



Northern Ireland
Assembly

OFFICIAL REPORT

(Hansard)

Volume 52

(24 May 2010 to 13 June 2010)

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Anderson, Ms Martina (Foyle)
Armstrong, Billy (Mid Ulster)
Attwood, Alex (West Belfast)
Beggs, Roy (East Antrim)
Bell, Jonathan (Strangford)
Boylan, Cathal (Newry and Armagh)
Bradley, Dominic (Newry and Armagh)
Bradley, Mrs Mary (Foyle)
Bradley, P J (South Down)
Brady, Mickey (Newry and Armagh)
Bresland, Allan (West Tyrone)
Browne, The Lord (East Belfast)
Buchanan, Thomas (West Tyrone)
Burns, Thomas (South Antrim)
Butler, Paul (Lagan Valley)
Campbell, Gregory (East Londonderry)
Clarke, Trevor (South Antrim)
Clarke, Willie (South Down)
Cobain, Fred (North Belfast)
Coulter, Rev Dr Robert (North Antrim)
Craig, Jonathan (Lagan Valley)
Cree, Leslie (North Down)
Dallat, John (East Londonderry)
Deeny, Dr Kieran (West Tyrone)
Dodds, Nigel (North Belfast)
Doherty, Pat (West Tyrone)
Donaldson, Jeffrey (Lagan Valley) (*resigned 10 June 2010*)
Durkan, Mark (Foyle)
Easton, Alex (North Down)
Elliott, Tom (Fermanagh and South Tyrone)
Empey, Sir Reg (East Belfast)
Farry, Dr Stephen (North Down)
Ford, David (South Antrim)
Foster, Mrs Arlene (Fermanagh and South Tyrone)
Gallagher, Tommy (Fermanagh and South Tyrone)
Gardiner, Samuel (Upper Bann)
Gildernew, Ms Michelle (Fermanagh and South Tyrone)
Hamilton, Simon (Strangford)
Hay, William (Speaker)
Hilditch, David (East Antrim)
Irwin, William (Newry and Armagh)
Kelly, Mrs Dolores (Upper Bann)
Kelly, Gerry (North Belfast)
Kennedy, Danny (Newry and Armagh)
Kinahan, Danny (South Antrim)
Leonard, Billy (East Londonderry)
Lo, Ms Anna (South Belfast)
Long, Mrs Naomi (East Belfast)
Lunn, Trevor (Lagan Valley)
McCallister, John (South Down)
McCann, Fra (West Belfast)
McCann, Ms Jennifer (West Belfast)
McCarthy, Kieran (Strangford)
McCartney, Raymond (Foyle)

McCausland, Nelson (North Belfast)
McClarty, David (East Londonderry)
McCrea, Basil (Lagan Valley)
McCrea, Ian (Mid Ulster)
McCrea, Dr William (South Antrim)
McDevitt, Conall (South Belfast)
McDonnell, Dr Alasdair (South Belfast)
McElduff, Barry (West Tyrone)
McFarland, Alan (North Down)
McGill, Mrs Claire (West Tyrone)
McGimpsey, Michael (South Belfast)
McGlone, Patsy (Mid Ulster)
McGuinness, Martin (Mid Ulster)
McHugh, Gerry (Fermanagh and South Tyrone)
McIlveen, Miss Michelle (Strangford)
McKay, Daithí (North Antrim)
McLaughlin, Mitchel (South Antrim)
McNarry, David (Strangford)
McQuillan, Adrian (East Londonderry)
Maginness, Alban (North Belfast)
Maskey, Alex (South Belfast)
Maskey, Paul (West Belfast)
Molloy, Francie (Mid Ulster)
Morrow, The Lord (Fermanagh and South Tyrone)
Moutray, Stephen (Upper Bann)
Murphy, Conor (Newry and Armagh)
Neeson, Sean (East Antrim)
Newton, Robin (East Belfast)
Ní Chuilín, Ms Carál (North Belfast)
O'Dowd, John (Upper Bann)
O'Loan, Declan (North Antrim)
O'Neill, Mrs Michelle (Mid Ulster)
Paisley, Rev Dr Ian (North Antrim)
Paisley Jnr, Ian (North Antrim)
Poots, Edwin (Lagan Valley)
Purvis, Ms Dawn (East Belfast)
Ramsey, Pat (Foyle)
Ramsey, Ms Sue (West Belfast)
Ritchie, Ms Margaret (South Down)
Robinson, George (East Londonderry)
Robinson, Ken (East Antrim)
Robinson, Peter (East Belfast)
Ross, Alastair (East Antrim)
Ruane, Ms Caitríona (South Down)
Savage, George (Upper Bann)
Shannon, Jim (Strangford)
Simpson, David (Upper Bann)
Spratt, Jimmy (South Belfast)
Storey, Mervyn (North Antrim)
Weir, Peter (North Down)
Wells, Jim (South Down)
Wilson, Brian (North Down)
Wilson, Sammy (East Antrim)

Principal Officers and Officials of the Assembly

Speaker.....	Mr William Hay MLA
Deputy Speakers.....	Mr John Dallat MLA Mr David McClarty MLA Mr Francie Molloy MLA
Clerk to the Assembly/Director-General.....	Mr Trevor Reaney
Director of Clerking and Reporting	Mr John Stewart
Director of Engagement	Dr Gareth McGrath
Director of Facilities/Keeper of the House.....	Mr Stephen Welch
Director of Legal Services	Mr Hugh Widdis
Director of Resources	Mr Richard Stewart
Examiner of Statutory Rules	Mr Gordon Nabney
Clerk Assistants.....	Ms Nuala Dunwoody Mr Damien Martin
Editor of Debates	Mr Simon Burrowes
Clerk to the Assembly Commission.....	Mr Tony Logue

Ministerial Offices

The Executive Committee

First Minister	Mr Peter Robinson
Deputy First Minister	Mr Martin McGuinness
Minister for Employment and Learning	Sir Reg Empey
Minister for Regional Development	Mr Conor Murphy
Minister for Social Development	Ms Margaret Ritchie (resigned 24 May 2010) Mr Alex Attwood (from 24 May 2010)
Minister of Agriculture and Rural Development.....	Ms Michelle Gildernew
Minister of Culture, Arts and Leisure.....	Mr Nelson McCausland
Minister of Education.....	Ms Caitríona Ruane
Minister of Enterprise, Trade and Investment.....	Mrs Arlene Foster
Minister of the Environment	Mr Edwin Poots
Minister of Finance and Personnel.....	Mr Sammy Wilson
Minister of Health, Social Services and Public Safety.....	Mr Michael McGimpsey
Minister of Justice.....	Mr David Ford

Junior Ministers

Office of the First Minister and deputy First Minister	Mr Gerry Kelly Mr Robin Newton
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Assembly Sittings

Northern Ireland Assembly

Monday 24 May 2010

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

Members observed two minutes' silence.

Speaker's Business

Ministerial Appointment

Mr Speaker: I advise members that I have been notified that Ms Margaret Ritchie has tendered her resignation as Minister for Social Development to the First Minister and deputy First Minister in accordance with section 18(9) (a) of the Northern Ireland Act 1998. The resignation is effective from today.

In accordance with section 18(10) of the Act, Mr Alex Attwood has been nominated to hold the office of Minister for Social Development. Mr Attwood affirmed the terms of the Pledge of Office, as set out in schedule 4 to the Act, in the presence of the Clerk to the Assembly/Director General and me this morning. I therefore confirm that Mr Attwood has taken up office as Minister for Social Development. As a result of his appointment as Minister, Mr Attwood ceases to be a member of the Assembly Commission. A vacancy now exists on the Commission.

Assembly Business

Committee for the Environment

Mr Speaker: I advise Members that I have received Mr Dominic Bradley's resignation as Deputy Chairperson of the Committee for the Environment, which took effect from 21 May 2010. The nominating officer of the Social Democratic and Labour Party, Ms Margaret Ritchie, has nominated Mr Patsy McGlone as Deputy Chairperson of the Committee for the Environment with effect from 21 May 2010. Mr McGlone has accepted the appointment. I am satisfied that that correspondence meets the requirements of Standing Orders, and I therefore confirm that Mr Patsy McGlone is Deputy Chairperson of the Committee for the Environment with effect from Friday 21 May 2010.

Assembly Commission

Mr Speaker: The next item on the Order Paper is a motion to appoint a Member to fill the vacancy on the Assembly Commission. As with other similar motions, this will be treated as a business motion. Therefore, there will be no debate. Before we proceed to the Question, I advise Members that the motion requires cross-community support.

Resolved (with cross-community support):

That, in accordance with Standing Order 79(4), Mr Pat Ramsey be appointed to fill a vacancy on the Assembly Commission. — [Mr Burns.]

Executive Committee Business

Dogs (Amendment) Bill: First Stage

The Minister of Agriculture and Rural Development (Ms Gildernew): Go raibh míle maith agat, a Cheann Comhairle. I beg to introduce the Dogs (Amendment) Bill [NIA 20/09], which is a Bill to amend the law relating to dogs.

Bill passed First Stage and ordered to be printed.

Mr Speaker: The Bill will be put on the list of future business until a date for its Second Stage is determined.

Commissioner for Older People Bill: First Stage

The junior Minister (Office of the First Minister and deputy First Minister)(Mr Newton): I beg to introduce the Commissioner for Older People Bill [NIA 21/09], which is a Bill to provide for the appointment and functions of the Commissioner for Older People for Northern Ireland.

Bill passed First Stage and ordered to be printed.

Mr Speaker: The Bill will be put on the list of future business until a date for its Second Stage is determined.

Committee Business

Welfare Reform Bill: Extension of Committee Stage

The Chairperson of the Committee for Social Development (Mr Hamilton): I beg to move

That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 17 June 2010, in relation to the Committee Stage of the Welfare Reform Bill [NIA Bill 13/09].

The Welfare Reform Bill passed its Second Stage on 20 April 2010. The Committee for Social Development has received around 20 substantive written responses and heard oral evidence from seven key stakeholder organisations as part of the Committee Stage. Members indicated that they were concerned about certain provisions in the Bill in relation to, for example, the abolition of income support, the introduction of mandatory “work for your benefit” schemes and changes to community care grants. However, despite reservations, the majority of members wish to see the legislation go forward so as to maintain parity with the rest of the United Kingdom in respect of social security matters. Nonetheless, the Committee asks for a little extra time to consider the numerous responses and the complex welfare issues that have been raised.

