florencecourt
- Springfield, Northern Ireland
- Markethill
- Richill
- Ballygawley
- Greyabbey
- Martinstown
- Sion Mills
- Trillick
- Tulnacross
- Carnlough
- Glenarm
- Ballinamallard
- Mountfield
- Dungiven
- Derrylin
- Armoy
- Belleek
- Tempo
- Roslea
- Derrygonnelly
- Belcoo
- Broughshane
- Ballykinler
- Newtownbutler
- Stormont, Belfast
- Fortwilliam, Belfast
- Castlerock
- Derryadd

(ii) The investment roll out is scheduled to be completed by May 2011.

### Poultry Litter: Disposal

**Mr T Burns** asked the Minister of Enterprise, Trade and Investment, apart from the proposed Rose Energy Poultry Litter Incinerator, what alternative technologies her Department has considered for the disposal of poultry litter; and how much her Department has invested in progressing these alternatives. (AQW 3356/10)

**Minister of Enterprise, Trade and Investment:** Invest NI is not considering alternative technologies for the disposal of poultry litter. Invest NI participates in an Interdepartmental Working Group on Bioenergy and this group's recent public consultation on a Bioenergy Action Plan 2009 – 2014, noted the current proposal for a 30 mega watt power plant using chicken litter as a feedstock. The Carbon Trust which is funded by Invest NI has recently commissioned an Organic Energy Scoping Study, to map and quantify food-based organic waste arisings in Northern Ireland, with a view to informing the development of opportunities for renewable energy generation and the supply and maintenance of associated waste conversion equipment and plant. It is anticipated that this study will include poultry litter arisings.

### DEPARTMENT OF THE ENVIRONMENT

#### National Federation of Sub-Postmasters Report 'Six Steps of a Sustainable Post Office Network'

**Mr D Kinahan** asked the Minister of the Environment for his assessment of the recommendations aimed at devolved institutions and local councils in the National Federation of Sub-Postmasters Report 'Six Steps of a Sustainable Post Office Network' (March 2009); and whether the Department has identified how it can make better use of the Post Office network. (AQW 3308/10)

**Minister of the Environment (Mr E Poots):** I am aware of the report produced by the Federation regarding the Post Office Network and its recommendations to devolved and local government, and would point out that the type of activities that the report highlights in terms of local authorities supporting local sub-post offices are unlikely to feature in local council activity in Northern Ireland in the short or even medium term.

Within my Department, the Driver & Vehicle Agency (DVA) currently has a contract with the Post Office for the renewal of vehicle tax discs in Northern Ireland. At present, this work is carried out at 145 post offices across Northern Ireland and involves the issue of nearly 750,000 tax discs by the Post Office. Under the terms of the contract for this work, the selection of the number and location of the Post Offices offering re-licensing services is determined by the Post Office, as a commercial decision. DVA is always happy to discuss with the Post Office the use of additional outlets.

### Planning

**Mr T Burns** asked the Minister of the Environment how many (i) new buildings; and (ii) extension/expansion projects have been built without planning permission in each of the last five years, in each of the following categories (a) residential; (b) industrial; (c) leisure / recreational; and (d) other. (AQW 3404/10)

**Minister of the Environment:** Breaches of planning control are recorded on the Department's database by the nature of breach, e.g. change of use, breach of condition, operational development, etc., and not land use. It is not therefore possible to provide the requested figures.

In order to provide accurate figures for the information requested a manual search of individual case records which is not only disproportionate in terms of time and cost but would result in un-validated statistics being released would be required. This would be contrary to the Code of Practice for the release of official statistics published in January 2009 ahead of the enactment of the Statistics and Registration Service Act 2007 on 1 April 2009.

There were 4,241 live enforcement cases as at 31 October 2009.



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**DEPARTMENT OF FINANCE AND PERSONNEL****National Federation of Sub-Postmasters Report 'Six Steps of a Sustainable Post Office Network'**

**Mr D Kinahan** asked the Minister of Finance and Personnel for his assessment of the recommendations aimed at devolved institutions and local councils in the National Federation of Sub-Postmasters Report 'Six Steps of a Sustainable Post Office Network' (March 2009); and whether the Department has identified how it can make better use of the Post Office network. (AQW 3269/10)

**Minister of Finance and Personnel (Mr S Wilson):** I am all too aware of the Federation's concerns for the future of small post offices, having attended and participated in an event organised by the National Federation of Sub Postmasters in Stormont on 14 September and in subsequent correspondence with the Northern Ireland Branch of the Federation.

The Six Steps Report has a number of recommendations relating to devolved and local government. One of the key recommendations in the Report relates to providing rate relief for post offices.

You will be aware that my predecessor, Nigel Dodds, announced in December 2008 his intention to introduce a Small Business Rate Relief scheme and that is now progressing well. It is intended to come into operation in time for the next rating year in April 2010. Included in the scheme will be enhanced rate relief for post offices. This will benefit around 80% of all post offices, most of whom will pay no rates at all as a result of the scheme. In real terms that means an average benefit to eligible post offices of between £1,620 and £2,580 per year. Relief will be paid automatically by Land and Property Services to all post offices that qualify. The new scheme will help to sustain the network, particularly those operating in isolated urban and rural communities.

In terms of the provision of wider government services by post offices, I know that the Federation has suggested a number of possibilities such as the administration of benefit payments, payment for local council bills and the payment of fines (such as parking fines). Most of these are beyond the scope of this Department and therefore for my Ministerial colleagues to consider.

However, I am pleased to say that Land and Property Services is increasingly promoting the use of third parties, including post offices, for the payment of rates. In the last financial year, £77 million was collected from ratepayers through the post office network.

In addition LPS advise that there may also be potential for post offices to be involved in document verification, for some of the rating reliefs and allowances, such as the recently introduced Lone Pensioners Allowance Scheme. I have asked officials to examine the feasibility of such a service and if it appears a practicable proposition I will request a business case to be prepared, which will weigh up the costs and benefits. The Federation will be invited to assist in this task.

**Childcare Vouchers**

**Mr J Shannon** asked the Minister of Finance and Personnel, in light of the support shown during the Assembly debate on Childcare Vouchers, if he will lend his support to the campaign to continue this scheme, and speak to the Prime Minister on this issue. (AQW 3284/10)

**Minister of Finance and Personnel:** At present 532 staff in the Northern Ireland Civil Service have registered to receive childcare vouchers. The Prime Minister has recently confirmed that the scheme will continue but that from 2011 tax relief for new entrants to the scheme will be limited to 20%. This will ensure that the system does not disproportionately benefit higher rate taxpayers.

I will write to the Prime Minister in my capacity as an MP to advise him of my views.

### Civil Service Equal Pay Claim

**Dr A McDonnell** asked the Minister of Finance and Personnel why he is not adhering to the commitment given in 2008 by the former Finance Minister, to include all NICS employees who have been retired 6 years in the settlement of the Civil Service equal pay claim. (AQW 3371/10)

**Minister of Finance and Personnel:** I am not aware of any commitment to include all NICS employees who have been retired 6 years in the settlement of the Civil Service equal pay claim.

### Civil Service Pay Structure

**Ms A Lo** asked the Minister of Finance and Personnel if he will consider review of the Civil Service pay structure following the pay offer to Administrative Assistants, Administrative Officers and EO2s, which has caused the anomaly of some Administrative Officers earning more than their EO2 managers. (AQW 3399/10)

**Minister of Finance and Personnel:** A comprehensive pay and grading review will be carried out in the NICS. This review will prioritise the examination of the EO2 grade within the NICS pay and grading structures.

### Civil Servants' Earnings

**Mr J Craig** asked the Minister of Finance and Personnel how many civil servants within his Department, inclusive of salaries, bonuses and any paid positions on outside bodies, earn more than the salary of a departmental Minister of £80,902. (AQW 3452/10)

**Minister of Finance and Personnel:** There are 16 civil servants in DFP who earn more than the salary of £80,902.

## DEPARTMENT OF HEALTH, SOCIAL SERVICES AND PUBLIC SAFETY

### Crohn's Disease

**Ms M Anderson** asked the Minister of Health, Social Services and Public Safety how many patients in each Health and Social Care Trust are receiving ongoing treatment for Crohn's disease and similar chronic bowel conditions; and how many of these patients are receiving 'Remicade' treatment. (AQW 3162/10)

**Minister of Health, Social Services and Public Safety (Mr M McGimpsey):** The information is not collected in the form requested. Treatment with Remicade for Crohn's disease is funded in line with current NICE guidance; that guidance does not recommend the use of Remicade on an ongoing (maintenance) basis. NICE is however currently consulting on revised guidelines on the use of Remicade and Humira for the treatment of Crohn's disease.

NICE has issued guidance indicating that Remicade is not recommended for people with subacute, moderately to severely active ulcerative colitis. The Institute has recommended Remicade as a possible treatment for people with acute, severely active ulcerative colitis if ciclosporin is considered inappropriate for them or they are taking part in a research study (clinical trial). My Department has endorsed this guidance.

### Regulation and Quality Improvement Authority

**Mr A Easton** asked the Minister of Health, Social Services and Public Safety to detail the hospitals inspected by the Regulation and Quality Improvement Authority; and how many times each hospital was inspected, in each of the last two years (AQW 3164/10)

**Minister of Health, Social Services and Public Safety:** Since The Regulation and Quality Improvement Authority (RQIA) began its programme of unannounced infection prevention/ hygiene inspections in March 2008,

all 19 acute hospitals in Northern Ireland have been subject to an inspection. The RQIA is also undertaking a programme of re-audits.

### Physiotherapy Posts

**Mr B McElduff** asked the Minister of Health, Social Services and Public Safety how many physiotherapy posts have been vacated at the Tyrone County Hospital in the last two years; and what measures are being taken to recruit physiotherapists for these posts. (AQW 3173/10)

**Minister of Health, Social Services and Public Safety:** The number of permanent posts vacated are as follows:

- 0.6 WTE Band 6 Community Physiotherapist – this was subsequently filled by an existing Tyrone County Hospital Physiotherapist via interview
- 1.0 WTE Band 5 rotational physiotherapist – interviews for this post were held recently.

In total, there are currently 1.5 WTE temporary Band 5, 1.0 WTE permanent Band 5 and 1.0 WTE Band 6 (maternity leave cover) positions out for recruitment.

The recruitment of staff is a matter for the Trust however the Western Trust advises that the current vacant posts are being recruited to using the usual recruitment process.

### Physiotherapy Treatment

**Mr B McElduff** asked the Minister of Health, Social Services and Public Safety to detail (i) the average waiting time for patients referred to Tyrone County Hospital for urgent physiotherapy treatment; (ii) the number of people currently on the waiting list for physiotherapy treatment at Tyrone County Hospital after urgent referral by their GP; and (iii) the number of physiotherapists currently working at Tyrone County Hospital. (AQW 3174/10)

**Minister of Health, Social Services and Public Safety:**

- (i) Information on the average waiting time for patients referred to Tyrone County Hospital for urgent physiotherapy treatment is not available.
- (ii) There are currently 61 patients waiting for physiotherapy treatment at the Tyrone County Hospital following urgent referral by their GP; and
- (iii) There are currently 8.8 wte physiotherapists in place at Tyrone County Hospital.

### Herbal Drugs

**Mr A Ross** asked the Minister of Health, Social Services and Public Safety how many ‘herbal drugs’ have been made illegal in each of the last five years. (AQW 3181/10)

**Minister of Health, Social Services and Public Safety:** In order to ensure a consistent approach is taken to the law in relation to drugs use, all jurisdictions within the UK place the same restrictions on certain drugs as set out in the Misuse of Drugs Act – which is the responsibility of the Home Office in Westminster.

No “herbal drugs” have been added to the Misuse of Drugs Act in the previous five years. However, I understand that the Home Office is currently proposing to amend the Act to include a number of substances known as “legal highs”. The amendment will make it illegal to possess or distribute a range of substances including:

- GBL and 1,4-BD);
- BZP and a group of substituted piperazines;
- a range of synthetic cannabinoid receptor agonists; and
- 24 anabolic steroids, and two growth promoters.

## Drug Awareness Programmes

**Mr A Ross** asked the Minister of Health, Social Services and Public Safety if drug awareness programmes include information on drugs that are advertised as giving a 'legal high'. (AQW 3183/10)

**Minister of Health, Social Services and Public Safety:** Through the New Strategic Direction for Alcohol and Drugs, the Public Health Agency commissions and funds a range of locality based substance misuse education and awareness programmes. Where "legal highs" are identified as an issue by a service provider this will be directly addressed within the education, prevention and drug awareness programmes. The misuse of legal substances is also included in all education, prevention, and drug awareness programmes as a matter of good practice.