To allow sufficient time for the Committee to consider the views expressed and to compile its report on the Bill, I ask the House to support this brief extension of the Committee Stage of the Welfare Reform Bill to 17 June 2010.

Question put and agreed to.

Resolved:

That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 17 June 2010, in relation to the Committee Stage of the Welfare Reform Bill [NIA Bill 13/09].

Statutory Committee Membership

Mr Speaker: The next item on the Order Paper is a motion on Statutory Committee membership. As with other similar motions, it will be treated as a business motion. Therefore, there will be no debate.

Resolved:

That Mr Thomas Burns replace Mr P J Bradley as a member of the Committee for Culture, Arts and Leisure; that Mr Tommy Gallagher and Mrs Mary Bradley replace Mr Conall McDevitt and Mrs Dolores Kelly as members of the Committee for Health, Social Services and Public Safety; that Mr Conall McDevitt replace Mrs Dolores Kelly as a member of the Committee for Justice; that Mrs Dolores Kelly replace Mr Alex Attwood as a member of the Committee for the Office of the First Minister and deputy First Minister; that Mr Conall McDevitt replace Mr Tommy Gallagher as a member of the Committee for Regional Development; and that Mr Tommy Gallagher replace Mr Thomas Burns as a member of the Committee for Social Development.
— [Mr P Ramsey.]

Standing Committee Membership

Mr Speaker: The next motion is on Standing Committee membership. It will also be treated as a business motion. Therefore, there will be no debate.

Resolved:

That Mr Conall McDevitt replace Mr Alex Attwood as a member of the Assembly and Executive Review Committee; that Mr Thomas Burns replace Mr P J Bradley as a member of the Business Committee; and that Mr Thomas Burns replace Mr Declan O'Loan as a member of the Committee on Procedures. — [Mr P Ramsey.]

Private Members' Business

Caravans Bill: Second Stage

Mr McCallister: I beg to move

That the Second Stage of the Caravans Bill [NIA 17/09] be agreed.

The legislation in Northern Ireland pertaining to caravan sites lags significantly behind that in the rest of the UK, particularly where the caravan is an individual's primary or only residence. In Great Britain, caravan owners are protected by the Caravan Sites Act 1968, as amended, and the Mobile Homes Act 1983, as amended. There are no similar provisions in Northern Ireland.

There are approximately 14,000 static caravans in Northern Ireland, and the majority are used as holiday caravans. An estimated 300 caravans spread over three or four sites are used as their owners' primary residence. Those caravans are generally referred to as mobile homes or park homes. Existing legislation relating to caravans in Northern Ireland is limited to the Caravans Act (Northern Ireland) 1963, which makes provision for the licensing and control of caravan sites and authorises councils to provide and operate caravan sites.

There is no statutory requirement for written agreements to be provided by site owners to caravan owners, and many caravan owners appear to rely on verbal agreements, often made many years ago. That lack of written agreement has caused problems in some instances, particularly when ownership of caravan sites has changed hands, and a substantial number of disputes have arisen over the years. An imbalance of power has been created between the site owner and the caravan owner, with some unscrupulous site owners having used that imbalance to exploit their position to the detriment of caravan owners. In 2007, the issue was brought to my attention and that of colleagues from South Down. We were invited to a public meeting where concerns were raised by disgruntled caravan owners who were being subjected to the imposition of new conditions without any prior notice or consultation. Subsequent research into the subject highlighted the fact that that was commonplace across Northern Ireland.

Some of the issues highlighted were the absence of formal agreements, making it difficult to enforce basic consumer rights; a lack of basic

tenant rights for people living in caravans specifically designed for the purpose of providing a permanent residence; a lack of protection from harassment by a site owner through withholding essential services, such as heating and water; having to sell the caravan back to the site owner at a much reduced market value, with the site owner taking as much as 40% of the sale price as a commission; site owners retaining full annual pitch fees, which were paid in advance, despite the agreement's being terminated a short time into the new licence term; and having to use workmen provided by the site owner to carry out work, sometimes at an inflated price.

In 2008, I embarked on a consultation with a large number of stakeholders, including, among others, the caravan industry's trade organisations, organisations that represent caravan owners, and owners of permanent residential and static caravan sites. The National Caravan Council was particularly helpful. The initial consultation generated a positive overall response to my proposals to implement a statutory written agreement containing prescribed clauses that would protect the rights of and provide a basis of negotiation for caravan owners and site owners alike. Most of the responses from caravan owners drew attention to the key areas of concern which I have just outlined. It was clear from the responses that there was overwhelming support for the implementation of a statutory written agreement and for legislation similar to that which exists in Great Britain to protect the permanent residential sector.

12.15 pm

The first draft Bill, which circulated in 2009, attempted to provide a level of protection for owners of static caravans on holiday sites similar to that being proposed for permanent caravan residents on protected sites. It was quickly brought to my attention that that would be too prescriptive and unworkable and that it would cause unnecessary detriment to owners of caravans on holiday sites. Following those responses, the decision was taken to rely on the considerable body of existing consumer law, which, in conjunction with the Bill's requirement for written agreements, provides sufficient protection for owners of static caravans on holiday sites.

In November 2009, I had separate meetings with the Minister of Enterprise, Trade and

Investment, Arlene Foster, and the then Minister for Social Development, Margaret Ritchie. Subsequently, a way forward was identified and agreed with Minister Ritchie, who offered her support and that of her officials in redrafting the Bill. I put on record my thanks to Minister Ritchie and her departmental officials, whose support and guidance in getting the Bill to Second Stage was crucial.

The Bill is designed to afford protection to two particular groups of caravan-users. The first group is those whose static caravans are permanently pitched on caravan sites that are licensed for holiday use, which are referred to in the Bill as "seasonal sites". The second group is those for whom the caravan is their only residence. The so-called park home is pitched on a site with a licence that authorises year-round occupancy, and such sites are referred to in the Bill as "protected sites".

The Bill also brings the definition of a caravan into line with the rest of the United Kingdom. It consists of five Parts and 17 clauses.

Mr Paisley Jnr: The Assembly would find it helpful if the Member were to state the limited number of caravan park homes in Northern Ireland to which the Bill applies.

Mr McCallister: I am grateful to the Member for his intervention. At the start of my speech, I estimated there to be approximately 300 or 400 park homes. However, it is important to say that, increasingly, people are making the lifestyle choice to move into caravans, and, therefore, the Bill does not legislate for circumstances that affect only a small number of people. It is vital that people who live permanently on those sites have the protection of the law.

Clause 1 sets out the purpose of Part 1 and to whom it applies, namely the permanent residential caravan sector. It covers any residential agreement that is made before or after the Bill's commencement with regard to an owner-occupier of a caravan who is entitled to station it on a protected site and to occupy it as his or her only or main residence for more than three months. A protected site is one for which planning permission and site licences are not restricted to holiday use and the times of the year during which the site can be used are not restricted. The three-month period is necessary to ensure that sites that are used to provide temporary accommodation are not brought inappropriately into the scope of Part 1.

Clause 2 requires that the owner of a protected site must provide the owner-occupier of a caravan on that site with a written agreement, within a specified timescale, which covers a range of issues, including the express terms of the agreement. The clause gives DSD the power to make regulations that extend the range of requirements for the written agreement. It also provides caravan owners on protected sites with a mechanism by which to seek redress through the courts, should a site owner fail to provide a written agreement in accordance with the clause.

Mr Wells: For the sake of clarity, will the Member assure the House that the requirement will be retrospective and that the right to a contract will apply not only to people who move onto sites from now but to everyone on every site, regardless of how long they have been there or whether they had a contract?

Mr McCallister: I am happy to give the House that assurance. Even if a caravan owner's current contract is verbal, it is still a contract. Clause 2 takes that to a new level by requiring contracts to be put in writing. Therefore, a term that is deemed unfair, even if it was part of a previous contract, cannot be enforced.

Clause 3 refers to Part 1 of the schedule, which sets out the terms to be implied in any residential agreement. Clause 3 also describes the powers of the court when dealing with matters relating to residential agreements. Either party can make an application to the court within a time specified by clause 3.

Clause 5 deals with successors in title and provides mechanisms for the residential agreement to continue and apply when ownership of the caravan is lawfully assigned or inherited on the owner's death. That will ensure that the rights of those who live with the caravan owner are protected. Where the deceased caravan owner lived alone, there is no automatic right or requirement on the successor in title to live in the caravan as their main or only residence.

Clause 7 sets out the purpose of Part 2 and to whom it applies; that is, to the seasonal holiday sector. It covers any seasonal agreement made either before or after the Bill's commencement relating to caravan owners with entitlement to station their caravan on a seasonal site for more than 28 days. The period of 28 days is specified to ensure the exclusion of touring caravans, camper vans and holiday

motorhomes, for which the requirements of the Bill would be wholly inappropriate.

Clause 8 requires seasonal site owners to provide caravan owners using their sites with written agreements, within a specific period of time, that cover the terms and conditions on which the agreement is based. Any express term of the agreement not included in the written agreement will be unenforceable by the site owner. The purpose of that is to give site owners an incentive to comply with their duty as stipulated in clause 8 and to protect the caravan owner from the application of terms that have not been given in writing.

Part 3 deals with the protection of residential occupiers on protected sites from eviction and harassment. Clause 9 clarifies to whom Part 3 applies; namely, owner-occupiers entitled to station their caravan on a protected site and those who rent a caravan on a protected site where, in either case, the caravan is the person's main or only residence.

Clause 10 provides protection for those living in caravans on protected sites by making it an offence for the owner of a protected site or their agent to withhold or withdraw services; to carry out any act likely to interfere with the peace and comfort of the caravan occupier or anyone living with them with the intention of causing the occupier to abandon their caravan or remove it from the site; or to prevent access to their rights or a form of redress. The penalties for someone found guilty of such an offence are set out in subsection (8). Subsection (9) creates a defence where the accused:

"had reasonable cause to believe ... the occupier of the caravan had ceased to reside on the site."

Subsection (10) creates a defence where the accused:

"had reasonable grounds for doing the acts or withdrawing or withholding the services or facilities in question."

Clause 11 establishes the courts' powers in relation to proceedings for enforcement or eviction and the factors that they should have regard to before exercising such power — for example, if:

"the occupier has failed ... to observe ... any terms or conditions of that agreement ... or ... any reasonable rules made by the site owner for the management and conduct of the site".

Part 4 relates to the meaning of the term “caravan”. Clause 13 updates the definition of “caravan”, bringing it into line with England and Wales. Clause 14 applies the new definition to the existing caravan legislation, the Caravans Act (Northern Ireland) 1963.

The schedule applies to agreements made under Part 1 — permanent residential agreements on protected sites —and is broken into three parts. Part 1 sets out the terms to be implied in a residential agreement. It deals with the agreement’s duration and how it can be terminated by either the occupier or the site owner. The occupier must give at least four weeks’ notice in writing, and the site owner must seek termination through the courts. Part 1 provides the mechanism for the caravan owner to recover overpayments for a period following the termination of a residential agreement. It establishes the process for the sale of a caravan on a protected site and creates entitlement for the site owner to receive a maximum commission of 10% on the sale. That is the same process as is used across the rest of the United Kingdom.

The site owner’s right to resite the caravan to conduct essential or emergency repairs or to apply to the court to move the caravan to another comparable pitch is explained in Part 1. The site owner will meet all the costs associated with such moves. Site owners are entitled to charge a pitch fee, and the conditions for changes to and payment of the pitch fee are set out in Part 1. There is provision for establishing a qualifying residents’ association on a protected site, and the site owner must consult that body on certain matters such as, for example, a change in pitch fees.

Part 2 sets out in full the terms that a court is allowed to order as being implied in a residential agreement. Part 3 relates to the sale of a caravan on a protected site and deals with the circumstances in which a caravan owner makes a request to someone other than the site owner to approve a person to whom they wish to sell their caravan and assign the residential agreement.

Mr Paisley Jnr: I thank the Member for giving way once again. Will he confirm that that point relates solely to the very small group of caravan owners whom we talked about earlier and not to holiday caravan owners?

Mr McCallister: I am happy to confirm that. The Bill deals primarily with two groups. The first group is the seasonal sector. It is much bigger than the other group, with 13,000-odd pitches in Northern Ireland. However, only a small percentage — 25% to no more than 30% — have a written agreement. The Bill will allow them to have a written contract. However, Mr Paisley Jnr’s point was about protected sites for permanent residential occupiers, which is the second group. It is right and proper that we give people in that group enhanced protection, because their caravans are their only place of residence. Therefore, it is crucial that they have the highest level of protection.

In summary, permanent residential caravans or park homes, if you prefer, provide an important housing option, particularly for older people in Great Britain. They have become an increasingly popular lifestyle choice. I said in response to Mr Paisley Jnr’s point that people in Northern Ireland have used that option to release equity from their existing bricks and mortar. That lifestyle choice allows people to feel protected and secure and enables them to downsize and release equity from their homes. However, the number of people doing so has remained small because, as we have discovered, there is no legal basis for taking that option in Northern Ireland. That is the crux of what the Bill seeks to address. By bringing Northern Ireland legislation into line with the Mobile Homes Act 1983, which applies in the rest of the UK, businesses can now move forward with confidence. Citizens who want to buy into that lifestyle choice can also move forward with confidence because they will have legal protection.

With regard to holiday caravan owners, a statutory requirement for site owners to issue written agreements will provide the necessary mechanisms to prevent abuse by either party. A written agreement is good for the caravan owner and the site owner.

Mr Wells: The Member knows that I broadly support what he is trying to do, because it is very relevant to South Down. However, am I right in thinking that implicit in that agreement is the right of the caravan site owner to demand that the caravan owner sell the caravan back to them? Alternatively, will what the honourable Member is suggesting allow the caravan owner to get the best price for their caravan on the open market?

Mr McCallister: We have been debating that point. We are trying to strike a balance with the written agreements. A caravan owner has the right to sell their caravan to whomever they like. However, they do not have the right to sell the pitch with it. Individuals can sell their caravans but not necessarily the pitch. That is the balance that must be struck.

The reason why site owners still need to have some control over who moves onto their pitches is that the majority of our holiday sector is aimed at the mums, dads and young kids who want to enjoy a summer down by the coast.

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

12.30 pm

Mr A Maginness: The Member raises an interesting point. However, although the occupiers of sites are given the opportunity to sell their caravans, the problem is that they are not permitted to sell them on site. The Member says that owners have the right to sell their caravans at large. However, that is a very constrained right, because, in most situations, caravans cannot be moved. Even if a caravan can be moved, a lot of disruption is caused and the transportation costs are very high, particularly if it is an old caravan. Therefore, the right that is being established is very limited.

Mr McCallister: I accept the points made by my two colleagues. What Mr Maginness said is absolutely true. However, I argue that there cannot be a system in which anyone has the right to sell a pitch. Caravan owners do not own the pitches. I accept that the right is limited due to the fact that a caravan can be sold but only to someone who has been approved by a site owner.

Mr F McCann: Will the Member give way?

Mr McCallister: Let me clarify this point.

That is important. Given the type of holiday that is envisaged by people going to a caravan park, caravan owners cannot have the right to sell to just anyone as that could bring someone unsuitable into a family-friendly holiday environment. It is about accepting the balance between two competing identities.

Mr F McCann: I am sure that Alban did not mean that people who may behave badly would be brought on site. However, the fact remains that if someone who leases a pitch buys a caravan, as is usually asked of people leasing

a pitch, and then moves off site, most caravan owners will not allow that person on to another site. People are caught no matter what way it goes. Obviously, there would be regulations to ensure that people who may behave badly are not allowed on site. Surely, however, people who want to sell their caravans should, in agreement with site owners, be allowed to do so in a way that does not result in a big financial hit.

Mr McCallister: The majority of the caravan sector is made up of people who hand down second- and third-generation caravans and who enjoy their caravans. There are issues arising from the sale of caravans. However, a balance has to be found. We do not want a set-up in which anyone can buy a pitch because, as Mr McCann said, people buy a caravan but lease a pitch. Therefore, they can sell their caravan to whoever they chose, with all the associated costs of moving it. That is the hold that caravan owners have over site owners in trying to bargain a fair price. However, there cannot be a free-for-all on caravan sites.

I have consulted all sides on this matter, and the one area of consensus among site owners and caravan owners was that they did not want a free-for-all in the caravan industry whereby anyone could move on site. Families with young children want some degree of control over who comes onto a site and, as such, buyers have to come with a recommendation. For example, people could sell their caravan to a friend or relative, but it is up to the site owner to approve or disapprove of that person.

Mrs M Bradley: Will the member give way?

Mr Wells: Mrs Bradley is looking to intervene as well.

We are perhaps being a bit rough on the Member for South Down, but we are simply sharpening our knives for the incoming Minister's contribution; it is good practice.

Mr McCallister is saying that a site owner can buy a caravan back and is not allowed to make more than 10% commission on that sale. Is that only for the permanent residential sector?

Mr McCallister: Yes, it is.

Mr Wells: Even so, what the Member is suggesting still puts the site owner in a very strong position. In my contribution, which I will probably not make until teatime given the way that we are going, I will quote many examples

where a site owner has used that power to charge a purchaser a ridiculous price for a caravan, buy the caravan back for a ridiculously low price when that person sells, perhaps because of health reasons, and then flog it on at an exorbitant price later.

I do not see anything in the Bill that stops that abuse, even though it is one of the main issues in the industry. For instance, if one gives a dealership the franchise to sell all the cars in a certain town, that dealership has the right to charge what it wants for the cars. It can demand that people use them to sell the cars back and can charge whatever it likes for the second-hand vehicle. Obviously, that dealership would sell a huge number of cars, because it would have sole control of the market. If someone in the town wanted a car, he or she would have to go to that garage.

We are giving similar powers to site owners. I have heard some very unsavoury examples of those powers being abused. How does the Member's Bill tackle that abuse?

Mr McCallister: The simple answer is that the Bill is addressing that by making everyone have a written agreement. The commission fee would need to be specified in a written agreement. I am speaking only about the holiday sector, because that is where the issue arises. The 10% limit on commission applies to the permanent residential sector.

In the holiday sector, the commission fee will be in the written agreement, so people will know what it is when they sign the agreement. The industry standard commission in the holiday sector is 15%. However, I know of many examples, as I am sure Mr Wells does, in which the commission is more inflated than that. A balance must be found between those competing issues. The best way of doing that is through a written agreement, which brings openness and transparency to the situation. Most of the problems arise due to a lack of openness and transparency.

The Trading Standards Service has received between 70 and 80 complaints each year over the past 10 years. Most of those complaints could be dealt with through written agreements so that people would know that there could be no problems with workmen charging inflated prices. With a written agreement, a person would know what the commission fee is when selling a caravan. People could also negotiate

the terms on which they might refuse to let someone buy a caravan.

How a caravan is sold on needs to be looked at in the written agreements. For example, if I were selling a caravan to Mr Wells, would the site owner refuse him permission to buy it? If the site owner's only reason for withholding permission was that Mr Wells is a member of the DUP, it would be deemed unfair. However, denying him permission for that reason could be fair enough. *[Interruption.]* I see that the Member is getting a lot of support from his colleague Mr Paisley Jnr, who, he will be relieved, is going to Westminster.

Mr Paisley Jnr: Does the Member accept that his Bill must contain a protection for the holiday caravan park owner who, for years, has built up a credible business and established a quiet area where people can enjoy a particular standard of holiday? A willy-nilly selling of caravans on sites and pitches to anyone whom the person exiting the site wanted could destroy overnight the fabric of that caravan park and the enjoyment that many people get from it. That would put to naught the tens of years that the site owner has invested in making his holiday park what it is.

There must be that guarantee and protection, otherwise our holiday businesses on the coast could be ruined. In my constituency, caravan parks at Ballycastle and Bushmills could be ruined overnight by unseemly people being allowed to buy a caravan. Many such people would line up to buy a caravan.

The Member will know that drug dealers have attempted to buy caravans on holiday sites, which could destroy parks overnight. It is essential, therefore, that the Bill contains protections. Like the Member, I believe that the person who cares most about a holiday park is the person who owns the park, makes a living from it and has a vested interest in ensuring its future success; it is not necessarily the person who is exiting a park.

Mr McCallister: I agree with Mr Paisley. It is about trying to balance those positions. It is my firm belief, in introducing the Bill, that giving a legal basis, through a written agreement, to every caravan on a holiday site is good not only for the caravan owner but, as Mr Paisley rightly said, for the site owner. We considered the issue and worked with Minister Foster, who, in the Department of Enterprise, Trade and

Investment, is in charge not only of tourism but better regulation. How do we get the balance right between those competing needs?