## Currently Legal Drugs

**Mr A Ross** asked the Minister of Health, Social Services and Public Safety to outline the process for banning currently legal drugs which are advertised as giving the user a 'legal high'. (AQW 3197/10)

**Minister of Health, Social Services and Public Safety:** It is the duty of the Advisory Council on the Misuse of Drugs (ACMD) to advise Ministers on appropriate measures to be taken with respect to drugs which are being, or appear to them are likely to be, misused and which are causing or may cause a social problem.

'Legal highs' are substances currently not controlled under the Misuse of Drugs Act 1971 and which are self-administered to achieve an altered state of mind. Commonly, 'legal highs' contain benzylpiperazine (BZP), or one of a group of related compounds (substituted piperazines). In Northern Ireland, this Department has secured convictions under the Medicines Act 1968 for sales of these preparations.

Following a ACMD report and a subsequent public consultation, BZP, a number of other substituted piperazines and a similar preparation, Gamma-Butyrolactone (GBL) are to be controlled under the Misuse of Drugs Act 1971 and the Misuse of Drugs Regulations (Northern Ireland) 2002 from 23 December 2009

## Clinical Supervision

**Mrs I Robinson** asked the Minister of Health, Social Services and Public Safety to detail the annual cost of clinical supervision for each of the last three years. (AQW 3200/10)

**Minister of Health, Social Services and Public Safety:** Details regarding the costs of clinical supervision are not held centrally by the DHSSPS and could only be obtained at disproportionate cost.

## Nurses: Clinical Supervision

**Mrs I Robinson** asked the Minister of Health, Social Services and Public Safety to detail the practice of clinical supervision by nurses; and to outline its merits. (AQW 3202/10)

**Minister of Health, Social Services and Public Safety:** Clinical supervision is an important element of clinical governance, enabling practitioners to examine their practice, skills, knowledge, attitudes and values.

This has been highlighted in national and regional critical incident inquiries such as The Clothier Report (1994), Lewis Review (2003), Shipman Reports (2002 - 05), Murtagh Review (2005) and the McCleery Report (2006).

The Regulation Quality and Improvement Authority (RQIA) also recognise the importance of ensuring that staff have access to effective supervision, this is reflected in DHSSPS published quality standards for health and social care

In April 2008 the Chief Nursing Officer introduced two new standards for the supervision of nurses and a regional policy was agreed. This states that each registered nurse will undertake a minimum of two formal supervision sessions per year, the format for these sessions are arranged between the supervisor and supervisee.

### Nursing Staff Shortages

**Ms S Ramsey** asked the Minister of Health, Social Services and Public Safety if he has met with the Royal College of Nursing or ward managers in the Belfast Health and Social Care Trust to discuss potential staff shortages following the scaling back in the use of agency nurses. (AQW 3203/10)

**Minister of Health, Social Services and Public Safety:** I have not met with the Royal College of Nursing or ward managers in the Belfast Trust to discuss potential staff shortages and the use of agency nurses. The employment of agency staff is an operational matter for the Health and Social Care Trusts.

### Nurse-to-Patient Ratio

**Ms S Ramsey** asked the Minister of Health, Social Services and Public Safety (i) the statutory requirement for nurse to patient ratio on hospital wards; and (ii) how many times this requirement has been breached in each Health and Social Care Trust in the last six months. (AQW 3204/10)

**Minister of Health, Social Services and Public Safety:** There is no statutory ratio of nurses to patients in the UK.

### Agency Nurses

**Ms S Ramsey** asked the Minister of Health, Social Services and Public Safety if he is aware of the difference in costs associated with English or Scottish-based nursing agencies, compared to locally based agencies; and what plans he has to prioritise locally based nursing agencies. (AQW 3205/10)

**Minister of Health, Social Services and Public Safety:** The employment of agency staff is an operational matter for the Health and Social Care Trusts and my Department has no direct involvement in this.

### Agency Nurses

**Ms S Ramsey** asked the Minister of Health, Social Services and Public Safety to detail (i) the use and cost of English or Scottish-based nursing agencies; and (ii) how this compares to the use and cost of locally based nursing agencies, for each of the last three financial years. (AQW 3206/10)

**Minister of Health, Social Services and Public Safety:** The information requested is not held centrally and could only be obtained at disproportionate cost.

Information relating to the cost of agency staff is published bi-annually 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)

### Agency Nurses

**Ms S Ramsey** asked the Minister of Health, Social Services and Public Safety to detail the cost of (i) travel; (ii) accommodation; and (iii) subsistence associated with the use of agency nurses based in England or Scotland in each of the last three financial years. (AQW 3207/10)

**Minister of Health, Social Services and Public Safety:** The information requested is not held centrally and could only be obtained at disproportionate cost.

Information relating to the cost of agency staff is published bi-annually 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 Charges

**Mrs I Robinson** asked the Minister of Health, Social Services and Public Safety what procedures his Department has in place for charging patients who do not qualify for exemption from health charges. (AQW 3208/10)

**Minister of Health, Social Services and Public Safety:** Responsibility to identify and charge a person who is not entitled to free health services falls on the relevant health and social care body treating the patient.



The majority of costs incurred by treating non-entitled patients are for treatment in a hospital setting, where the responsible charging body is the relevant Health and Social Care Trust. All Trusts have procedures in place to identify and charge persons who do not satisfy an exemption category.

Charging for care for non-exempt patients in the primary care sector is a matter for each independent primary care contractor, i.e., Community Pharmacists, GPs, Dentists and Opticians

### Occupational Therapists Issuing Wheelchairs

**Mr I McCrea** asked the Minister of Health, Social Services and Public Safety what criteria are in place for Occupational Therapists issuing wheelchairs to patients. (AQW 3212/10)

**Minister of Health, Social Services and Public Safety:** My Department is committed to the provision of a person-centred, accessible, responsive and equitable wheelchair service to every individual in Northern Ireland who is assessed by an Occupational Therapist who confirms the need for a wheelchair.

Comprehensive regional access criteria and policy guidelines for wheelchair provision has been developed in partnership with users and professionals. This guidance will be formally signed off by the NI Occupational Therapy Managers in early 2010 for implementation across the province.

### Multiple Sclerosis

**Lord Morrow** asked the Minister of Health, Social Services and Public Safety if provision will be made at South Tyrone Hospital for specialist treatment and physiotherapy for people in that area diagnosed with Multiple Sclerosis, given that they currently have to travel to Forster Green Hospital in Belfast for treatment. (AQW 3244/10)

**Minister of Health, Social Services and Public Safety:** I understand that patients with MS in the South Tyrone region have access to a variety of physiotherapy treatment delivered both in hospital and community settings. Inevitably patients with more complex symptoms will need to continue being treated at the Regional Specialist Centre provided at Forster Green, Musgrave Park and the Royal Victoria hospitals.

However, from November 2009 a specialist Multiple Sclerosis clinic has commenced in Craigavon Area Hospital and I anticipate that a number of patients who currently travel to Belfast for treatment will now be accommodated at this new clinic.

### Hospital Accident and Emergency Departments

**Lord Morrow** asked the Minister of Health, Social Services and Public Safety how many walk-in cases to hospital accident and emergency departments in the last twelve months could have been appropriately dealt with by a GP or pharmacist. (AQW 3245/10)

**Minister of Health, Social Services and Public Safety:** Information on how many walk-in cases to hospital accident and emergency departments that could have been appropriately dealt with by a GP or pharmacist is not available.

### Royal Victoria Hospital

**Ms S Ramsey** asked the Minister of Health, Social Services and Public Safety (i) when the kitchen in ward 4F of the Royal Victoria Hospital was closed down; (ii) why it was closed; (iii) why it is still closed; (iv) when it will re-open; and (v) from where does the food for patients on this ward now come. (AQW 3248/10)

**Minister of Health, Social Services and Public Safety:** The kitchen in Ward 4F of the Royal Victoria Hospital was closed in May 2009 because additional storage space was needed for essential ward supplies and it will not re-open. The kitchen was used only for hot beverages which are now available as required via a trolley supplied from the central kitchen. Patient food continues to be supplied from the Level 4 pantry kitchen.

## Health and Social Care Trusts

**Ms S Ramsey** asked the Minister of Health, Social Services and Public Safety to detail the performance related pay and bonuses paid out by each Health and Social Care Trust to Chief Executives and Senior Management since their inception; and to outline the key indicators for these payments and bonuses. (AQW 3249/10)

**Minister of Health, Social Services and Public Safety:** Health and Social Care Trust Chief Executives and Directors are employed under contracts that provide them with a single annual percentage increase on their basic pay; based on how well they have achieved the performance targets set for them in the previous year. There is no automatic entitlement to any increase under these employment contracts. In addition, one individual in each organisation may receive a non-recurring payment if they are assessed to be in the “Superior” performance category.

The annual increases are set with the approval of the Department of Finance and Personnel Minister.

The increase due from 1 April 2009 is still under consideration. Details of the salaries paid to individuals relating to these % increases are published in the HSC Trust’s annual reports.

## Health and Social Care Trusts

**Ms S Ramsey** asked the Minister of Health, Social Services and Public Safety how many legal cases are currently pending against each Health and Social Care Trust. (AQW 3250/10)

**Minister of Health, Social Services and Public Safety:** The information requested has been set out in the table below.

| Legal Claims Open at 30 November 2009 |                             |                             |                                |
|---------------------------------------|-----------------------------|-----------------------------|--------------------------------|
| HSC Trust                             | Employer’s Liability Claims | Occupier’s Liability Claims | Professional Negligence Claims |
| Northern                              | 101                         | 28                          | 427                            |
| Western                               | 67                          | 17                          | 440                            |
| South Eastern                         | 85                          | 26                          | 383                            |
| Southern                              | 58                          | 27                          | 272                            |
| Belfast                               | 250                         | 91                          | 900                            |
| NI Ambulance                          | 27                          | 2                           | 7                              |

## Hospital Complaints

**Ms S Ramsey** asked the Minister of Health, Social Services and Public Safety (i) how many complaint forms have been submitted in the last twelve months by nurses, broken down by hospital; (ii) to provide a summary of these complaints; (iii) how many of the complaints remain unresolved; and (iv) for the outcome of the complaints that have been resolved. (AQW 3252/10)

**Minister of Health, Social Services and Public Safety:** Information on complaints submitted by nursing staff in hospitals within Northern Ireland is not collected centrally and could only be provided at disproportionate cost.

## Dementia and Alzheimer’s Disease

**Mr J Shannon** asked the Minister of Health, Social Services and Public Safety, in light of recent media reports highlighting the increase in the number of people diagnosed with dementia and Alzheimer’s disease, what steps he is taking to assist people diagnosed with these conditions. (AQW 3254/10)

**Minister of Health, Social Services and Public Safety:** My Department is currently developing a Northern Ireland Dementia Strategy. It is hoped the strategy will be available for consultation in early 2010. The Strategy will assess the current level of service provision for people with dementia and their carers, and, drawing on best practice here and elsewhere, make recommendations which will aim to significantly improve the services and support arrangements currently available.

## Alzheimer's Disease

**Mr J Shannon** asked the Minister of Health, Social Services and Public Safety how many people are currently diagnosed with Alzheimer's disease; and how much funding is available to assist these people. (AQW 3255/10)

**Minister of Health, Social Services and Public Safety:** It is estimated that there are approximately 16,000 people living with dementia in Northern Ireland. At 31 March 2009 a total of 9,971 patients were registered by their GP as having dementia; these registers are maintained by GPs as part of the Quality & Outcomes Framework (QOF).

An exact cost of health and social care services provided for people with dementia in Northern Ireland cannot be obtained because people with dementia often have other health and social care needs which are also being met; and people with dementia often use services which are not earmarked as being specifically for people with dementia.

## HIV

**Mr J Shannon** asked the Minister of Health, Social Services and Public Safety how many people in the age groups (i) 20 years and under; (ii) 21-40; (iii) 41-60; and (iv) 61 and over are currently diagnosed with HIV. (AQW 3256/10)

**Minister of Health, Social Services and Public Safety:** Data relating to the number of people accessing HIV related care from statutory medical services in England, Wales and Northern Ireland and giving an address in Northern Ireland as their address when they last accessed care is published by the Health Protection Agency and can be found at the following link:

[http://www.hpa.org.uk/web/HPAwebFile/HPAweb\\_c/1221722386279](http://www.hpa.org.uk/web/HPAwebFile/HPAweb_c/1221722386279)

## HIV

**Mr J Shannon** asked the Minister of Health, Social Services and Public Safety what his Department is doing to warn people of the dangers of HIV, given the rise in the number of cases. (AQW 3268/10)

**Minister of Health, Social Services and Public Safety:** Action to raise awareness of specific sexual health issues including HIV and AIDS is contained in my Department's Sexual Health Promotion Strategy and Action Plan. Planned action includes the further development and implementation of information initiatives for the public and professionals, with a particular focus on those most at risk, to highlight and encourage safer sexual health practices. My Department also funds a number of voluntary organisations working in the field of HIV prevention through information, education and awareness rising.

## Post Office Network

**Mr D Kinahan** asked the Minister of Health, Social Services and Public Safety for his assessment of the recommendations aimed at devolved institutions and local councils in the National Federation of Sub-Postmasters Report 'Six Steps of a Sustainable Post Office Network' (March 2009); and whether the Department has identified how it can make better use of the Post Office network. (AQW 3270/10)

**Minister of Health, Social Services and Public Safety:** I am aware of the Report produced by the Federation regarding the Post Office Network.

I have considered whether any additional Departmental services could be offered through post offices, but have not identified any.

## Swine Flu

**Ms S Ramsey** asked the Minister of Health, Social Services and Public Safety for a breakdown of the £64 million allocated to Swine Flu. (AQW 3271/10)

**Minister of Health, Social Services and Public Safety:** As part of the September monitoring round it was estimated that Swine Flu would cost the Department £64.6m this financial year. 49% of these predicted costs are to be met from the Department's existing budget. The table below provides a breakdown of these costs.

| Costs  | £m           |
|--|--------------|
| Antivirals                                   | 9.0          |
| Antibiotics/Medicines                        | 0.9          |
| PPE/Consumables                              | 6.4          |
| Vaccine Purchase                             | 14.8         |
| Surge Planning- Hospitals/Community Services | 11.8         |
| Surge Capacity- Primary Care                 | 3.4          |
| Critical Care Equipment                      | 4.3          |
| Vaccination Programme                        | 3.5          |
| Other Surge Costs                            | 1.7          |
| Communications                               | 1.5          |
| Storage/Distribution                         | 4.7          |
| National Pandemic Flu Service                | 2.6          |
| <b>Total Forecasted Expenditure 2009/10</b>  | <b>£64.6</b> |

These costs continue to be refined to reflect the changing need experienced across the service resulting from Swine Flu spread.

## Swine Flu

**Ms S Ramsey** asked the Minister of Health, Social Services and Public Safety (i) how much of the £64 million Swine Flu budget will be paid to GPs to administer the vaccine; (ii) how many GP practices are holding additional Swine Flu clinics to administer the vaccine; and (iii) what the current waiting list is for each priority patient group to receive the vaccine. (AQW 3272/10)

**Minister of Health, Social Services and Public Safety:**

- (i) Under the nationally agreed deal with the BMA's General Practice Committee, GP practices are paid £5.25 per dose of vaccine administered. No information is available on the uptake levels for vaccination of patients in the "at risk" groups and therefore I am unable to indicate how much has been paid to GP Practices.
- (ii) The majority of GP practices are providing special swine flu clinics for the administration of the vaccine although information on exact numbers is not available.
- (iii) Information relating to waiting lists in respect of the priority groups is not available.

## General Practitioners

**Ms S Ramsey** asked the Minister of Health, Social Services and Public Safety to outline any reason for which a GP can claim additional money from the Department outside their normal contract. (AQW 3273/10)

**Minister of Health, Social Services and Public Safety:** There are a number of Departmental Committees and Advisory Groups which Health Professionals, including GPs, sit on for which they receive a payment, including travel and, in the case of Family Practitioners, locum expenses.

### Rare Disease UK

**Mr J Shannon** asked the Minister of Health, Social Services and Public Safety whether he has met with representatives of the organisation Rare Disease UK; and what steps he is taking to assist that body.  
(AQW 3285/10)

**Minister of Health, Social Services and Public Safety:** I have not met with representatives of Rare Disease UK. However, it is intended that in the near future, officials from each devolved administration will meet with Department of Health colleagues 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. I should point out that people suffering from rare diseases currently have access to appropriate specialist treatment depending on the symptoms of their condition.

### Rare Disease UK

**Mr J Shannon** asked the Minister of Health, Social Services and Public Safety in light of statistics from Rare Disease UK showing that there are over 100,000 people in the UK suffering from over 6000 rare diseases to outline his Department's policy on funding for, and treatment of, rare diseases.  
(AQW 3286/10)

**Minister of Health, Social Services and Public Safety:** I have not met with representatives of Rare Disease UK. However, it is intended that in the near future, officials from each devolved administration will meet with Department of Health colleagues 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. I should point out that people suffering from rare diseases currently have access to appropriate specialist treatment depending on the symptoms of their condition.

### Rare Diseases

**Mr J Shannon** asked the Minister of Health, Social Services and Public Safety what steps he is taking with his UK counterparts to assist people with rare diseases.  
(AQW 3287/10)

**Minister of Health, Social Services and Public Safety:** I have not met with representatives of Rare Disease UK. However, it is intended that in the near future, officials from each devolved administration will meet with Department of Health colleagues 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. I should point out that people suffering from rare diseases currently have access to appropriate specialist treatment depending on the symptoms of their condition.

### GP Out-of-Hours Surgery

**Mr T Gallagher** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 2615/09, for a breakdown of the operational costs of each GP Out of Hours surgery in each Health and Social Care Trust in 2007/08.  
(AQW 3313/10)

**Minister of Health, Social Services and Public Safety:** The Breakdown of Operational Costs of Each GP Out of Hours surgery in of the Health and Social Care Trust in 2007/08 are detailed in the following table.



**COSTS RELATING TO 2007/08 FOR GP OUT-OF-HOURS**

| Health and Social Care Trust Area | GP Out-of-Hours Base | 2007/08    |
|-----------------------------------|----------------------|------------|
| Belfast HSC Trust area            | North & West         | £1,596,529 |
|                                   | South & East         | £1,590,958 |
| Northern HSC Trust area           | Dalriada Urgent Care | £4,864,000 |
| South Eastern HSC Trust area      | Newtownards          | £1,585,251 |
|                                   | Downpatrick          | £618,036   |
|                                   | Lisburn              | £1,840,892 |
| Southern HSC Trust area           | Armagh & Dungannon   | £1,023,043 |
|                                   | Craigavon            | £1,564,058 |
|                                   | Newry & Kilkeel      | £1,228,181 |
| Western HSC Trust area            | L'Derry              | £1,460,980 |
|                                   | Limavady             | £838,440   |
|                                   | Strabane             | £857,804   |
|                                   | Omagh                | £1,131,070 |
|                                   | Enniskillen          | £1,111,706 |

Source: Health and Social Care Board

### Intensive Care Vehicles

**Mr B McElduff** asked the Minister of Health, Social Services and Public Safety to detail the frequency of (i) internal; and (ii) home transfer of patients in (a) the Northern Health and Social Care Trust area; and (b) the Altnagelvin Hospital by intensive care vehicles which are stationed in Omagh, in the last twelve months.

(AQW 3330/10)

**Minister of Health, Social Services and Public Safety:** The Northern Ireland Ambulance Service has advised that it has no record of any Omagh based ambulance transporting patients home from either the Northern Health and Social Care Trust area or Altnagelvin Hospital in the period 1 December 2008 to 30 November 2009. Seven inter hospital transfers from Altnagelvin Hospital were carried out by Omagh based ambulances.

### Patients on Suicide Watch

**Mr T Burns** asked the Minister of Health, Social Services and Public Safety to detail the number of (i) adult; and (ii) juvenile hospital in-patients who have been judged to be at risk of attempting suicide, or placed on 'suicide watch', in each of the last 5 years.

(AQW 3334/10)

**Minister of Health, Social Services and Public Safety:** The information requested is contained in individual patient records. In order to respond a manual trawl of each of the records corresponding to all hospital admissions over the course of the last 5 years would need to be undertaken. The associated cost of doing this would be disproportionate.

### Ambulance and Rapid Response Vehicles

**Mrs M O'Neill** asked the Minister of Health, Social Services and Public Safety if there will be any change to the current level of ambulance and rapid response vehicle provision servicing the Clonoe and Coalisland areas of Mid Ulster.

(AQW 3337/10)

**Minister of Health, Social Services and Public Safety:** Ambulance services in the Mid Ulster area are primarily provided from ambulance stations in Magherafelt and Cookstown. The Northern Ireland Ambulance Service (NIAS) plans for Comprehensive Spending Review efficiency savings and investment will result in 1,981

hours of emergency ambulance cover at Magherafelt being replaced by 3,910 hours of paramedic rapid response cover, giving a net increase of 1,929 hours of paramedic cover delivering life-saving emergency care to those who need it. Ambulance cover at Cookstown will be unaffected. However, it is important to realise that NIAS deploys its emergency response resources using a tactical deployment plan to ensure the nearest resource responds to an incident. It is possible, therefore, that an emergency response to the Coalisland or Clonoe areas might be provided by emergency resources based at other stations.

### Rapid Response Vehicles

**Mr G Robinson** asked the Minister of Health, Social Services and Public Safety if rapid response vehicles carry a spinal board as standard equipment. (AQW 3354/10)

**Minister of Health, Social Services and Public Safety:** A rapid response vehicle is not equipped with a spinal board as this is used for loading or preparing to load a patient into an A&E vehicle.

### Ambulance and Rapid Response Vehicles

**Mr G Robinson** asked the Minister of Health, Social Services and Public Safety to confirm whether rapid response vehicles and emergency ambulances carry the same defibrillation equipment; and if not, to explain the reasons. (AQW 3384/10)

**Minister of Health, Social Services and Public Safety:** The Northern Ireland Ambulance Service is currently modernising the defibrillators used by its emergency response fleet. Defibrillators in both A&E ambulances and rapid response vehicles are being changed to a new model and that process is expected to be completed by April 2010. The ambulance service has assured the Department that patients will not experience any detriment in the quality of care provided during this process.

## DEPARTMENT FOR REGIONAL DEVELOPMENT

### EASSDA Property Developments

**Mr T Burns** asked the Minister for Regional Development, pursuant to AQW 2892/10, to detail (i) the number of EASSDA property developments (a) in Northern Ireland; and (b) in the South Antrim constituency, where work is outstanding on the roads and sewers; (ii) the full address of these developments; (iii) the nature of the outstanding work; (iv) the estimated cost of completing this work; (v) the value of the bonds in place to pay for the outstanding work; and (vi) if the bonds which are in place have been paid in full, and if not, how the cost will be recovered from EASSDA. (AQW 3215/10)

**Minister for Regional Development (Mr C Murphy):** My Department's Roads Service has advised that there are five EASSDA occupied property developments in the North, four of which are within the South Antrim constituency, where work is outstanding on the roads and sewers.

Details of the location of these developments, the nature of the outstanding work, the estimated cost of completing this work and the value of the bonds in place to pay for the outstanding work, are set out in the table:-

| Address  | Nature of outstanding work   | Estimated cost         | Value of bonds  |
|--|--|------------------------|---|
| Bramblewood, Crumlin.                              | Remedial work to provide carriageways, kerbing and footways to adoption standard; including scarifying and overlaying carriageway, reconstruction of mountable shoulders and rumble strips, construction of road humps, repair of kerbs and footways and overlaying of footways with micro surfacing treatment.<br><br>Sewer work has been completed to adoption standard. | £64,400                | 7 bonds valued at £1,825, £1,910, £2,000, £2,000, £4,023, £2,885, and £10,980.                                    |
| Bushforde, Steeple Road, Antrim                    | Roads completed to adoption standard, but NIW awaiting adoption request from Administrator for adoption of sewers.   | No estimate available. | 2 bonds valued at £36,285, £73,050.   |
| Bushforde Manor, Steeple Road, Antrim              | Completion of streets, including provision of wearing course surfacing to carriageways and footways, and any other work to carriageways, footways, street lighting and sewers to bring streets to adoption standard. NIW awaiting adoption request from Administrator for adoption of sewers.  | No estimate available. | 10 bonds valued at £153,600, £133,650, £17,700, £54,300, £31,000, £17,100, £50,200, £44,200, £16,800, £9,500.     |
| Bush Road, Antrim (west of entrance to Bush House) | Construction of carriageways, footways, street lighting and sewers still required. No occupied dwellings on site. NIW awaiting adoption request from Administrator for adoption of sewers.   | No estimate available. | 1 bond valued at £11,600 (part footway only).   |
| Lindara, Linn Road, Larne                          | Completion of streets including provision of wearing course surfacing to carriageways and footways where required, and any other work to carriageways, footways, street lighting and sewers to bring streets to adoption standard. NIW awaiting adoption request from Administrator for adoption of sewers.  | No estimate available. | 10 bonds valued at £53,300, £44,100, £106,550, £105,950, £61,950, £63,650, £110,350, £141,700, £96,900, £105,000. |

The above mentioned bonds are sealed and active and can be used to fund pre-adoption repairs where required. In the case of a shortfall in any bond area, additional costs will be funded in accordance with the Private Streets Legislation.