There was no difference of opinion between caravan owners and caravan site owners on whether site owners should have some control over who comes on and off their sites. Mr Paisley gave the example of drug dealers. A potential buyer could also be on the sex offenders' register. Families come on holiday, and they should be protected, as well as the investment by the businesses that run caravan sites. It is about getting the balance right.

I accept the points made by Mr Wells, Mr Maginness and Mr McCann. The Bill will get the balance right between caravan owners and site owners. There could be slightly unscrupulous site owners who could seek to abuse that arrangement. If two or three people whom a caravan owner recommended bringing onto a site were turned down, is there a mechanism, and a need to challenge a site owner, through the courts? That could be an option, because a site owner's behaviour could be deemed unfair.

However, caravan owners cannot simply sell to the highest bidders and then move off site, with no regard to the residents who are left behind or to how suitable or unsuitable the people buying their caravans might be. The Bill requires a written agreement for everyone in the holiday sector, so the balance is there. I am confident that the balance is right between those two competing needs, because I consulted widely with the industry and the relevant stakeholders.

Mr Easton: As the Member is aware, I have been interested in the issue for a considerable time. I have a concern that I do not think is addressed in the Bill. At Seahaven in my constituency of North Down, some elderly couples moved into a caravan park, intending to live there for the remainder of their lives and believing that they would stay in specific caravans. A couple of years later, they received letters from the site owner telling them that they had to upgrade their caravans at a cost of hundreds of thousands of pounds, which would be bought back at a fraction of the cost. Will the Member reassure me that the Bill will contain protections for people who are told that they have to upgrade their caravans or they are out?

Mr McCallister: The issue in Mr Easton's constituency refers primarily to permanent residential parks. I assure Mr Easton that the

Bill contains strong protections for permanent residents. As I said earlier, that is right and proper, because those people need a level of protection for what is their main or, in many cases, only residence.

12.45 pm

All those people will have a written agreement and will have the right to form a residents' association, with which the site owner will have to work. The Bill will provide robust protection for permanent residents — the very people for whom the Member has campaigned since restoration in 2007. The Bill's protections are much more robust than those afforded to the holiday sector.

Mr Wells: The Member has been extraordinarily generous in giving way. Mrs Bradley has been waiting to get in for a long time and has not been able to catch the Deputy Speaker's eye.

I want to follow on from what Mr Easton said. A major problem, particularly in South Down, is that many caravan site users are instructed to change their caravans every 10 years, regardless of their condition. Some of them are little palaces. Who are people instructed to buy their new caravans from but the site owners? Moreover, they are offered a derisory amount for their old ones. We may reach a situation in which everyone has a written contract, but it will contain those unreasonable terms, as well as conditions that specify that insurance must be obtained from, and maintenance provided through, site owners. In other words, people may have a written contract and know where they stand, but they will still not be happy. However, they can do nothing about that because they have a contract.

Mr McCallister: I am happy to respond to that point. Mr Wells used the word "unreasonable". Any term if it is deemed unreasonable, is, by its very definition, unenforceable. Even as legislation stands, under the Unfair Terms in Consumer Contracts Regulations 1999, a site owner cannot enforce an unreasonable term. That protection is there.

One of the big advantages of the Bill, if we move towards having written agreements across the holiday sector, is that the protections will be there in black and white. An individual can send a copy of the contract to the Trading Standards Service for it to determine whether the terms of a contract are unfair or whether the user is liable.

Mr Wells mentioned workmen charging inflated prices. The Bill gives an individual the right to employ whomever he or she wants to carry out works — for example, to install gas or electricity — as long as they are properly qualified and registered. The site owner will have no control over that right, provided that the work is carried out to a suitable standard. That is where the written agreement comes in.

We have spoken over the past number of years to Trading Standards Service representatives and to Minister Foster. A written agreement in the holiday sector will solve more than 90% of the problems that arise over unfair terms and agreements. As I said, some of the verbal agreements that were made date back to the caravan user's grandparents' time and have rolled on without changes being made to them.

Mr Wells mentioned pitch fees. Any agreement will have to set out in black and white what the pitch fee will be. He also mentioned the 10-year rule. That period will have to be established at the start of the contract so that caravan owners know what they are signing up to. The site owner will not be able to appear suddenly in nine and a half years' time and claim that a caravan owner agreed to change his or her caravan after 10 years. As I said, the agreement will be in black and white so that caravan owners know what they are signing up to and the contract is fair to both sides. If either the caravan owner or the site owner does not like the agreement, he or she does not have to sign it.

The consumer has the protection of being able to go to the Trading Standards Service. My interest in the Bill has led me to refer several cases to the Trading Standards Service, and I have been assured that it is taking robust action against site owners. In one case, a written agreement has been drawn up. Where a written agreement exists, it can be examined and can provide advice, and it gives Trading Standards the power to enforce the terms.

I believe that Mrs Mary Bradley wants to intervene.

Mrs M Bradley: I had almost forgotten what I wanted to say. The Bill should not just be for site owners. It has to protect people who pay money in good faith to use those sites. The agreements need to cover instances such as resale, so that an owner does not have to sell his or her caravan to a site owner for a measly sum.

Around four years ago, I was made aware of the case of a family who wanted to sell their caravan on a site in the North of Ireland as they could no longer go there because of the husband's disabilities. They wanted to sell their van on the site and leave it where it was. That was not allowed to happen. They were not allowed to sell their van unless it was to the owner of the site. He wanted to give them £3,000 for their van, but he had found a buyer for it and was charging him £12,500. That is the kind of thing that the Bill needs to stop.

I would not back the Bill if it was only to protect site owners. As that couple would not sell the van to the site owner for £3,000, knowing that he would charge the people moving into it £12,500, the site owner made them pay £150 to move the van 400 yards to the gate of his site, and they then had to pay a haulage firm to move the van off the site so that someone else could buy it. I see that as abuse. The Bill cannot cater only for site owners. They have been as much at fault over the years as the people who hire space on the sites.

Mr McCallister: I agree. We are trying to find a balance between those two competing factors. There is no point in having 13,500 people who want to have a holiday caravan experience if we drive all the site owners out of business. We have to find the balance between the two. It is not in site owners' interests to excessively abuse families and to put people off having caravans.

The issue that Mrs Mary Bradley raised is one that we have pressed and that the Trading Standards Service is now helping with. That is that site owners have to display the asking price on caravans for people who are looking around. If someone is selling a caravan, he or she can go to see the asking price and does not have to rely on hearsay to find out what it fetches. It is important to stop that practice of a site owner buying a caravan for, for example, £3,000 and selling it on for £12,500. We have to keep pressure on the Trading Standards Service to ensure that it is doing that.

We have to find a balance between the competing needs of caravan owners and site owners. The two are not so far apart. One has to make a living from a site, and the other needs to have a safe, secure place to bring their families on holiday, where they can enjoy the peace and comfort of the coast or lakeside or wherever it

happens to be. The important point is to reach a balance between those. I firmly believe that a written agreement in the holiday sector would give that balance. It would be good for both sides because it would bring clarity, openness and transparency to the issue. It would explain what a caravan owner is signing up for without putting an excessive regulatory burden on a site owner. It could also help site owners because if people were to sign up, they would be agreeing to maintain their caravans to the standard that people want in caravan parks.

Mr Wells: If the Member was getting paid for every intervention, he would be a wealthy man by the time the debate is finished.

Mr Hamilton: He could buy a caravan.

Mr Wells: He certainly could buy a caravan.

I congratulate Mrs Bradley on her incisive contribution. Mr McCallister still has not reassured me. He said that the Office of Fair Trading would rule any term or clause in the contract to be unfair or unreasonable. However, the same office has deemed that it is reasonable for a site owner to insist that a 10-year-old caravan must be changed, even if it is kept immaculately and like a palace, otherwise its owner can be thrown off a site. A site owner can insist that a replacement caravan is bought from him or her at whatever price is deemed appropriate. What assurance is there that the Bill will cover that issue?

Mr McCallister: It goes back to the written agreement that a caravan owner will have signed up to. If a caravan owner agrees in an initial contract that he or she will change a caravan after 10 years, 12 years or 15 years, the caravan will have to be changed.

Mr Wells: I cannot let the Member away with that, and I can assure him that it is not a case of local rivalry. It is important that we get this right.

The person who has had the contract slapped on his or her table is not in a strong position. As has been said, a caravan may have been in a family for several generations, and it may be the holiday home of the entire extended family. The family, therefore, will want to keep it rather than move out. What is the owner to do when he or she is issued with a piece of paper stating that caravans must be changed every 10 years? The owner must sign that contract, otherwise the whole tradition and the holiday

home that the family has had for years will be lost. The knowledge that it was an unrealistic contract that was imposed is no consolation. The owner had no choice about whether to sign it. The Office of Fair Trading, in its wisdom, has said that owners must accept having to change caravans every 10 years. Where does that leave people who are stuck on sites already?

Mr McCallister: It leaves them a lot further forward. At the minute, those people do not have security of tenure of any more than a year, because they sign an annual site licence. The very group that Mr Wells speaks about have nothing more than a year's guarantee. There is nothing to stop a site owner coming along today and telling Jim, for example, that he is not going to renew his site licence after this year because he does not like his caravan or he does not like Jim. There is no protection to prevent that.

Although Mr Wells says that 10 or 15 years is not enough, it is an awful lot better than caravan owners have at the minute. Site licences are issued annually, so caravan owners have protection for only one year or maybe even less if a contract runs alongside the holiday season. It goes back to the balance between a site owner and a caravan owner.

Mr Wells referred to caravans that are kept in immaculate condition, but what about a 20-year-old caravan? A site owner may have granted a resident the use of a caravan but may eventually tell that resident that it is beginning to look a bit scrappy. Who wants to reside in a caravan park that looks as though it is falling down? That is not good for business, and there needs to be a mechanism to deal with such situations at some point.

Most site owners and caravan owners whom I have consulted on the issue want some level of control. I have debated with various groups at length on the issue of a 10-year rule and a 15-year rule, as they are known in the business. There is support for the striking of a balance between the two, because there cannot be sites that have a front row that is like a shop window, along the seafront at Cranfield, or wherever, but the rest of which is falling down. Owners of £40,000 caravans will not want to stay beside caravans that take away from the value of their own. Similarly, we would not want someone to open up a car-breaker's yard beside our home.