In addition, there are two unoccupied EASSDA developments under construction within the South Antrim constituency, at Bush Hall, Antrim. Again, details of outstanding work, associated costs and bonds are set out in the table below.

| Address                      | Nature of outstanding work   | Estimated cost         | Value of bonds                                     |
|------------------------------|--|------------------------|--|
| 2 Sites at Bush Hall, Antrim | Sewer construction not fully completed by the developer. NIW will adopt the sewers when requested by the Administrator if they have been constructed to a satisfactory standard. | No estimate available. | Bond securities to a value of £56,595 are in place |

The above mentioned bonds are sealed and active and can be used to fund pre-adoption sewer repairs where required.

### A5 Western Transport Corridor

**Mr A Bresland** asked the Minister for Regional Development how much his Department has paid, to date, to Mouchel consultants in relation to their work on the proposed A5 Western Transport Corridor; and what is the anticipated total payment. (AQW 3219/10)

**Minister for Regional Development:** My Department's Roads Service has advised that Mouchel were appointed to the A5 project in October 2007, and provide professional advice to Roads Service on a wide range of issues including engineering, environmental, economic and traffic aspects of the scheme.

Roads Service has to date paid Mouchel £15,583,276, in relation to development work completed to date, on the A5 Western Transport Corridor project. It is anticipated that they will be paid around £32m under their current commission, which extends to the end of the Public Inquiry phase.

If a successful outcome is obtained at Public Inquiry, it is anticipated that further costs to completion of the project, would be in the order of £15-£20 million.

### Bangor: Easibus Service

**Mr A Easton** asked the Minister for Regional Development why his Department is withdrawing funding for the Easy Bus service in Bangor for older people and people with disabilities. (AQW 3231/10)

**Minister for Regional Development:** Currently there are two Easibus vehicles operating in Bangor, only one of which is supported by my Department through the Transport Programme for People with Disabilities.

The decision to withdraw these services was taken by Translink in discussion with the Department. I am told by Translink that the number of passengers using these services is low and that Translink considers that it is not an efficient use of resources to continue these non commercial services.

Easibus services were introduced in Bangor in 2000 to provide accessible local transport within the area. They therefore pre-date the substantial improvements in accessibility of local services which have resulted from investment in the upgrading of the Ulsterbus fleet. They also pre-date the Door-to-Door Transport services for older and disabled people which have been available in the Bangor and Holywood areas since February 2007.

### A5 Western Transport Corridor

**Mr A Bresland** asked the Minister for Regional Development what the estimated cost is of each of the four proposed options for the route of the A5 Western Transport Corridor. (AQW 3232/10)

**Minister for Regional Development:** My Department's Roads Service has advised that because of the scale of the project and the number of possible route options, the scheme was split into three sections to assist the assessment process. Section 1 runs from New Buildings to the south of Strabane, Section 2 runs from the south of Strabane to the south of Omagh and Section 3 runs from the south of Omagh to Aughnacloy. The estimated costs of the four routes within each of the three sections are outlined in the table below.

| Section |              |              |              |              |
|---------|--------------|--------------|--------------|--------------|
| 1       | £356,000,000 | £375,000,000 | £413,000,000 | £417,000,000 |
| 2       | £384,000,000 | £385,000,000 | £388,000,000 | £404,000,000 |
| 3       | £307,000,000 | £341,000,000 | £341,000,000 | £361,000,000 |

I announced The Preferred Route in July 2009, which is a combination of parts of the routes in the table above. In Section 1 the Preferred Route is estimated to cost £383 million, in Section 2 the Preferred Route is estimated to cost £385 million and in Section 3 the Preferred Route is estimated to cost £342 million.

It must be emphasised that these cost estimates were used for comparative purposes, and that economy is only one of the criteria used in determining the Preferred Route. The other criteria are safety, environment, integration and accessibility, in accordance with Department for Transport guidance.

After consideration of risk, as well as the efficiencies and savings which materialise as the scheme design develops, the estimated cost of the Preferred Route was subsequently adjusted to the range of £650 million - £850 million.

Further details of the scheme costs and rationale used are available on the project website [www.a5wtc.com](http://www.a5wtc.com) under Publications/Preferred Options Report. Chapter 3 of this document describes how the various routes evolved, Chapter 10 (and Appendix I) refer to costs and Chapter 12 describes the selection of the Preferred Route.

If you require any further clarification on the scheme costs then please contact the Project Sponsor, Conor Loughrey on 02882254728, or by e-mail at [conor.loughrey@drdni.gov.uk](mailto:conor.loughrey@drdni.gov.uk)

### Road Traffic Accident Black Spots

**Mr T Burns** asked the Minister for Regional Development (i) what research his Department has commissioned into identifying road traffic accident ‘black spots’; and to list the locations of dangerous roads or junctions which have been identified. (AQW 3304/10)

**Minister for Regional Development:** My Department’s Roads Service does not commission research into identifying road traffic accident ‘black spots’. Roads Service receives information on collisions from the PSNI and uses this to identify locations where four or more injury collisions have occurred within a three-year period. These locations can then be investigated to see if any engineering measures can be introduced that would reduce the potential for collisions to occur. The results of this work are published in our Road Safety Engineering Report which is available online at [http://www.roadsni.gov.uk/2006-07\\_rdsafetyreport.pdf](http://www.roadsni.gov.uk/2006-07_rdsafetyreport.pdf)

Roads Service is also an active member of the European Road Assessment Programme (EuroRAP), an organisation established to independently assess and report on the safety records of strategic roads in a consistent manner across Europe. Through membership of EuroRAP, Roads Service and the National Roads Authority in the South have produced risk rate maps for the island of Ireland. The first such map was published in March 2005 and a recent update was produced in May 2008. The risk rate maps provide an indication of the risk of being involved in a fatal or serious collision on the major road networks, based on previous collision histories and traffic volumes.

### National Federation of Sub-Postmasters Report ‘Six Steps of a Sustainable Post Office Network’

**Mr D Kinahan** asked the Minister for Regional Development for his assessment of the recommendations aimed at devolved institutions and local councils in the National Federation of Sub-Postmasters Report ‘Six Steps of a Sustainable Post Office Network’ (March 2009); and whether the Department has identified how it can make better use of the Post Office network. (AQW 3307/10)

**Minister for Regional Development:** I am aware of the National Federation of Sub-Postmasters’ Report: ‘Six Steps to a Sustainable Post Office Network’.

Currently Northern Ireland Water (NIW) facilitate the payment of bills by non-domestic customers at all Post Offices in the North. My Department has recently reviewed whether it could make better use of the Post Office network but, unfortunately, we failed to identify any additional services that could be provided through the network.

Currently Translink use approved agents for Smartlink card issues. There is an ongoing tendering process to allow public transport customers to top-up the value on their Smartlink cards at locations across the North. It is possible the Post Office could be successful in that tendering process.

### EASSDA Property Developments

**Mr T Burns** asked the Minister for Regional Development, pursuant to AQW 2892/10, to detail (i) the number of Euro Construction Corporation property developments (a) in Northern Ireland; and (b) in the South Antrim constituency, where work is outstanding on roads and sewers; (ii) the full address of these developments; (iii) the nature of the outstanding work; (iv) the estimated cost of completing this work; (v) the value of the bonds in place to pay for the outstanding work; and (vi) if the bonds which are in place have been paid in full, and if not, how the cost will be recovered from Euro Construction Corporation. (AQW 3335/10)

**Minister for Regional Development:** My Department’s Roads Service has advised that there are three Euro Construction Corporation occupied property developments in the North, all of which are within the South Antrim constituency, where work is outstanding on the roads and sewers.



Details of the location of these developments, as well as the nature of the outstanding work, the estimated cost of completing this work, and the value of the bonds in place to pay for the outstanding work, are set out in the table below:-

| Address                          | Nature of outstanding work   | Estimated cost                              | Value of bonds                                 |
|----------------------------------|--|---|--|
| Carquillan, Newry Road, Hilltown | Minor remedial road works, including technical approval for retaining walls.   | Less than £10,000                           | 3 bonds valued at £9,000, £15,600 and £45,000. |
| Silverwood Court, Lurgan         | Minor remedial works to roads.   | £2,000                                      | £2,000.  |
| Silverwood Green, Lurgan         | CCTV survey of sewers required prior to establishing extent of outstanding works. NIW awaiting adoption request from Administrator for adoption of sewers. | Unable to determine until survey completed. | £49,100.                                       |

The above mentioned bonds are sealed and active and can be used to fund pre-adoption repairs where required. In the case of a shortfall in any bond area, additional costs will be funded in accordance with the Private Streets Legislation.

In addition to the above detailed property developments, Northern Ireland Water (NIW) has advised that it is aware of one further development at Rawdon Court, Moira. NI Water has also advised that it is awaiting a request from the Administrator in respect of the adoption of sewers and does not hold an estimate for the costs of completing any works. Roads Service does not hold any information on this particular development, including any information on the value of bonds.

### **Belfast International Airport: Unauthorised Car Parks**

**Mr D Kinahan** asked the Minister for Regional Development if he has had any discussions with his Executive colleagues regarding car parks in the vicinity of Belfast International Airport which do not have planning permission; and what action he intends to take, along with other Departments, to address this issue.

(AQW 3348/10)

**Minister for Regional Development:** I can advise the Member that I have not held any discussions with my Executive colleagues regarding unauthorised car parks in the vicinity of Belfast International Airport. My Department does not have statutory responsibility for planning enforcement and, as the car parks referred to are on private land, this is not a matter that my Department plans to pursue with other Departments.

### **Belfast International Airport: Unauthorised Car Parks**

**Mr D Kinahan** asked the Minister for Regional Development what information his Department holds on unauthorised car parks in the vicinity of Belfast International Airport which do not pay rates. (AQW 3349/10)

**Minister for Regional Development:** I can advise the Member that my Department does not hold any information on unauthorised car parks in the vicinity of Belfast International Airport, as that would be a matter for the Department of the Environment's Planning Service. With regard to the collection of rates, I am advised by officials from the Department of Finance and Personnel's Land & Property Services that they are responsible for maintaining the property valuation list and for issuing rates bills, based on that list, and that no account is taken of whether planning permission has been granted.

### **Flooding**

**Miss M McIlveen** asked the Minister for Regional Development to detail the cost of work carried out in 2009 on storm drains and sewers to alleviate flooding in the Glen Road area of Comber. (AQW 3350/10)

**Minister for Regional Development:** I have been advised by Northern Ireland Water that during 2009 a project to improve the sewerage network and reduce the risk of flooding in the Glen Road area of Comber was completed at a cost of £78,000.

### **Gilford Road and Russwood Park, Portadown: Pumping Station at Junction**

**Mr D Simpson** asked the Minister for Regional Development whether the pumping station at the junction of the Gilford Road and Russwood Park, Portadown, complies with planning permission and public consultation requirements. (AQW 3377/10)

**Minister for Regional Development:** I have been advised by Northern Ireland Water (NIW) that following commencement of construction of the Gilford Road Sewage Pumping Station it became evident that the original proposal for the control kiosk, contained in the planning permission, would need to be revised to accommodate equipment required by Northern Ireland Electricity to protect the electricity supply to residents in the vicinity. NIW is currently reviewing the design of the control kiosk, following consultation with public representatives and local residents, and will submit an amended planning application to Planning Service for consideration in due course.

### **Gilford Road and Russwood Park, Portadown: Pumping Station at Junction**

**Mr D Simpson** asked the Minister for Regional Development whether any change has been made to the dimensions of the kiosk outlined in the original plans pertaining to the pumping station at the junction of the Gilford Road and Russwood Park, Portadown. (AQW 3379/10)

**Minister for Regional Development:** I have been advised by Northern Ireland Water (NIW) that following the commencement of construction of the Gilford Road Sewage Pumping Station it became evident that the dimensions of the control kiosk would need to be increased to accommodate additional equipment required by Northern Ireland Electricity to protect the electricity supply to residents in the vicinity.

NIW is currently reviewing the design of the control kiosk following consultation with public representatives and local residents.

### **Easibus**

**Mr P Weir** asked the Minister for Regional Development how many Easibus routes (i) are currently in use; and (ii) are planned to be withdrawn by 2010. (AQW 3390/10)

**Minister for Regional Development:** Currently there are five vehicles providing 16 Easibus routes. This figure comprises eleven routes in Belfast, four in Bangor and one in Derry.

I can confirm that there are plans to withdraw two routes in Bangor in January 2010 with a further two routes in Bangor and one in Derry being withdrawn in June 2010. Routes in Belfast are to be reviewed early in 2010.

### **Road Gritting**

**Mr P Weir** asked the Minister for Regional Development, pursuant to AQW 2790/10, whether the hourly rate of pay for external contract staff for road gritting was greater or less than what is paid to Roads Service drivers to carry out the same task. (AQW 3391/10)

**Minister for Regional Development:** My Department's Roads Service has advised that the rates for its "Driver Hire" contract have been established through a competitive tendering process. To disclose any information concerning rates of pay, may affect the outcome of any future tender competition, and have an adverse impact on the value for money achievable from that competition. In these circumstances, Roads Service cannot release such commercially sensitive information.

With regard to the rate of pay for Roads Service drivers, I advised the Member, in my answer to his Assembly Question AQW 2789/10, that the amount paid to Roads Service drivers for road gritting varies widely, depending on staff grade, and the time at which the gritting action occurs.

### Senior Citizen SmartPass

**Mr G Robinson** asked the Minister for Regional Development if there are any plans to extend the Senior Citizen SmartPass to allow free travel throughout the United Kingdom, similar to the free travel arrangements for Senior Citizen SmartPass holders in the Republic of Ireland. (AQW 3392/10)

**Minister for Regional Development:** I can confirm that I have no plans to extend concessionary travel in the manner described.

| Signed                      |  | Date            |
|-----------------------------|--|-----------------|
| Drafted by                  | Trevor Robinson extn 40589   |                 |
| Cleared by Head of Division | Brian White (extn 40561)   | 9 December 2009 |
| Cleared by Spad             |  |                 |
| Copied to                   | Paul Priestly<br>Doreen Brown<br>Trevor Robinson<br>Tony McConnell |                 |

### A5 Western Transport Corridor

**Mr A Bresland** asked the Minister for Regional Development if tractors and self-propelled agricultural machinery will have access to the proposed A5 Western Transport Corridor when it is completed. (AQW 3395/10)

**Minister for Regional Development:** My Department's Roads Service has advised that tractors and self-propelled agricultural vehicles will have access to the A5 Western Transport Corridor on completion of the proposed upgrade to dual carriageway standard. However, access to the new carriageway will only be available at a limited number of key junctions along its 86 kilometre length, with no direct access from adjacent lands. Therefore, it is envisaged that, when this scheme is completed, local agricultural traffic will continue to use the existing A5 carriageway, which provides more convenient access to the local road network and farmlands.

### Donaghadee Harbour

**Mr J Shannon** asked the Minister for Regional Development the cost of work required on Donaghadee Harbour to meet health and safety standards. (AQW 3408/10)

**Minister for Regional Development:** Approximately £90,000 is spent each year at Donaghadee Harbour on safety related works and general maintenance. In addition, dredging of the harbour is planned to be performed in early 2010 at a cost in the order of £100,000.

### Donaghadee Harbour

**Miss M McIlveen** asked the Minister for Regional Development when his Department last carried out a condition survey of Donaghadee Harbour and to detail the results. (AQW 3435/10)

**Minister for Regional Development:** The most recent survey carried out on the harbour structures at Donaghadee was in April 2008. I have arranged for a copy of this survey to be forwarded to the member.

### Bus Shelters and Bus Stations: Vandalism

**Mr A Bresland** asked the Minister for Regional Development, pursuant to AQW 2968/10, how much has it cost his Department to repair vandalism to (i) bus shelters; and (ii) bus stations in the Strabane District Council area, in each of the last five years. (AQW 3438/10)

**Minister for Regional Development:** As per my response to AQW 2968/10 the provision and maintenance of bus shelters are funded by Adshel (the bus shelter provider) through advertising revenue and at no cost to the Department. This is because in 2001, Roads Service and District Councils - including Strabane District Council

- entered into a 15-year contract with Adshel for the provision of approximately 1500 bus shelters. The contract covers the vast majority of bus shelters here and the Department has no knowledge of the costs incurred by Adshel in carrying out their contractual commitments.

As well as bus stations, Translink are responsible for maintaining a small number of bus shelters. As a rule, the Department does not fund repairs to Translink maintained bus shelters or bus stations as a result of vandalism. These are self funded by Translink. The attached tables detail the costs of repairs from vandalism to bus shelters and bus stations in the Strabane District Council area in each of the last five years:

| (i) Vandalism at Bus Shelters |        |        |        |                    |
|-------------------------------|--------|--------|--------|--------------------|
| FY0506                        | FY0607 | FY0708 | FY0809 | FY0910 to period 7 |
| Nil                           | Nil    | Nil    | Nil    | Nil                |

| (ii) Vandalism at Bus Stations |        |        |        |        |                    |
|--------------------------------|--------|--------|--------|--------|--------------------|
|                                | FY0506 | FY0607 | FY0708 | FY0809 | FY0910 to period 7 |
| Strabane Bus Station           | Nil    | £1,510 | £2,311 | £387   | £238               |

### Road Schemes

**Mr G Campbell** asked the Minister for Regional Development the estimated cost of the two major road schemes being considered between (i) Aughnacloy and Londonderry; and (ii) Dungiven and Londonderry. (AQW 3439/10)

**Minister for Regional Development:** The estimated costs of these two major road schemes are as follows:-

- (i) The A5 Western Transport Corridor project, which comprises 86 km of dual carriageway from Derry to Aughnacloy, is the largest single road scheme ever undertaken across the island of Ireland. The current estimate for this scheme is in the range £650-£850 million.
- (ii) The A6 Londonderry to Dungiven project, comprises 30 km of dual carriageway from Caw Roundabout in Derry to the southeast of Dungiven, and includes a bypass of Dungiven. The current estimate for this scheme is in the range £320-£390 million.

### NI Water

**Mr S Gardiner** asked the Minister for Regional Development (i) how many staff have (a) transferred into NI Water from outside companies and consultancies; (b) transferred out of NI Water through the outsourcing of jobs, broken down by grade, in the last 12 months; (ii) what is the employment status of both these groups under the current Transfer of Undertaking and Protection of Employment Regulations; and (iii) what employment process NI Water followed in the hiring of new staff from outside companies and consultancies. (AQW 3441/10)

**Minister for Regional Development:** I have been advised by Northern Ireland Water (NIW) that where the Transfer of Undertaking and Protection of Employment Regulations apply, those employees who are subject to the Regulations will either transfer into or out of NIW by operation of law. In the past 12 months, 4 employees transferred into the company from outside companies and consultancies and are now NI Water employees.

Also in the past 12 months, 15 employees transferred out of NIW through the outsourcing of services and now hold employee status with the companies into which they were transferred under the Transfer of Undertaking and Protection of Employment Regulations. The grades involved are:

| Grade              | Number Transferred |
|--------------------|--------------------|
| Level 3 Manager    | 1                  |
| Level 4 Manager    | 2                  |
| Level 5 Manager    | 5                  |
| Class I Industrial | 1                  |

| Grade               | Number Transferred |
|---------------------|--------------------|
| Class II Industrial | 6                  |

### Civil Servants' Earnings

**Mr J Craig** asked the Minister for Regional Development, pursuant to AQW 2903/10, to detail (i) the job titles; (ii) pay scale; and (iii) the total amount earned by the civil servants in question. (AQW 3445/10)

**Minister for Regional Development:** Details of the civil servants concerned (ie those senior officers in DRD whose earnings were more than those of the DRD Minister) are set out in the following table:

| Job Title                      | Pay Scale £      | Earnings Bracket £ |
|--------------------------------|------------------|--------------------|
| Permanent Secretary            | 98,059 – 205,000 | 105,000-110,000    |
| Deputy Secretary               | 81,600 – 160,000 | 105,000-110,000    |
| Senior Finance Director        | 81,600 – 160,000 | 80,000-85,000      |
| Chief Executive, Roads Service | 81,600 – 160,000 | 90,000-95,000      |
| Director (Grade 5)             | 57,300 – 116,000 | 85,000-90,000      |

### Belfast International Airport: Bus Service to

**Mr T Burns** asked the Minister for Regional Development, in relation to the No. 300 bus service to Belfast International Airport, if Translink intends to remove all or some bus stops within Belfast city centre on the outward bound journey on a temporary or permanent basis. (AQW 3466/10)

**Minister for Regional Development:** I am informed by Translink that, as a consequence of one-way working in Donegall Place, the boarding stop there for the outbound 300 service was replaced by one in High Street. No other changes in relation to stops for this service are planned.

### A5 Western Transport Corridor

**Mr T Buchanan** asked the Minister for Regional Development (i) what contact his Department has had with the lobby group for the restoration of the rail link as an alternative to the proposed A5 Western Transport Corridor; and (ii) for his assessment of the rail link being a viable alternative. (AQW 3489/10)

**Minister for Regional Development:** In addition to discussions in October 2007 with the 'Into the West Group', I have received several letters from Mr Brian Guckian, a Dublin based rail development campaigner, regarding a rail link between Portadown and Derry. My Department, including Roads Service, has not had any contact with the lobby group for restoration of the rail link as an alternative to the proposed A5 Western Transport Corridor. Donegal County Council has made contact with me in regard to a proposed feasibility study about rail links in the North West generally.

Translink have also advised my officials that they also have had no meetings with lobby groups about the specific proposal referred to in the question.

Whilst the cost of a rail link as an alternative to the proposed A5 Western Transport Corridor has not been financially estimated, benchmarking information shows it would have very significant capital and revenue consequences and is not considered affordable or likely to meet economic appraisal criteria at this time. Nevertheless I am content to consider any future studies if and when they come forward.

The planned investment in public transport by the Department for Regional Development in the North of Ireland, over the next ten years, is set out in the Investment Delivery Plan which is published on the Strategic Investment Board's website. Development of overall railway infrastructure was considered in the course of the production of the business case, completed in August 2007, for the New Trains Two Programme. This followed from the work of an inter-departmental group established in September 2006 which considered options for future investment in the railways network here. My priority currently is to maintain, improve and upgrade existing railway lines in the region.



With regard to the assessment of the rail link being a viable alternative to a road development, the A5 was identified as one of five Key Transport Corridors in the North within the Regional Strategic Transport Network Plan 2015. This plan was developed to support both the Regional Development Strategy 2025 and the Regional Transportation Strategy 2002-2012. All of these documents can be viewed at the following web addresses:-

[http://roadimprovements.roadsni.gov.uk/rstn\\_tp.pdf](http://roadimprovements.roadsni.gov.uk/rstn_tp.pdf) - Regional Strategic Transport Network Plan 2015;

<http://www.drdni.gov.uk/index/publications/publications-details.htm?docid=308> - Regional Development Strategy 2025; and

[http://www.drdni.gov.uk/Transport\\_Planning.htm](http://www.drdni.gov.uk/Transport_Planning.htm) - Regional Transportation Strategy 2002-2012.

### Bangor: Easibus Service

**Mr A Easton** asked the Minister for Regional Development to detail the cost of running the Easibus service in Bangor. (AQW 3543/10)

**Minister for Regional Development:** For the financial year ending in March 2009 the operating cost to Translink of providing Easibus in Bangor was £69,746.70, to which DRD contributed £38,360.69.

### Bangor: Easibus Service

**Mr A Easton** asked the Minister for Regional Development how many passengers used the Easibus service in Bangor in the last financial year. (AQW 3544/10)

**Minister for Regional Development:** In the 2008/09 financial year, the four Easibus services in Bangor had the following passenger journeys:

| Ashbury | Kilcooley | Rathmore | Groomsport |
|---------|-----------|----------|------------|
| 6,532   | 4,904     | 8,193    | 3,657      |

### Bangor: Easibus Service

**Mr A Easton** asked the Minister for Regional Development to detail the funding arrangements for the Easibus service in Bangor. (AQW 3545/10)

**Minister for Regional Development:** My Department provides funding to Translink to assist it to operate two of the four Easibus services in Bangor. The Department reviews statistical information on the operating costs and patronage of the services on a monthly basis and provides Translink with up to 55 percent of its operating costs, depending on the level of fare revenue received. In relation to the two other Easibus services, Translink has informed me that from 2001 until 2005 it received support from tenants of Bloomfield Shopping Centre to meet 60 percent of costs. This support has now ended and Translink has been meeting the costs of these two services from within its own resources.

### Civil Servants' Salaries

**Mr P Weir** asked the Minister for Regional Development how many civil servants in his Department receive an annual salary (i) between £37,801-£43,100; (ii) between £43,101-50,537; (iii) between £50,538-71,433; (iv) between £71,434-82,975; and (v) above £82,975. (AQW 3561/10)

**Minister for Regional Development:** The numbers of DRD staff whose earnings fall within the above pay bands are as follows:

| Salary Band £   | Number of DRD Staff |
|-----------------|---------------------|
| 37,801 – 43,100 | 107                 |
| 43,101 – 50,537 | 39                  |

| Salary Band £   | Number of DRD Staff |
|-----------------|---------------------|
| 50,538 – 71,433 | 28                  |
| 71,434 – 82,975 | 1                   |
| Above 82,975    | 4                   |

### Works and Repairs to Railway Stations

**Mr S Gardiner** asked the Minister for Regional Development (i) what criteria Translink/Ni Railways use to prioritise work and repairs to railway stations; (ii) what input his Department has to the decisions; and (iii) whether meeting the statutory requirements of the Disability Discrimination Act 2005 is the main priority in the refurbishment and upgrading of railway stations. (AQW 3578/10)

#### Minister for Regional Development:

(i) When prioritising work at railway stations Translink consider the following parameters:

- 1) safety or legislative compliance issues;
- 2) asset condition;
- 3) business efficiency; and
- 4) strategic requirements.