Mr B McCrea: Will the Member give way?

Mr Leonard: Will the Member give way?

Mr McCallister: Yes.

Mr B McCrea: Apologies to Billy; I was up first.

I congratulate the Member on bringing forward the Bill, which has provoked an awful lot of discussion. I listened to the points that were raised by Mr Shannon and others, and I seek the Member's assurance that he has consulted widely with all interested parties. This is the Bill's Second Stage, and, therefore, Members will have plenty more opportunities to raise important issues. I am sure that the Member welcomes support, intervention and contribution from the other Members who are present. They can raise particular issues at other stages of the Bill, and I am quite sure that the Member will be willing to entertain what they have to say.

1.00 pm

We look forward to more than rhetoric coming out. I do not doubt that some Members feel passionately about this, but perhaps they might translate some of that passion into a positive contribution to help to develop a Bill that will look after the interests of all parties, including those of the people who the Member referred to.

Mr McCallister: I am grateful to my colleague Mr McCrea.

I hope that we are about to go into Committee Stage and subsequent stages, and we are happy at any time in the process that Members should have many opportunities to raise valid points. However, this is about getting a balance that meets the needs of the industry and those of the individuals who are involved.

Mr Leonard: I thank the Member for giving way yet again. He has been extremely generous with his time. I realise that his colleague is trying to offer him some protection. This point is not just about rhetoric or anything like that.

I suggest that the Member looks at a local authority on the north coast, if he has not already done so. It runs large caravan sites at a profit. On those sites, people are not told to buy after 10 years or 15 years. Standards are high; the quality of caravans and other items is high; there is no dilapidation; no one suffers because neighbours do not look after their units; drug dealers do not run riot; and families enjoy excellent family-orientated holidays. In that lie some lessons. Why does any caravan park

owner need to have a monopoly? The primary protection that is needed is for the men, women and children who put their hard-earned money into getting a quality holiday. There are lessons in the example that I gave that challenge many of the premises on which the Bill is based.

I take great exception to the idea — it was not the Member's idea, but it was voiced in the Chamber — that we must protect the caravan park owner because of the threat of undesirable people coming onto a site. That is the case to some degree, but the organisation that I referred to has a waiting list, and it ensures that those coming onto the site do not ruin the enjoyment of others. So, there are examples out there that challenge the very premise of monopolies, which I loathe.

Mr McCallister: I assume that the Member refers to Coleraine Borough Council. Pitch fees in that council area are at least £300 a year higher than those in other areas.

Mr Leonard: We had that debate because there was a move to sell off the sites, which was resisted by the majority of councillors. People were involved in the debate about how they would be restricted by the privatisation of the Coleraine Borough Council caravan parks and how they would pay thereafter. Regardless of the fee that the Member referred to, there is still a waiting list for those sites.

Mr McCallister: The existence of a waiting list is probably due to the unique setting rather than any other factor. My wife comes from the East Londonderry constituency, which is a beautiful part of the country. That explains the waiting list. However, there was a major row some years ago when pitch fees were increased.

One of the differences between the Ulster Unionist Party and Sinn Féin is that Ulster Unionists do not believe that government or local government should run every service. I have an issue with the fact that the local authority issues the site licence to itself, because that means that it effectively polices itself. That is most unsatisfactory. There is a balance to be struck.

One of the ideas that Mr Leonard mentioned was that there could be some vetting of a newcomer to a site. This is about getting the balance between the two parties. There is no major disagreement between site owners and caravan owners about having that level of control. People do not want just anyone moving

onto a caravan site. It is as simple as that. People may think of caravan owners and park owners as being on opposite sides; however, both sides agreed on that, and there was a meeting of minds around the idea that some level of control was necessary. However, we have to find a mechanism, and that can be done through a written agreement. Terms for selling a caravan or reselling it can be discussed and entered into through a written agreement. That agreement could include recommendations about who constitutes a family friend. It could become unreasonable for a site owner to refuse three, four or five people; not all of them could be bad. Maybe he is refusing them because they are all in the DUP. Of course, I would say that that was reasonable, although others might question it. *[Laughter.]* I am at least getting support from my colleagues.

On a serious point, the scenario that we want to reach is to use that approach to find a balance between the two. I repeat that we do not want a free-for-all to sell caravans, with all the associated problems that we know can occur.

I see that the Chairperson of the Committee appears to be leaving for his lunch. In closing, I say that the Bill provides a high level of protection for permanent residential caravans, which is important because such caravans are some people's main residence. It also provides a level of protection for the owners of static holiday caravans that we have not previously had in Northern Ireland. I commend the Bill to the House. I welcome the new Minister for Social Development, and I thank his predecessor and, I hope, him for his supportive remarks. Perhaps I should wait to hear his speech. However, the Bill's principles are right and proper, and it will afford protection to those who have not had it in the past. We must ensure that protection, which is why the Bill is so important.

Mr Deputy Speaker: Before we continue, I remind Members that the general principles of the Bill are debated at Second Stage. As Basil McCrea indicated, I am sure that long debates lie ahead in the further consultative stages of the Bill.

The Chairperson of the Committee for Social Development (Mr Hamilton): Thank you, Mr Deputy Speaker. I hope that future debates on the Bill will not last too long. However, I welcome the opportunity to speak. I join Mr McCallister in welcoming the new Minister to his position.

The procedures that allow individual Members to introduce private Members' Bills that are debated in plenary, such as this Bill, and amended using the same process as for legislation introduced by a Minister is good, positive and a sign of a properly functioning democratic institution. As in this case, when the Bill in question applies to a niche subject that affects groups of individuals, families or communities, it signifies good, mature debate in the Assembly. I praise Mr McCallister for being among the first MLAs to get a private Member's Bill to Second Stage.

Anybody who has observed today's debate thus far will have seen for themselves that issues such as this can elicit good, heated discussion among Members. Who would have thought, Mr Deputy Speaker, that it would have taken a subject such as caravans to get Members so excited? The considered debate between Members, exchanging views, as they have, is another good sign that a democratic institution such as the Assembly is functioning properly.

The Committee for Social Development considered the principles underpinning the Caravans Bill at its meeting on 4 March 2010. The Committee gave a general welcome to the Bill and looks forward to further scrutiny of its provisions after Second Stage. I am pleased that the Bill has, as Mr McCallister indicated, undergone some redrafting since First Stage. If it had not been for that redrafting, only God knows how long and heated the debate would have been, so we give thanks that that happened. The Department for Social Development has played an important role in that process, and the Committee anticipates further useful and constructive engagement with it and Mr McCallister as the Bill moves forward.

I shall now make a few remarks on the principles of the Bill. As has been indicated, the Bill is in several Parts. The first Part, which is of particular interest to the Social Development Committee, refers to statutory protections for those who own or occupy a caravan as their main residence and who rent a pitch on a protected site. As we have heard, the Bill is intended to extend to those individuals and families the kinds of protection available in the private rented housing sector. The Bill will introduce written statements of residential agreement, which will set out the key obligations of the caravan owner-occupiers who rent the pitch and the caravan site owners who own the pitch. During the anticipated Committee Stage,

Members will wish to explore precisely who will be affected by those provisions and also how and, importantly, by whom those aspects of the Bill will be enforced.

The Bill includes provisions to limit the commission that caravan site owners can earn on the sale of an owner-occupier's caravan and on the gifting and inheriting rights associated with caravans. Those issues have already been the subject of some concern among site owners, and it is anticipated that those questions will be scrutinised further in Committee, as they have been today.

The proposed residential agreements include protections for caravan owner-occupiers from harassment and eviction. The agreements are also expected to reference rent-setting mechanisms. The Committee is keen to review the workability and appropriateness of the proposals to ensure that rights are protected and that a good balance is maintained between the interests and duties of caravan owner-occupiers and caravan site owners.

Part 2 refers to seasonal sites and includes consumer protections for caravan owner-occupiers who remain on a seasonal site for more than 28 days. When the provisions were originally mooted, they understandably caused more than a little concern among caravan site owners. As I said, the Committee is grateful to the Department for redrafting the Bill and for clarifying the applicability of those provisions. As it is anticipated that the enforcement of the provisions will fall to the Department of Enterprise, Trade and Investment, I expect that the Social Development Committee will willingly agree to seek the views of the ETI Committee on the relevant clauses. I am sure that the House will hear today from the Chairperson of that Committee on those clauses.

Part 4 includes a legal definition of "caravan". Given that provisions to allow the amendment of the definition will fall to the Department of the Environment, I expect that the Social Development Committee will be free to seek the views of the Environment Committee on the relevant clauses. Again, we are likely to hear today from the Chairperson of that Committee on that matter.

As I said, the Committee for Social Development generally welcomes the Bill. It is anticipated that the Committee Stage will provide an opportunity to review the protections for caravan owner-

occupiers while considering the workability of the provisions in respect of the Northern Ireland caravan industry.

Before I close, I shall speak briefly in a personal capacity. I represent a constituency with a great many caravan sites, perhaps one of the largest concentrations of caravan sites in the whole of Northern Ireland. In fact, more than 20% of holiday caravans are located on the Ards Peninsula, which is dotted with caravan sites. They are an important aspect of the tourism industry in my constituency, where most holiday accommodation is caravan-based. Unlike other parts of Northern Ireland, we do not have a plethora of hotels, but we have a lot of caravans, and they are an important aspect of the tourism economy in Strangford. It is not just the employment that the sites provide, which is relatively small; it is the employment that the industry supports in the wider community. In towns and villages along the Ards Peninsula, particularly in the summer months when sites are well occupied, small shops and businesses get a huge boost in trade because of the people who visit caravans and stay in them on a semi-permanent basis. As a constituency representative of an area with such a high concentration of caravans, I want to see that strong caravan sector maintained, and I will oppose anything that undermines it. I am against anything that harms that important part of our tourist economy.

In the Strangford constituency, we, too, have experienced the park homes phenomenon, and anything that tightens up or closes loopholes so that, as Mrs Bradley said, people cannot be abused is very important. I am glad that holiday caravans will not be subject to many of the restrictions that there will be for park homes, although that will be tested during Committee Stage.

The Committee expects numerous responses from stakeholders during Committee Stage, and it will welcome further engagement with the Department and the Bill's sponsor. I support the Second Stage of the Caravans Bill.