There are also external influences that need to be considered including local development and funding opportunities.

In addition, these parameters need to be balanced within the capital funding allocations. Budget availability will impact on timings and priorities accordingly.

- (ii) It is Translink's responsibility to prioritise capital projects including any repairs to railway stations, however my Department must assess and agree Translink's Corporate Plan and associated planning assumptions which includes consideration of the capital programme. Prior to being taken forward any capital project must be subjected to the economic appraisal process and be brought to the department for approval. Subject to the availability of funding and the necessary approval by the Department and DFP the project will be able to proceed.
- (iii) Railway station and rail halt developments are driven by safety or legislative compliance which will include meeting the statutory requirements of the Disability Discrimination Act 2005. However with limits on the amount of funds allocated to public transport, the availability of capital funding will invariably affect timings and priorities. Consideration too must be given to the maximisation of benefits for a given cost and in some cases that means it is only sensible to slip certain works to enable them to be incorporated as part of a larger development project further down the line. Consideration of the requirements of the Disability Discrimination Act 2005 is an important factor to be considered in all rail investment including trains, halts and stations.

## DEPARTMENT FOR SOCIAL DEVELOPMENT

### Grants

**Mr S Hamilton** asked the Minister for Social Development to detail the amount of investment in (i) Egan contracts; (ii) renovation grants; (iii) disabled facilities grants; (iv) repair grants; (v) replacement grants; (vi) home repair assistance grants; and (vii) HMO grants, in each of the last 10 years. (AQW 3229/10)

**Minister for Social Development (Ms M Ritchie):** The tables below provide the following information:

- Table 1 details the Housing Executive's Egan Contract spend for the period 2000/01 to 2009/10.
- Table 2 details Housing Executive Grants expenditure (by Grant type) from 2000/01 to 2009/10.

TABLE 1 - HOUSING EXECUTIVE EGAN CONTRACT SPEND

| Period   | Planned Maintenance Schemes **<br>(£k) | Heating ***<br>(£k) |
|----------|--|---------------------|
| 2000/01  | n/a                                    | 0                   |
| 2001/02  | n/a                                    | 331                 |
| 2002/03  | n/a                                    | 1,094               |
| 2003/04  | n/a                                    | 1,919               |
| 2004/05  | n/a                                    | 12,984              |
| 2005/06  | n/a                                    | 16,155              |
| 2006/07  | n/a                                    | 14,000              |
| 2007/08  | n/a                                    | 10,886              |
| 2008/09  | 19,186                                 | 8,665               |
| 2009/10* | 21,140                                 | 10,788              |

\* This is the current forecast for 2009/10 but may be liable to change if additional funding becomes available.

\*\* Egan arrangements commenced 1st April 2008

\*\*\*Egan arrangements commenced 1st June 200

TABLE 2 - HOUSING EXECUTIVE GRANTS EXPENDITURE 2000/01 TO 2009/10

| Grant type                           | 2000/01<br>£k | 2001/02<br>£k | 2002/03<br>£k | 2003/04<br>£k | 2004/05<br>£k | 2005/06<br>£k | 2006/07<br>£k | 2007/08<br>£k | 2008/09<br>£k | 2009/10*<br>£k |
|--------------------------------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|----------------|
| Renovation                           | 15246         | 16172         | 15284         | 15221         | 16306         | 13517         | 11801         | 12043         | 11059         | 9254           |
| Disabled Facilities                  | 7244          | 6792          | 8542          | 8572          | 10075         | 11027         | 12920         | 13571         | 14432         | 17574          |
| Repair                               | 2745          | 2262          | 2411          | 2138          | 2078          | 1341          | 1214          | 1174          | 916           | 1193           |
| Group Repair                         | 1281          | 990           | 1497          | 1984          | 2486          | 2713          | 3119          | 3394          | 2501          | 1713           |
| Replacement                          | 10299         | 9911          | 9501          | 7121          | 6991          | 5499          | 4628          | 3756          | 3449          | 2720           |
| Home Repair Assistance + Minor Works | 1810          | 2040          | 2177          | 2446          | 3256          | 6843          | 7290          | 9061          | 6633          | 4953           |
| HMO                                  | 3373          | 3805          | 3545          | 3728          | 4451          | 4666          | 3357          | 1871          | 1509          | 2447           |

**Note:**

\* This is a forecast for 2009/10

## Housing Executive

**Mr A Easton** asked the Minister for Social Development what percentage of contractors' bills in the last twelve months have been paid within the six week timescale specified by the Finance Minister and the Executive after the completion of work on renovation projects for the Housing Executive. (AQW 3322/10)

**Minister for Social Development:** I understand that the Member is referring to Housing Executive Private Sector Grants payments. The information is not available in the format requested as the Housing Executive generally makes payments to the applicant and cannot pay contractors unless the applicant has assigned the payments directly to the contractor. The Housing Executive is not able to disaggregate payment performance to applicants and contractors. Overall, the Housing Executive aims to make 90% of all Grants payments within 6 weeks of a request. Figures for the financial year April 2008 to March 2009 show performance of 81% against the six week target. The latest available figures for the period April 2009 to September 2009 show performance of 78% against this target.

### Irish Translation

**Mr B McElduff** asked the Minister for Social Development to detail the cost to her Department of translating documents into Irish in (i) 2007; (ii) 2008; and (iii) 2009. (AQW 3342/10)

**Minister for Social Development:** My Department incurred no cost in translating documents into Irish in this period.

### Benefit Claim Forms

**Mr S Hamilton** asked the Minister for Social Development the average back office cost of processing benefit claim forms for social security claimants. (AQW 3367/10)

**Minister for Social Development:** The table below details, for each benefit, the average back office cost of processing benefit claim forms for social security claimants once a new claim has been received:

| Benefit                        | Average Cost (£) |
|--------------------------------|------------------|
| Income Support                 | 36.06            |
| Job Seekers Allowance          | 26.14            |
| Attendance Allowance           | 32.17            |
| Carers Allowance               | 21.35            |
| Disability Living Allowance    | 27.21            |
| Industrial Injuries Branch     | 57.41            |
| Incapacity Benefit             | 16.39            |
| State Pension                  | 38.47            |
| State Pension Credit           | 58.31            |
| Employment & Support Allowance | 42.53            |

### Social Security and Pensions Legislation

**Mr S Hamilton** asked the Minister for Social Development how many amendments to primary and subordinate legislation relating to social security and pensions have been made since May 2007. (AQW 3369/10)

**Minister for Social Development:** No amendments have been made to social security and pensions primary or subordinate legislation by the Assembly during the legislative process since May 2007.

I tabled amendments to the Mesothelioma, etc., Bill 2008 and the Pensions (No. 2) Bill 2008.

### Primary and Subordinate Legislation

**Mr S Hamilton** asked the Minister for Social Development how many pieces of primary and subordinate legislation her Department has had passed by the Assembly since May 2007. (AQW 3370/10)

**Minister for Social Development:** My Department has had 6 pieces of primary legislation and 169 pieces of subordinate legislation passed by the Assembly since May 2007.

### Housing Executive

**Mr D O'Loan** asked the Minister for Social Development for an update on the acquisition for the Housing Executive of the houses at the former St Patrick's Barracks site in Ballymena. (AQW 3372/10)

**Minister for Social Development:** My Department is currently working with the Northern Ireland Housing Executive to appoint a Housing Association to acquire the former Ministry of Defence housing at St Patrick's Barracks in Ballymena.

### **Randalstown Gateway Environmental Improvement Scheme**

**Mr T Burns** asked the Minister for Social Development to detail (i) the work which will take place as part of the Randalstown Gateway Environmental Improvement Scheme; (ii) the total cost of these works; and (iii) the timeframe for completion of the works. (AQW 3402/10)

**Minister for Social Development:** I can confirm the following information for the Randalstown Gateway Environmental Improvement Scheme –

- (a) The work will be carried out on the southerly access road into the town to replace footways and kerbing, underground overhead cables, install traditional style street lighting and construct a new traffic island at Station Road.
- (b) The total cost of the scheme is £256,417.
- (c) Work is due to commence in early January 2010 and is expected to complete within 8 weeks.

### **Social Housing in the Titanic Quarter**

**Mr A Maskey** asked the Minister for Social Development, pursuant to AQW 2877/10, to detail the meetings her Department has held with Titanic Quarter Ltd, the Housing Executive and the Planning Service in relation to the provision of social and affordable housing within the Titanic Quarter; and the outcome of these meetings. (AQW 3440/10)

**Minister for Social Development:** The Northern Ireland Housing Executive met with Planning Service in March 2007 to discuss the requirements of the Belfast Area Metropolitan Plan in relation to the provision of social housing within the Titanic Development. There were two further meetings and the Housing Executive submitted a Housing Need Statement. There was no need for any further meetings as planning approval was subsequently given.

### **Curran Street Regeneration, Portadown**

**Mr J O'Dowd** asked the Minister for Social Development how many responses were received to the Department's consultation on the Curran Street Regeneration in Portadown; and when the Department will be in a position to report on the findings of the consultation. (AQW 3458/10)

**Minister for Social Development:** A total of 24 responses were received following the public consultation on the Curran Street Regeneration project in Portadown, which took place during September and October 2009. The comments received from the consultation were mainly very positive, with the majority of people (approximately 94%) stating that the overall use of the site and the scheme design were both excellent.

### **European Investment Bank Funding**

**Mr S Hamilton** asked the Minister for Social Development if the £30 million funding from the European Investment Bank for social housing projects is additional to the existing new build budget, or if it is an alternative means of financing the housing association's own borrowing over and above the Housing Association Grant. (AQW 3479/10)

**Minister for Social Development:** The European Investment Bank have agreed to invest a record £30 million this year in 5 Housing Associations to deliver a range of new schemes right across Northern Ireland.

The investment will complement the funding I have already made available and will support the delivery of 1750 new homes this year, our largest total for a decade.



### Housing Executive

**Mr B McElduff** asked the Minister for Social Development if her Department and the Housing Executive will take whatever steps are necessary to ensure the house at number 4 Lammy Crescent, Omagh is demolished. (AQW 3547/10)

**Minister for Social Development:** The Northern Ireland Housing Executive does not own the property at 4 Lammy Crescent, Omagh but would be prepared to enter into discussions with the owner of the property regarding its future.

### Bass Brewery Site

**Mr S Hamilton** asked the Minister for Social Development what value for money test was applied to the ‘off the shelf’ purchase of 166 units at the Bass Brewery site; and how the purchase price compares to the current average costs of construction of one unit of social housing new build. (AQW 3572/10)

**Minister for Social Development:** The new housing units on the site of the former Bass Brewery in West Belfast that I announced last week is not an “off the shelf” purchase. Clanmil Housing have acquired the land and are in the process of appointing a contractor [in line with procurement law] to build these homes on their behalf.

## NORTHERN IRELAND ASSEMBLY COMMISSION

### Assembly Commission: Legal Cases

**Mr A Attwood** asked the Assembly Commission how many legal cases are currently pending against it. (AQW 3588/10)

**The Representative of the Assembly Commission (Mr S Neeson):** There are four claims against the Commission arising out of employment disputes. There are also two personal injuries claims against the Commission.

# **Revised Written Answers**

This section contains the revised written answers to questions tabled by Members.

The content of the responses is as received at the time from the relevant Minister or representative of the Assembly Commission, and it has not been subject to the official reporting (Hansard) process or changed.



## CULTURE, ARTS AND LEISURE

### Funding from the Arts Council

*In Bound Volume 45, page WA113, replace the answer to question (AQW 2339/10) asked by Mr McKay with:*

Funding for bands for the five years from 2005/06 to 2009/10 is summarised in the table below. Individual awards also listed in the attached document. Details of the Arts Council's grants are available on the Arts Council's website at [www.artscouncil-ni.org/funding/recentawards](http://www.artscouncil-ni.org/funding/recentawards).

| Scheme                        | 2005/06        | 2006/07        | 2007/08        | 2008/09        | 2009/10        | Total          |
|-------------------------------|----------------|----------------|----------------|----------------|----------------|----------------|
| Musical Instruments for Bands | -              | 146,915        | 150,002        | 149,311        | 104,822        | <b>551,050</b> |
| Small Grants /Awards for All  | 67,540         | 29,920         | 42,565         | 16,020         | 18,750         | <b>174,795</b> |
| Equipment                     | 153,104        | -              | -              | -              | -              | <b>153,104</b> |
| <b>Total</b>                  | <b>220,644</b> | <b>176,835</b> | <b>192,567</b> | <b>165,331</b> | <b>123,572</b> | <b>878,949</b> |

#### ARTS COUNCIL FUNDING FOR BANDS

##### 2009-2010 TO DATE

| Type                   | Finance Year | Decision date | Name                                    | Project Title                                  | Grant  |
|------------------------|--------------|---------------|---|--|--------|
| Small Grants Programme | 2009-2010    | 08/07/2009    | Pride of the Orange and Blue Flute Band | 'A Band Play'                                  | 10,000 |
| Small Grants Programme | 2009-2010    | 04/06/2009    | Armagh Old Boys Silver Band             | Brass series in Armagh                         | 4,000  |
| Small Grants Programme | 2009-2010    | 13/05/2009    | Upper Crossgare Pipe Band               | Teaching Programme & 1 week long Summer Scheme | 2,250  |
| Small Grants Programme | 2009-2010    | 01/04/2009    | Upper Falls Protestant Boys             | (Flute) Band Development                       | 2,500  |
| Musical Instruments    | 2009-2010    | 07/07/2009    | Schomberg Fife and Drum Band            | Purchase Musical Instruments                   | 2,741  |
| Musical Instruments    | 2009-2010    | 07/07/2009    | Closkelt Highland Pipe Band             | Purchase Musical Instruments                   | 3,663  |
| Musical Instruments    | 2009-2010    | 07/07/2009    | Ulster Grenadiers Flute Band            | Purchase Musical Instruments                   | 4,266  |
| Musical Instruments    | 2009-2010    | 07/07/2009    | Garvary Flute Band                      | Purchase Musical Instruments                   | 5,000  |
| Musical Instruments    | 2009-2010    | 07/07/2009    | Tobermore Loyal Flute Band              | Purchase Musical Instruments                   | 3,735  |
| Musical Instruments    | 2009-2010    | 07/07/2009    | South Down Defenders Flute Band         | Purchase Musical Instruments                   | 5,000  |
| Musical Instruments    | 2009-2010    | 07/07/2009    | Megargy Accordion Band                  | Purchase Musical Instruments                   | 4,866  |
| Musical Instruments    | 2009-2010    | 07/07/2009    | Ballykeel Conservative Flute Band       | Purchase Musical Instruments                   | 4,845  |
| Musical Instruments    | 2009-2010    | 07/07/2009    | Upper Falls Protestant Boys             | Purchase Musical Instruments                   | 4,658  |

| Type                 | Finance Year | Decision date | Name   | Project Title                | Grant          |
|----------------------|--------------|---------------|--|------------------------------|----------------|
| Musical Instruments  | 2009-2010    | 07/07/2009    | Fifes and Drums Historical and Musical Society | Purchase Musical Instruments | 4,878          |
| Musical Instruments  | 2009-2010    | 07/07/2009    | Omagh Protestant Boys (Melody) Flute Band      | Purchase Musical Instruments | 5,000          |
| Musical Instruments  | 2009-2010    | 07/07/2009    | Blackhill Flute Band                           | Purchase Musical Instruments | 2,477          |
| Musical Instruments  | 2009-2010    | 07/07/2009    | Crossmaglen Youth Band                         | Purchase Musical Instruments | 5,000          |
| Musical Instruments  | 2009-2010    | 07/07/2009    | Ulster Volunteer Flute Band                    | Purchase Musical Instruments | 4,583          |
| Musical Instruments  | 2009-2010    | 07/07/2009    | Ballylesson Old Boys' Flute Band               | Purchase Musical Instruments | 4,889          |
| Musical Instruments  | 2009-2010    | 07/07/2009    | Upper Crossgare Pipe Band                      | Purchase Musical Instruments | 5,000          |
| Musical Instruments  | 2009-2010    | 07/07/2009    | Magheraglass Flute Band                        | Purchase Musical Instruments | 4,557          |
| Musical Instruments  | 2009-2010    | 07/07/2009    | Loughinsholin Cultural Music Group             | Purchase Musical Instruments | 4,984          |
| Musical Instruments  | 2009-2010    | 07/07/2009    | Lisbellaw Accordion Band                       | Purchase Musical Instruments | 5,000          |
| Musical Instruments  | 2009-2010    | 07/07/2009    | Eden Accordion Band & Concert Music Society    | Purchase Musical Instruments | 5,000          |
| Musical Instruments  | 2009-2010    | 07/07/2009    | Wattlebridge Accordion Band                    | Purchase Musical Instruments | 5,000          |
| Musical Instruments  | 2009-2010    | 07/07/2009    | Glenavy Accordion Band                         | Purchase Musical Instruments | 4,680          |
| Musical Instruments  | 2009-2010    | 07/07/2009    | Castlegore Amateur Flute Band                  | Purchase Musical Instruments | 5,000          |
| <b>Total to Date</b> |              |               |  |                              | <b>123,572</b> |

#### 2008-2009

| Type                          | Year      | Name                                     | Grant | Project Type   |
|-------------------------------|-----------|--|-------|----------------|
| Musical Instruments for Bands | 2008-2009 | Ballinacross Accordion Band              | 4,995 | Accordion band |
| Musical Instruments for Bands | 2008-2009 | Ballymartin Pipe Band                    | 4,999 | Pipe band      |
| Musical Instruments for Bands | 2008-2009 | Ballymena and Harryville Young Conqueror | 5,000 |                |
| Musical Instruments for Bands | 2008-2009 | Ballyreagh Silver Band                   | 4,923 | Silver band    |
| Musical Instruments for Bands | 2008-2009 | Benburb Memorial Pipe Band               | 3,472 | Pipe band      |
| Musical Instruments for Bands | 2008-2009 | Cappagh Pipe Band                        | 5,000 | Pipe band      |
| Musical Instruments for Bands | 2008-2009 | Castlerock Pipe Band                     | 5,000 | Pipe band      |



| Type                          | Year      | Name   | Grant | Project Type       |
|-------------------------------|-----------|--|-------|--------------------|
| Musical Instruments for Bands | 2008-2009 | Clogher Youth & Music Club                               | 3,750 |                    |
| Musical Instruments for Bands | 2008-2009 | Coleraine Fife & Drum Band                               | 4,492 | Fife and Drum band |
| Musical Instruments for Bands | 2008-2009 | Drumaheagles Young Defenders Flute Band                  | 5,000 | Flute band         |
| Musical Instruments for Bands | 2008-2009 | First Old Boys Association Silver Band                   | 4,900 | Silver band        |
| Musical Instruments for Bands | 2008-2009 | Killymuck Accordion Band                                 | 5,000 | Accordion band     |
| Musical Instruments for Bands | 2008-2009 | Kilnaslee Pipe Band                                      | 3,789 | Pipe band          |
| Musical Instruments for Bands | 2008-2009 | Lisnaskea Accordion Band                                 | 5,000 | Accordion band     |
| Musical Instruments for Bands | 2008-2009 | Montober Flute Band                                      | 4,958 | Flute band         |
| Musical Instruments for Bands | 2008-2009 | Moybrone Pipe Band                                       | 4,657 | Pipe band          |
| Musical Instruments for Bands | 2008-2009 | Moygashel Sons of Ulster                                 | 4,183 |                    |
| Musical Instruments for Bands | 2008-2009 | Mullinagoagh Pipe Band                                   | 4,999 | Pipe band          |
| Musical Instruments for Bands | 2008-2009 | Mulnagore Coronation Accordion Band                      | 4,862 | Accordion band     |
| Musical Instruments for Bands | 2008-2009 | Murley Concert Band ( Junior band of Murley Silver Band) | 5,000 | Concert band       |
| Musical Instruments for Bands | 2008-2009 | Pomeroy Flute Band                                       | 4,736 | Flute band         |
| Musical Instruments for Bands | 2008-2009 | Pride of the Derg Flute Band                             | 4,713 | Flute band         |
| Musical Instruments for Bands | 2008-2009 | Raffrey Pipe Band  | 4,999 | Pipe band          |
| Musical Instruments for Bands | 2008-2009 | Roses Lane Ends Temperance Flute Band                    | 3,750 | Flute band         |
| Musical Instruments for Bands | 2008-2009 | Sgt White Memorial Flute Band                            | 4,255 | Flute band         |
| Musical Instruments for Bands | 2008-2009 | Skeogh Flute Band  | 5,000 | Flute band         |
| Musical Instruments for Bands | 2008-2009 | Tamlaght Pipe Band                                       | 5,000 | Pipe band          |
| Musical Instruments for Bands | 2008-2009 | Tamlaghtmore Flute Band                                  | 4,005 | Flute band         |
| Musical Instruments for Bands | 2008-2009 | Tempo Accordion Band                                     | 4,191 | Accordion band     |
| Musical Instruments for Bands | 2008-2009 | Tubrid Pipe Band   | 4,688 | Pipe band          |
| Musical Instruments for Bands | 2008-2009 | W.J. Armstrong Memorial Pipe Band                        | 4,995 | Pipe band          |

| Type                          | Year      | Name   | Grant          | Project Type   |
|-------------------------------|-----------|--|----------------|----------------|
| Musical Instruments for Bands | 2008-2009 | William Strain William Lightbody Memorial Flute Band | 5,000          | Flute band     |
| Awards for All                | 2008-2009 | The Hamilton Flute Band                              | 800            | Flute band     |
| Awards for All                | 2008-2009 | Letterbreen Silver Band                              | 4,000          | Silver band    |
| Awards for All                | 2008-2009 | Ballindarragh Accordion Band                         | 1,850          | Accordion band |
| Awards for All                | 2008-2009 | Trillick Pipe Band                                   | 3,650          | Pipe band      |
| Awards for All                | 2008-2009 | Magheraboy Flute Band                                | 3,520          | Flute band     |
| Awards for All                | 2008-2009 | Holy Cross Accordion Band Atticall                   | 2,200          | Accordion band |
| <b>Total 2008/09</b>          |           |  | <b>165,331</b> |                |

#### 2007-2008

| Type                          | Year      | Name                                  | Grant | Project Type   |  |
|-------------------------------|-----------|---------------------------------------|-------|----------------|--|
| Musical Instruments for Bands | 2007-2008 | Ballymacall True Blues Flute Band     | 4,300 | Flute band     |  |
| Musical Instruments for Bands | 2007-2008 | Ballymacconnelly Sons of Conquerors   | 4,525 |                |  |
| Musical Instruments for Bands | 2007-2008 | Ballymoughan Flute Band               | 2,280 | Flute band     |  |
| Musical Instruments for Bands | 2007-2008 | Blaris Accordion Band                 | 4,688 | Accordion band |  |
| Musical Instruments for Bands | 2007-2008 | Burntollet Sons of Ulster             | 5,000 |                |  |
| Musical Instruments for Bands | 2007-2008 | Carnagh Accordion Band                | 2,295 | Accordion band |  |
| Musical Instruments for Bands | 2007-2008 | Coalisland Jubilee Accordion Band     | 4,688 | Accordion band |  |
| Musical Instruments for Bands | 2007-2008 | Crumlin Young Loyalist Flute Band     | 3,963 | Flute band     |  |
| Musical Instruments for Bands | 2007-2008 | Cullybackey Pipe Band                 | 5,000 | Pipe band      |  |
| Musical Instruments for Bands | 2007-2008 | Curran Flute Band                     | 5,000 | Flute band     |  |
| Musical Instruments for Bands | 2007-2008 | Dromara Highland Pipe Band            | 5,000 | Pipe band      |  |
| Musical Instruments for Bands | 2007-2008 | Drumconvis Young Defenders Flute Band | 3,795 | Flute band     |  |
| Musical Instruments for Bands | 2007-2008 | Drumnaglough Flute Band               | 3,775 | Flute band     |  |
| Musical Instruments for Bands | 2007-2008 | Dyan Pipe Band                        | 4,594 | Pipe band      |  |
| Musical Instruments for Bands | 2007-2008 | George A Dummigan Accordion Band      | 4,000 | Accordion band |  |
| Musical Instruments for Bands | 2007-2008 | Gilnahirk Pipe Band                   | 3,438 | Pipe band      |  |
| Musical Instruments for Bands | 2007-2008 | Gortagilly Musical Society            | 5,000 |                |  |