1.15 pm

The Chairperson of the Committee for the Environment (Mr Boylan): Go raibh maith agat, a LeasCheann Comhairle. Mar Chathaoirleach an Choiste Comhshaoil, cuirim fáilte roimh an díospóireacht ar Bhille na gCarbhán.

I welcome the introduction of the Caravans Bill. I commend the Member for introducing the Bill and wish him well. After that line of questioning today, he deserves a caravan holiday to boot.

The Bill will introduce statutory protections similar to those that exist in England, Scotland and Wales for those who occupy a caravan as their main residence on sites that have been approved for that purpose. The Bill will also create a level of protection for caravan owners on seasonal sites by introducing a requirement for written agreements to be in place between site owners and caravan owners.

According to the National Caravan Council, in excess of one million people in the UK regularly take caravan holidays. Many people say that it is a leisure and lifestyle choice. Research has shown that the overriding reason why people love caravanning is that it represents freedom. In 2002, caravanning represented 19% of all holiday nights. Therefore, it is a substantial industry that, no doubt, will blossom further in the tough economic environment in which we find ourselves today. The Bill will ensure that people in the North will receive similar protection to those in other jurisdictions, and that is welcome.

Thankfully, with all the legislation that the Environment Committee is dealing with at the minute, it has only a minor role in the Bill. Clause 13 covers the meaning of the word "caravan" and seeks to update the definition in line with that which applies in England and Wales. The current legal definition of a caravan is contained in the Caravans Act (NI) 1963 under the section that deals with district council caravan site licences. The DOE has administrative responsibility for that Act. To qualify for a caravan site licence, the applicant must have planning permission to use the land as a caravan site.

There are also planning implications for structures that are regarded as caravans for the purposes of planning control, as the stationing of caravans on land is considered as development that requires planning permission. We have been advised that the Department of the Environment supports clause 13, which also provides the Department with the ability to adjust the maximum dimensions of caravans in the future should it decide to align those dimensions with future revised standards for caravan manufacture.

Similar powers exist in the Department for Communities and Local Government in England, and there is seen to be advantage in having control over maximum dimensions for caravans when it comes to planning control. That power will be introduced by subordinate legislation, subject to consultation with the people whom the Department determines to be stakeholders, and it is proposed that that power should be subject to negative resolution through the Assembly. The Environment Committee will be happy to look closely at that clause and the delegated power in particular on behalf of the Social Development Committee and report back to that Committee with its views.

The Committee also looks forward to receiving a briefing from Mr McCallister at its meeting on 1 July 2010. No doubt, he will receive as many questions as he did today. On behalf of the Committee, I support the principles of the Bill.

The Chairperson of the Committee for Enterprise, Trade and Investment (Mr A Maginness):

I welcome the Caravans Bill. I also take the opportunity to welcome the new Minister for Social Development, Mr Attwood. I know that he will do a great job and that he will distinguish himself as well as the previous occupant of that office, Margaret Ritchie. I wish him well.

The Committee for Enterprise, Trade and Investment is generally supportive of the Bill. It is appropriate to congratulate Mr McCallister on bringing the Bill to the House. A great deal of work has obviously gone into preparing the Bill, with a great deal of consultation taking place with many different bodies and Members. Mr McCallister has also, importantly, won the support of the Administration.

Clearly, there is an absence of regulation for caravans, a lack of legal protection for the occupants of those caravans and, in a sense, an absence of certainty in the law, which could, equally, protect caravan site owners. Therefore, it is important for us, as a legislature, to consider the situation carefully and to draw up sensible provisions to give statutory protection to the occupiers of caravans on residential and seasonal sites. This private Member's Bill is an important and significant piece of work, and I congratulate the Member on introducing it.

The Bill applies mostly to occupiers of residential caravans and is, therefore, mainly a matter for the Committee for Social Development. However, clauses 7 and 8 apply

to occupiers of seasonal sites, and, for that reason, it is anticipated that agreement will be reached with the Committee for Social Development to allow the Committee for Enterprise, Trade and Investment to consider those two clauses during the Committee Stage. I welcome my Committee's participation in this important Bill, which will introduce a level of protection for occupiers of residential caravans that is similar to that in Britain. It will also give much greater protection than exists in Britain to caravan owners on seasonal sites. That is important to note.

The discussion has been interesting so far. Although we have strayed into the Bill's greater detail, Second Stage debates are supposed to consider merely the general principles of the Bill. The robust, skilful and informative manner in which Mr McCallister has dealt with the points that have been raised means that there will be fruitful debate and dialogue on the Bill.

I again commend Mr McCallister for introducing the Bill, and I wish him well as it progresses through the Assembly. There may be details on which the Committee for Enterprise, Trade and Investment may take a different or more critical view, but there is general support for the Bill among Committee members, and I welcome it.

Mr McCarthy: Like other Members, I support the Second Stage of the Caravans Bill. I congratulate John McCallister on bringing it to the Assembly and withstanding the barrage of questions that he received earlier. It all makes for a very interesting debate.

All Members agree that improvements are necessary to ensure that caravan and caravan site owners get a fair deal. It would appear that, in the recent past, some felt that they were not getting a fair crack of the whip, and that has led to many disappointments and disagreements. The Caravans Bill is designed to legislate for Northern Ireland so that safeguards are in place for everyone in the caravan industry.

I am delighted to represent the constituency of Strangford where there are magnificent caravan sites. Those sites are in locations that stretch from Portaferry on the tip of the Ards Peninsula to Cloghy, Portavogie, Ballyhalbert, Ballywalter and Millisle on the eastern Irish Sea coast and into our neighbouring North Down constituency to Donaghadee and Groomsport. With so many idyllic caravan site locations in my constituency

and nearby, I want nothing but the best for everyone engaged in the industry.

The Bill will specify the definition of a caravan and will, as I understand it, bring Northern Ireland into line with best practice across the water. The aim is to provide protection for owners of caravans, mobile homes or park homes who rent their pitch from a site owner by making it an offence to harass or to interfere with the peace and/or comfort of the occupiers. It also places a statutory duty on the Department for Social Development. I am delighted to see in our presence our new Minister, Mr Attwood. I congratulate him on his appointment, and I am sure that he is anxious to get his teeth into the Caravans Bill as his introduction to the role. I am sure that he will fill the office well.

The Department for Social Development will require that the owner of a caravan, mobile home or park home site gives a written agreement — John made much of that written agreement — to all existing residents who own their caravan, mobile home or park home and rent their pitch from the site owner by a specific date. In the case of proposed occupiers, a written agreement will be required before an agreement on letting stance is made. It will be a requirement to ensure that the terms of such written agreements are approved by the Department. The Bill aims to empower the Minister to make all necessary regulations and to enable the enforcement of responsibilities for caravan, mobile home and park home residents and site owners.

Much more could be said, will be said and has already been said on the subject. I conclude by saying that my party supports the Bill and wishes it well through the House. The end result must be that caravan owners enjoy their caravan and site owners provide them with a first-class service. I support the motion.

Mr Easton: I welcome the Bill, which offers caravan owners not only protection but clarity. I have a couple of concerns, which I will mention at the end of my speech.

Caravanning is popular in Northern Ireland, especially at a time of recession. The Bill will provide a protection similar to that afforded to those who live in rented accommodation. It will also clarify a number of issues, which is beneficial to caravan owners and the many caravan enthusiasts throughout Northern Ireland.

I welcome Part 1, which gives owners and occupiers of caravans the necessary protection in stationing a caravan on a protected site to use it as a main residence for periods exceeding three months. Caravan owners will be provided with a written agreement from the owner of the land that includes details of where they are entitled to station their caravan and the terms and conditions of using the site.

I welcome the details listed under clause 10, which gives owners or occupiers protections similar to those for people who face eviction from their normal home. It upholds the law by requiring owners of protected sites to follow the process of the law through the courts. The Bill outlines a number of acts that are deemed illegal, including the removal of a caravan from a site without lawful reason and refusing the use of caravan site facilities to any of the occupants of a caravan. I welcome that clarity. Clause 5 deals with what happens to a caravan should an owner or occupier die, and that clarity also has to be welcomed.

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

The Bill provides protection for owners of protected sites and sets out what actions they can take for non-payment of rent but, overall, upholds the law.

Once again, that is similar to the laws under which landlords of houses operate.

1.30 pm

I welcome particularly the definition of a caravan, which is set out in Part 4, clause 13. Clause 13(1) states:

"In this Act "caravan" means any structure designed or adapted for human habitation which is capable of being moved from one place to another (whether by being towed, or by being transported on a motor vehicle or trailer) and any motor vehicle so designed or adapted".

I welcome the Bill in principle, but I have some concerns. I mentioned already my concern that caravan owners will be forced to upgrade their caravans even if they are in immaculate condition. Perhaps the Committee will delve further into that issue. I also have concerns about the proposal to allow caravan owners to sell their caravans to people other than site owners. Although I welcome that, I have discovered that some site owners refuse to allow anyone on to their sites to take caravans

away. That, in effect, forces caravan owners to sell their caravans to site owners, so that issue must also be considered.

Overall, I welcome the Bill. It is a good start, but some tweaking may be needed, which we will undertake during Committee Stage.

Mr W Clarke: Go raibh maith agat, a LeasCheann Comhairle. First, I congratulate Alex Attwood on his appointment as Minister for Social Development. I hope that he will enjoy the job.

I welcome the Bill and what it endeavours to do. I thank John McCallister for persevering with the Bill. As he said, it has been a long process. One Saturday afternoon in 2007, John and I went to a public meeting at a church hall in Newcastle that was attended by angry caravan owners. We expected a quiet meeting, but TV cameras and Stephen Nolan were there.

Things have moved on since then, and a lot of the issues have been outlined by Members from the other side of the House during the debate. John McCallister talked about getting the balance right between caravan owners and caravan park owners. I will not rehearse the arguments concerning static homes. It seems that arbitration is needed on the price of a caravan that has been sold. There is a need for park owners to maintain the quality of their sites, to ensure that certain celebrities do not get on to the sites, and that they have a say in who obtains a caravan. That has to be monitored closely, and, as has been outlined, drug dealers, people who run brothels and sex offenders might seek to exploit weaknesses and to look for loopholes in the legislation. I do not think that this is just rhetoric. The Committee will have a greater opportunity to consider the issues in detail during Committee Stage and will be able to hold evidence sessions.

The majority of caravan owners are good businesspeople, and they have a great relationship with their clients. It must be understood that, in the majority of cases, it works extremely well. The biggest issue relates to the contracts and written agreements that are mentioned in the Bill. If people know what they are getting into, everything is clear and above board.

Mary Bradley discussed depreciation in the value of caravans and that people felt that they were being ripped off. I do not know whether some form of independent valuation of caravans takes place when they are being sold, but it

might help in some way if an independent valuation was printed and made available at caravan sites, so that it can be seen by anyone who comes to buy a caravan. The amount for which a caravan was sold should also be clearly displayed, so that people can see the margins that are at play. It is a matter of balance. A huge number of caravan site owners operate in South Down, and they have said that if they do not get a better margin with regard to the sale of caravans, they will have to increase their site fees. We have to take people at face value in that regard.

I remember other issues that were raised at the public meeting. People felt that they did not have a right to complain, that their voices were not being heard and that they were being bullied. The ethos of the Bill is about trying to enshrine the rights of both the caravan owner and the caravan park owner. There was talk even that people who were raising genuine concerns about utilities, for instance, and the quality and pressure of the water were being called troublemakers. Some people were not able to get a shower, and people with young children were also being affected. Those are some of the genuine issues.

Caravan park owners ended up telling caravan owners that they knew what they could do if they did not like the arrangements. A caravan owner was told to take himself off, and the park owner told him that he would tow his caravan to the bottom of the park and leave it there, giving him one week to take it somewhere else. For that privilege, the caravan owner was charged £500, and then he had to hire a haulage contractor. There were a number of concerns, and things got out of control.

Billy Leonard made a point about public authorities having a role above and beyond their current one, which relates more to environmental health and fire and public safety. There is an argument for a greater role, and it should be explored at the next stage.

During the Committee for Social Development's evidence session with John McCallister, there was discussion about the Travelling community, and questions were raised about whether that community would have greater protection with regard to contracts with the Housing Executive. Perhaps it would be more appropriate for the Social Development Minister to talk about that. Will there be a similar agreement and a bit more

recognition of both sides of the argument in that regard?

The servicing of caravans is another issue, and I do not want to get into it too much. However, will the servicing arrangements in relation to utilities such as water and electricity and the likes of patios, decking and storage provision be bought through owners, or will it be possible to purchase them from qualified people off site from whom they may be cheaper? I would like some clarification on that.

I agree with John McCallister that we need to strike a balance, and we will have a greater opportunity to do that.

People buy caravans to use for holidays or for retirement; that is their choice, and that is what they do. They want to have peace of mind, because they are putting vast amounts of money into their purchase. Some of the people who choose to buy a caravan are recuperating from illness; some are trying to get away from it all; and some are looking to retire. Life savings are put into the purchase, so if the Bill is endeavouring to provide peace of mind, it has to be welcomed by everyone in the House.

Perhaps Mr McCallister will expand on the procedures that will be followed in cases of antisocial behaviour. Will PSNI evidence be required? Will there be written agreements or contracts? Will it be a matter for councils' environmental health services?

I do not want to hold up the debate any longer. I could go into a lot more detail, but I have covered the broad principles of the Bill. I am happy for the Bill to proceed to the next stage, and I look forward to making further contributions. I thank John for bringing forward the Bill. Go raibh maith agat, a LeasCheann Comhairle.

Mr Wells: This debate has shown that when the vice-like grip of a five-minute ceiling is removed from debates, this becomes a true debating Chamber, where those, such as Mary Bradley, who have been shrinking violets, suddenly become great orators, because they know that they have a chance to expand on their arguments and will not find you, Mr Deputy Speaker, constantly badgering them and telling them that they have to stop. Maybe we have learnt a lesson here today that we need to lift the ceiling more often in debates so that we can tease out arguments.

I congratulate Mr McCallister, and I hope that he will not quote that back at me in next week's 'Mourne Observer'. He stood there for a good hour and defended his Bill with great rigour and strength of argument. We may not agree entirely with what he said, and no doubt we will pick holes in his arguments in Committee, but it was a lesson in how the Assembly should perform. People will turn on their televisions and not be bored out of their minds, as they are when some Members rattle through five-minute speeches at 100 mph and then hand them straight to 'The Coleraine Chronicle', 'The Newtownards Chronicle' or the 'Mourne Observer'. Those Members might as well write out their speeches and hand them to the newspaper editors. What are we doing here if all we do is stand up and read out speeches?

Today's debate has been quite refreshing, and I know that the incoming Minister, Mr Attwood, is enjoying it. We have spent most of the past two hours sharpening our teeth and our knives ready for his first appearance as Minister at the Dispatch Box. He will discover why his predecessor, Ms Ritchie, resigned at 9.00 am this morning rather than at 4.00 pm this afternoon, because she has left him right in it, as it were, to defend the Bill. Therefore, it is a baptism of fire for him.

I went to Queen's University with Mr Attwood. I remember him as a rookie fresher in 1977, and I know that he is more than able to answer any points that are made. Who would have thought that that young lad from west Belfast, who came to Queen's University in his short trousers all those years ago, would rise to the exceptionally powerful position of Minister for Social Development? What a massive rise. A plaque will probably be erected on the Falls Road to say that Alex Attwood lived there 40 years ago.

Mr Deputy Speaker: Will the Member return to the subject?

Mr Wells: I knew that the vice-like grip would once again return. I think that I have been got for deviation rather than for repetition.

To return to the issue of the private Member's Bill, we gave Mr McCallister a difficult grilling earlier, but I welcome the Bill, and I wish the Member for South Down every success because he has dealt with an issue that has caused a lot of concern. Some 13,000 people in Northern Ireland have some form of caravan, whether it is a static caravan in a holiday park

or a permanent dwelling, but not everywhere is affected by the issue. It is very much an East Londonderry, North Antrim, South Down and Strangford issue, where the vast bulk of the caravan sites are located, and it is an extremely difficult issue for people who own or rent those caravans.

I will give a few examples of some of the abuses that I have encountered. It is no exaggeration to say that people sign away all human rights the moment that they go through the gates of some caravan sites, while other sites are extremely well run, have a family atmosphere and do not seem to need any of those draconian powers. Mr Leonard quoted an example that I concur with. I know the site that the Member referred to because my mother has a pitch on it, and I spent many happy days there. It is run by Coleraine Borough Council, although I noticed that Mr Leonard did not declare an interest, and it is run effectively. Everyone is happy there; there is a wonderful family atmosphere and it is very well maintained, yet it does not seem to want to call upon the rules that private site owners in other parts of Northern Ireland feel that they need in order to maintain the same atmosphere.

My first introduction to the misuse of rules on caravan sites was when I met a lady in Dundrum. She purchased her caravan two years earlier for £18,000. However, sadly, she was diagnosed with a serious form of cancer. As a result of those changes in circumstances, she had to sell her caravan back to the owner of the site. She was offered £11,000, so it had depreciated £7,000 in two years. It was a palace; it was immaculate. However, she had no option other than to sell the caravan back to the site owner. She did so reluctantly. She called by chance to the caravan site a few weeks later and, to her horror, found the same van for sale at £17,500. If that is not abuse of a monopoly position, what is?

1.45 pm

I visited another caravan site in South Down where a lady, who had kept her caravan immaculate for nine years, received a letter from the site owner that told her that she must change her caravan by the end of next year; that the only person whom she could buy her new caravan from was the site owner; that the site owner would decide how much she would pay; and that the site owner would buy her old caravan off her at a price that he

deemed appropriate. She would have to pay a king's ransom for a new caravan. There was no indication of the caravan's condition in that judgement.

I listened to Mr McCallister's comments. I notice that he has been silent during my contribution. He has obviously been pinned to the wall by the force of my argument. He made the point that a site's character must not be destroyed by a row of dilapidated caravans that are 30 or 40 years old and in poor condition. I agree with him. I think that everyone agrees. However, the 10-year rule is entirely harsh because it takes no account of a caravan's condition. That really perplexes me.

Mr McCallister: Now, we are really paying the price for lifting the five-minute ceiling on speeches. The Member referred to remarks that I made. My point is that the Bill improves the situation for caravan owners because they will have those terms in black and white and will, therefore, know what they sign up for.

Does the Member accept that the caravan industry relies on caravan sales and not on pitch fees alone? If the right to trade caravans were removed, pitch fees would rise exponentially. I support the idea that we look at what mechanisms can be used to minimise the type of abuse that the Member highlighted.

Mr Wells: That is the same as the owners of a Ford dealership in Kilkeel saying that if they are not allowed to increase their servicing fees, they must increase the price of their cars, or vice versa, in a situation in which there is no competition. The difficulty is that those people are trapped in caravan sites. There is no fair, level playing field or open market. I do not like that idea, particularly when councils can run their sites without invoking such strict controls. I am unhappy when people, who are effectively in a monopoly position, argue that if they must reduce a certain income, they must increase other charges. They could, in fact, reduce their profits.

I mentioned the elderly couple who had to buy a new caravan from a site owner. They got a derisory fee — around £3,000 — for their old van. It was moved off the site. However, the couple were not that slow. They googled and checked the local press. They found the van on resale for three times the price that they were paid for it. That happens time after time. No one can tell me that that is a reasonable return or that that should be tolerated.

I have discovered that more insidious activities go on. For example, at one site in my constituency, caravan owners are charged £400 each to insure their caravans. I can accept why insurance is compulsory. However, I find it extremely difficult to accept that the same caravans can be insured with the Caravan Club for £130 each. Indeed, if the site owner had gone to the Caravan Club and bought a group policy, he could probably have got it for around £90 per van. Yet, he charges each van owner £400 per annum. Where does the profit go? Obviously, it goes to the site owner.

Mr McCallister: One difficulty that we encountered when we looked at insurance is that the level of cover can vary. As you probably know from your experiences, Mr Deputy Speaker, insurance companies are keen to get out of paying. Sometimes, cheaper insurance covers a caravan only for a limited time. Caravans must be insured for the entire year in case something happens during the winter months. For example, a roof could be blown off and could damage other caravans. I agree that caravan owners should be able to shop around. It is perfectly reasonable for site owners to want to see copies of people's insurance certificates. I strongly support caravan owners' right to shop around and to get the best insurance deal. I have no issue with that whatsoever.

Mr Wells: I am relieved to hear that. However, the couple who I dealt with, after receiving a bill for £400, asked elsewhere for identical cover to that which was provided by the site owner and were quoted a figure that was £270 less per annum. It does not take a genius to work out how lucrative it can be if there are more than 100 caravans on a site and the owner is making at least £300 on each of them on insurance alone.