| Type                          | Year      | Name                                 | Grant | Project Type   |               |
|-------------------------------|-----------|--------------------------------------|-------|----------------|---------------|
| Musical Instruments for Bands | 2007-2008 | Grallagh Unionist Flute Band         | 5,000 | Flute band     |               |
| Musical Instruments for Bands | 2007-2008 | Hounds of Ulster                     | 5,000 |                |               |
| Musical Instruments for Bands | 2007-2008 | Killycoogan Accordion Band           | 5,000 | Accordion band |               |
| Musical Instruments for Bands | 2007-2008 | Kilrea Pipe Band                     | 4,999 | Pipe band      |               |
| Musical Instruments for Bands | 2007-2008 | Knockloughrim Accordion Band         | 5,000 | Accordion band |               |
| Musical Instruments for Bands | 2007-2008 | Lisnaskea Silver Band                | 5,000 | Silver band    |               |
| Musical Instruments for Bands | 2007-2008 | Maghera Sons of William              | 2,730 |                |               |
| Musical Instruments for Bands | 2007-2008 | Magheraboy Flute Band                | 3,723 | Flute band     |               |
| Musical Instruments for Bands | 2007-2008 | Muckamore Cultural Music Society     | 5,000 |                |               |
| Musical Instruments for Bands | 2007-2008 | Newmills Silver Band                 | 5,000 | Silver band    |               |
| Musical Instruments for Bands | 2007-2008 | Pride of Ardoyne                     | 4,605 |                |               |
| Musical Instruments for Bands | 2007-2008 | Pride of the Maine                   | 3,690 |                |               |
| Musical Instruments for Bands | 2007-2008 | Pride of The Park Flute Band Armoy   | 4,013 | Flute band     |               |
| Musical Instruments for Bands | 2007-2008 | Saint Patrick's Pipe Band, Drumquin  | 4,901 | Pipe band      |               |
| Musical Instruments for Bands | 2007-2008 | St Eugene's Band Omagh               | 5,000 |                |               |
| Musical Instruments for Bands | 2007-2008 | Tullywhisker Pipe Band               | 5,000 | Pipe band      |               |
| Musical Instruments for Bands | 2007-2008 | Tyrone Ditches Pipe Band             | 5,000 | Pipe band      |               |
| Awards for All                | 2007-2008 | St John's Independant Accordion Band | 8,320 | Accordion band | Tuition costs |
| Awards for All                | 2007-2008 | Moneymore Accordion Band             | 2,880 | Accordion band | Tuition costs |
| Awards for All                | 2007-2008 | Letterbreen Silver Band              | 5,795 | Silver band    | Tuition costs |
| Awards for All                | 2007-2008 | Magheraboy Flute Band                | 3,600 | Flute band     | Tuition costs |
| Awards for All                | 2007-2008 | Upper Crossgare Pipe Band            | 5,000 | Pipe band      | Tuition costs |
| Awards for All                | 2007-2008 | Bawn Silver Band                     | 5,500 | Silver band    | Tuition costs |
| Awards for All                | 2007-2008 | Ardboe Central Youth Band            | 5,000 |                | Tuition costs |
| Awards for All                | 2007-2008 | Aghavilly Accordian Band             | 500   | Accordion band | Tuition costs |

| Type                 | Year      | Name                | Grant          | Project Type |               |
|----------------------|-----------|---------------------|----------------|--------------|---------------|
| Awards for All       | 2007-2008 | Ballycoan Pipe Band | 5,970          | Pipe band    | Tuition costs |
| <b>Total 2007/08</b> |           |                     | <b>192,567</b> |              |               |

#### 2006-2007

| Type                          | Year      | Name                                      | Grant | Project Type   |  |
|-------------------------------|-----------|---|-------|----------------|--|
| Musical Instruments for Bands | 2006-2007 | Ballykeel Loyal Sons of Ulster Flute Band | 5,000 | Flute Band     |  |
| Musical Instruments for Bands | 2006-2007 | Ardinariff Flute Band                     | 3,000 | Flute band     |  |
| Musical Instruments for Bands | 2006-2007 | Augharonan Pipe Band                      | 5,000 | Pipe band      |  |
| Musical Instruments for Bands | 2006-2007 | Barr Jubilee Pipe Band                    | 4,673 | Pipe band      |  |
| Musical Instruments for Bands | 2006-2007 | Brookeborough Flute Band                  | 5,000 | Flute band     |  |
| Musical Instruments for Bands | 2006-2007 | Cairncastle Flute Band                    | 5,000 | Flute band     |  |
| Musical Instruments for Bands | 2006-2007 | Churchill Flute Band                      | 3,517 | Flute band     |  |
| Musical Instruments for Bands | 2006-2007 | Cranny Pipe Band                          | 3,000 | Pipe band      |  |
| Musical Instruments for Bands | 2006-2007 | Crimson Arrow Pipe Band                   | 2,605 | Pipe band      |  |
| Musical Instruments for Bands | 2006-2007 | Desertmartin Accordion Band               | 5,000 | Accordion band |  |
| Musical Instruments for Bands | 2006-2007 | Donaghmore Accordion Band                 | 5,000 | Pipe band      |  |
| Musical Instruments for Bands | 2006-2007 | Dungiven Flute Band                       | 3,750 | Flute band     |  |
| Musical Instruments for Bands | 2006-2007 | Hillview Flute Band                       | 4,000 | Flute band     |  |
| Musical Instruments for Bands | 2006-2007 | Lisbeg Pipe Band                          | 5,000 | Pipe band      |  |
| Musical Instruments for Bands | 2006-2007 | Lisburn Young Defenders Flute Band        | 2,957 | Flute band     |  |
| Musical Instruments for Bands | 2006-2007 | Lisnamulligan Pipe Band                   | 3,773 | Pipe band      |  |
| Musical Instruments for Bands | 2006-2007 | Lower Woodstock Ulster Scots Flute Band   | 3,585 | Flute band     |  |
| Musical Instruments for Bands | 2006-2007 | Magheragall Pipe Band                     | 3,500 | Pipe band      |  |
| Musical Instruments for Bands | 2006-2007 | Magheraveely Flute Band                   | 5,000 | Flute band     |  |
| Musical Instruments for Bands | 2006-2007 | Maguiresbridge Silver band                | 4,485 | Silver band    |  |
| Musical Instruments for Bands | 2006-2007 | McNeillstown Pipe Band                    | 5,000 | Pipe band      |  |

| Type                          | Year      | Name                                    | Grant          | Project Type   |               |
|-------------------------------|-----------|---|----------------|----------------|---------------|
| Musical Instruments for Bands | 2006-2007 | Mullabrack Accordion Band               | 4,594          | Accordion band |               |
| Musical Instruments for Bands | 2006-2007 | Newtownards Silver Band                 | 3,630          | Silver band    |               |
| Musical Instruments for Bands | 2006-2007 | Newtownbutler Flute Band                | 5,000          | Flute band     |               |
| Musical Instruments for Bands | 2006-2007 | Omagh True Blues                        | 3,000          |                |               |
| Musical Instruments for Bands | 2006-2007 | Portrush Sons of Ulster Flute Band      | 3,000          | Flute band     |               |
| Musical Instruments for Bands | 2006-2007 | Pride of the Shore Flute Band           | 3,000          | Flute band     |               |
| Musical Instruments for Bands | 2006-2007 | Rasharkin Pipe Band                     | 5,000          | Pipe band      |               |
| Musical Instruments for Bands | 2006-2007 | Sergeant Walker Memorial Pipe Band      | 3,263          | Pipe band      |               |
| Musical Instruments for Bands | 2006-2007 | Sir George White Memorial Flute band    | 5,000          | Flute band     |               |
| Musical Instruments for Bands | 2006-2007 | Star of Down Flute Band                 | 3,693          | Flute band     |               |
| Musical Instruments for Bands | 2006-2007 | Strabane Concert Brass                  | 5,000          | Concert band   |               |
| Musical Instruments for Bands | 2006-2007 | Stranocum Flute Band                    | 4,890          | Flute band     |               |
| Musical Instruments for Bands | 2006-2007 | Tullyhogue Flute Band                   | 5,000          | Flute band     |               |
| Musical Instruments for Bands | 2006-2007 | Vow Accordion Band                      | 5,000          | Accordion band |               |
| Awards for All                | 2006-2007 | South Fermanagh Flute Band              | 3,284          | Flute band     | Tuition costs |
| Awards for All                | 2006-2007 | Churchill Flute Band                    | 2,203          | Flute band     | Tuition costs |
| Awards for All                | 2006-2007 | Benburb Pipe Band                       | 984            | Pipe band      | Tuition costs |
| Awards for All                | 2006-2007 | Blacksessiagh Coronation Accordion Band | 1,520          | Accordion band | Tuition costs |
| Awards for All                | 2006-2007 | Newbuildings Girls Flute Band           | 2,600          | Flute band     | Tuition costs |
| Awards for All                | 2006-2007 | Cooneen Pipe Band                       | 3,600          | Pipe band      | Tuition costs |
| Awards for All                | 2006-2007 | Killadeas Pipe Band                     | 9,264          | Pipe band      | Tuition costs |
| Awards for All                | 2006-2007 | Pomeroy Accordian Band                  | 2,465          | Accordion band | Tuition costs |
| Awards for All                | 2006-2007 | Cavanaleck Pipe Band                    | 4,000          | Pipe band      | Tuition costs |
| <b>Total 2006/07</b>          |           |   | <b>176,835</b> |                |               |

#### 2005-2006

| Type      | Year      | Name                            | Grant  |
|-----------|-----------|---------------------------------|--------|
| Equipment | 2005-2006 | St Malachy's Pipe Band Edendork | 11,811 |



| Type                   | Year      | Name  | Grant          |
|------------------------|-----------|---|----------------|
| Equipment              | 2005-2006 | Garvagh Pipe Band                               | 15,633         |
| Equipment              | 2005-2006 | Letterbreen Silver Band                         | 25,458         |
| Equipment              | 2005-2006 | North Belfast Pipe Band                         | 12,942         |
| Equipment              | 2005-2006 | Ravara Pipe Band                                | 16,479         |
| Equipment              | 2005-2006 | St Patrick's Pipe Band Coa                      | 13,117         |
| Equipment              | 2005-2006 | Waringsford Pipe Band                           | 13,526         |
| Equipment              | 2005-2006 | Mavemacullen Accordion Band                     | 12,078         |
| Equipment              | 2005-2006 | Cookstown Sons of William Flute Band            | 11,173         |
| Equipment              | 2005-2006 | Aughnaskeagh Silver Band                        | 20,887         |
| Awards for All         | 2005-2006 | Holy Cross Accordion Band Atticall              | 3,000          |
| Awards for All         | 2005-2006 | St Treas Flute Band                             | 3,000          |
| Awards for All         | 2005-2006 | Drumlough Pipe Band                             | 2,840          |
| Awards for All         | 2005-2006 | Pomeroy Accordion Band                          | 2,700          |
| Awards for All         | 2005-2006 | Breaghey Silver Band                            | 4,225          |
| Awards for All         | 2005-2006 | The Hamilton Flute Band                         | 1,102          |
| Awards for All         | 2005-2006 | Bawn Silver band                                | 2,306          |
| Awards for All         | 2005-2006 | St Brigid's Community Band/<br>Youth Arts Group | 4,170          |
| Awards for All         | 2005-2006 | South Ulster Concert Band                       | 1,150          |
| Awards for All         | 2005-2006 | Maguiresbridge Silver Band                      | 3,530          |
| Awards for All         | 2005-2006 | Ballycoan Pipe Band                             | 3,817          |
| Awards for All         | 2005-2006 | Heatherbrook Silver Band                        | 2,998          |
| Awards for All         | 2005-2006 | Upper Crossgare Pipe Band                       | 5,000          |
| Awards for All         | 2005-2006 | The Sergeant Walker Memorial Pipe Band          | 2,800          |
| Awards for All         | 2005-2006 | Ardboe Central Youth Band                       | 3,840          |
| Awards for All         | 2005-2006 | Fermanagh Concert Band                          | 4,860          |
| Awards for All         | 2005-2006 | Ballydonaghy Pipe Band                          | 5,000          |
| Awards for All         | 2005-2006 | St Canice's Accordion Band                      | 5,000          |
| Awards for All         | 2005-2006 | Killylea Silver Band                            | 2,897          |
| Awards for All         | 2005-2006 | Cullenfadd Pipe Band                            | 3,305          |
| <b>Total 2005/2006</b> |           |   | <b>220,644</b> |

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## HEALTH, SOCIAL SERVICES AND PUBLIC SAFETY

### Financial Deficits

*In Bound Volume 46, page WA258, replace the answer to question (AQW 1084/10) asked by Mr McCarthy with:*

The latest available forecast 2009/10 financial deficits reported by Health and Social Care Trusts as at the end of October 2009, adjusted to take account of contingency plans that I have recently approved. The Belfast Trust Contingency Plan is not yet finalised, further announcements will follow in due course.

| Trust         | Adjusted Trust Deficit Forecasts | Less additional reductions required by Trusts | Adjusted year-end forecast<br>£m |
|---------------|----------------------------------|---|----------------------------------|
| Belfast       | (14.0)                           | (2.0)   | 12.0                             |
| Northern      | (22.0)                           | (3.0)   | 19.0                             |
| South Eastern | (1.0)                            | (1.0)   | 0                                |
| Western       | (1.7)                            | (1.7)   | 0                                |
| Southern      | 0                                | 0   | 0                                |
| NIAS          | 0                                | 0   | 0                                |
| <b>Total</b>  | <b>*(38.7)</b>                   | <b>(7.7)</b>                                  | <b>31.0</b>                      |

\* Excludes potential 'Agenda for Change' costs

Every trust has a statutory duty to break even over the course of the year and my Department, in conjunction with Health and Social Care commissioners, is working with the trusts in an effort to secure a break-even position in 2009/10.



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