I have come across a further play —

Mr McCallister: Will the Member accept that that is one of the great strengths of a written agreement? If a written agreement stated that one must buy insurance from a site owner, it would be deemed unfair.

Mr Wells: Yes. However, that is the Rubicon between the honourable Member and me. If I were presented with a contract at the door of a caravan site, I could read it to ascertain whether it was fair and whether I was happy with it; if not, I could walk away. The problem is that the vast majority of those who will get contracts are the 13,000 people and their families who might

have been on a site for decades. There is a huge inertia, because they do not want to move off a site.

I do not know how long my family has been on the Coleraine Borough Council site, but it must be at least 30 or 40 years. It would have to be a horrendously onerous contract to force my family to leave that site. Established occupants are, therefore, not in as strong a bargaining position as new customers. The only consolation that many of those people may have is that although it may be horrendously onerous, at least they have a contract. That is no reassurance. The contract could say that they must move every 10 years, that they must insure through the site owner, and sell the caravan back and buy a new one from the site owner. The only consolation that the poor caravan owner will have is that at least they have it on a piece of paper that they are being fleeced. However, that offers no consolation. I am trying to tease out from the honourable Member how his Bill will solve that problem.

Mr McCallister: By putting it in black in white. If the terms of a contract are deemed unfair, they are not enforceable by a site owner and will not stand up in any court judgement or with the Trading Standards Service. A site owner does not have the power to write a wish list into a contract and to say that a person must sign it or get out. The terms of a contract have to be deemed fair and reasonable. I hope that that provides Mr Wells with the reassurance that he needs that a contract is a good thing, as people will not have to rely on a conversation that might have been held 10 or 15 years ago; they will have it in black and white. Site owners cannot put unfair clauses in contracts; if they do, the contracts will be unenforceable.

Mr Wells: The honourable Member can frame this: for the first and only time, he will find me agreeing with Mr Willie Clarke in the Assembly. Mr Clarke gave an example — I know the one that he means, because I was involved in the case — where a gentlemen was making what, in my opinion, were very reasonable representations about the state of the swimming pool at a site. Because he gathered together a group of residents of the caravan park, which will remain nameless, and met both Mr Clarke and Mr McCallister at a public meeting — perhaps that is where he went wrong — he arrived a few days later to find his caravan across the road in a field,

with a sign on it stating that he must take his caravan away and that he was a troublemaker.

The difficulty with Mr McCallister's suggestion is that those contracts will be produced and there will be what most people regard as unreasonable terms. What is to stop a caravan site owner telling people that they must sign the contract or get off the site? If there is no contract, nothing can be enforceable.

Mr Leonard: Does the Member share my concerns about the references in the Bill to the detail of possible contracts? That would have to be tied down, and a great deal of guidance would have to be given about the nature of contracts. Does he further agree with me that there may need to be an arbiter to consider contracts' fairness? If it is left open to the market, different views will be taken by different site owners.

Mr Wells: Absolutely, and that is the beauty of Committee Stage. Unfortunately, the Chairperson of the Committee is no longer here, but I understand that the Committee for Social Development has drawn the short straw and will be scrutinising the Bill.

Somewhere along the line, the Department may recommend a definition for a reasonable contract. That will be the yardstick against which everything is measured. At the moment, I have a difficulty with the fact that of the 13,000 people who will get a contract, some will regard it as reasonable and some will think that it is absolutely diabolical. Unfortunately, those who do not want to move will be stuck. If they refuse to sign a contract, they will simply be shown the door. What is the solution in that case?

Mr McCallister: We are debating the broad principles of the Bill, so I do not want to get too bogged down. The contract provides a solution in that site owners cannot simply impose terms. As we have heard, site owners run businesses. Therefore, they will not want to disenfranchise 10,000 of their customers in one year. Measures must be brought in by degree. The Trading Standards Service also has the power to review contracts, so caravan owners will not even have to seek expensive legal advice to deal with that.

The Member referred to a case in our South Down constituency. The person whose caravan was removed would have had the power to take court action had a contract been in place. In fact, I think that that person could take

court action at this stage, even before the Bill proceeds any further, because what happened may be deemed unfair under consumer regulations. That individual should, therefore, pursue a case. A written contract will put caravan owners in a much stronger position to take legal action.

Mr Wells: I accept the Member's point that a written contract is a good thing, because at least people will know that they are being fleeced. It is good to know that that will be written into a contract. A contract will provide no reassurance to the little old lady who is just about to be evicted from her caravan site.

I still feel that the Department should give broad guidance about what constitutes reasonableness with respect to the content of a contract. We must ask ourselves why many people are holidaying in caravans. No doubt, the honourable Member for South Down and his young wife jet off to Lanzarote or Florida for their holidays and can afford to have a holiday abroad. However, caravanning is the only form of holiday that lots of families in Northern Ireland and South Down can afford. Those folk often tend to have quite low incomes and are not in a position to acquire the knowledge or resources to take a case to court. Those difficulties and burdens will always have to be overcome.

Earlier, I quoted the case of a lady who was given a ridiculous price for her caravan. It was only by chance that I met her during election time and was able to refer her to the Office of Fair Trading. She was able to get some redress through the office, and that was very good. However, I do not think that it is particularly good to put people in a position whereby the only way out of their predicament is through court action, because 90% of citizens will run a mile if they are forced to do that. Perhaps the Committee — again, this is the beauty of Committee Stage — should look at getting some guidance from the Department about the 10-year rule, which is not reasonable. The reasonableness test should be based on the state of the caravan, not its age. Charging three times the market rate for insurance is also not reasonable.

Another issue concerns a practice at some sites in South Down. Until recently, if a caravan had a leaky roof or needed rewiring, the owner rang a local spark or plumber and said, "Fred, come down and fix my caravan." Now, owners cannot do that. Instead, they have to go, cap in hand,

to the site owner to be told which contractor they must use. The contractor will then charge for the work, and the caravan owner will pay the site owner for it. The problem is that that way of doing things will always involve a site owner placing a significant mark-up on the cost. Everything seems to be arranged against poor caravan owners, who are often not the sorts of people who are articulate enough to voice their concerns, and they, therefore, feel intimidated.

Let us not throw the baby out with the bathwater. We have given Mr McCallister a difficult time, but he is more than capable of taking it. He voluntarily decided to introduce the private Member's Bill. His Bill will be all the better for having been tested in the fires of the Floor of the Chamber and in the Social Development Committee. Let us send it off with our blessing to the Committee, which can tease out the crucial issues.

2.00 pm

All our difficulties with the Bill concentrate on the uneven relationship between a site owner and a caravan owner.

I am slightly worried about the main thrust of Mr McCallister's argument, which is that site owners must be given incredible, Genghis Khan-type powers of control over their empires in order to stop the mythical undesirable family from moving on to a site. There must be some mechanism achievable whereby the type of people — be it a family or an elderly couple — coming on to a site can be controlled while still affording other caravan owners decent treatment. I ask the Committee to consider that difficult issue to see whether it can be dealt with in some way. As it stands, the Bill gives far too many powers to site owners in order to prevent what is an occasional situation from arising.

To be fair to Mr McCallister, I accept that that situation does arise. I know of two such examples in my constituency, one of which involved a gentleman who had been accused of child sex abuse, and who was subsequently convicted, moving on to a caravan site in South Down. Under the existing powers, the owner was able to move him off the site immediately at the behest of 99% of site owners. The other example involved a caravan site on which a group of young gentlemen were trading in substances that are not yet legal and, hopefully, never will be. Again, the owner had the power to remove them. It is important in those circumstances to have those

powers. However, I do not believe that that justifies the huge control that the legislation will give to site owners.

Apart from that, there is a great deal of merit in the Bill. Private Member's Bills at Westminster do not have a tremendous success rate, and I do not know of too many that have been successful here. However, I wish the Member well and I will be very interested to see what the Committee comes back with on this important matter.

Mr Kinahan: It may surprise some Members, but I, too, am very pleased to speak to the Second Stage of the Caravans Bill. There is a caravan site on the lough shore in South Antrim that is well worth considering for a visit or a holiday.

This matter is extremely important to very many people, especially those for whom a caravan is the only way of being able to enjoy the freedom of living in their own home. In many cases, we are talking about a person's only home. We are also talking about people's ability to enjoy a holiday without any stresses and strains, which is how one wants it when having a break.

I congratulate my colleague, his team and the Department for their hard work. We have seen, through today's barrage of questions and queries, that John knows his facts and details. Yes, many issues need to be sorted out at Committee Stage, but we know that the Bill has been looked at thoroughly.

The Bill is essential, because there are issues with caravan sites that desperately need to be resolved. I am pleased to see this type of matter being dealt with in the House, which shows the very best of our legislative system. However, there have been moments today when the five-minute rule might have been worth applying. During a legislative stage of another Bill, I listened to a certain Member speak for three and a half hours, only half an hour of which was worth listening to, the rest being point scoring and petty innuendo. I agree that we should be more lenient in allowing Members time to speak, but mainly when there is no political point scoring to be done.

The Bill provides, for the first time, a statutory requirement for a written agreement between site owners and caravan owners. It lays down certain provisions that must be included in that agreement and protects the rights of both sides, as is its intention. It improves transparency so that both sides know what is in the document

and what they are signing up to. As was raised in a key question at the beginning of the debate, the Bill would apply to contracts that are already in place as well as to those that are signed in future. Some unscrupulous site owners had more influence than caravan owners, and the Bill redresses that imbalance. I say again that the Bill is designed to protect both sides.

The Bill also provides for clear succession rights, both within the family and to others who may be nominated. That is a vital provision, because, as Members know, some caravans are extremely expensive. That was hinted at earlier, with references to people paying £40,000, £50,000 and £60,000, which are huge sums, for caravans. In the tragic event of an owner's death, it is essential for such succession rights to be clear.

Caravan owners must be free from harassment by site owners, and, equally, site owners must be confident that pitches will be maintained to a certain standard by suitable owners. The Bill makes it an offence for a site owner to withhold any service or to carry out any act that would interfere with the enjoyment of a caravan for the purpose of intimidating an owner to the extent that he or she leaves the site.

I will not go into the Bill's many other important clauses today. I look forward to examining the Bill at the Environment Committee, although our role will be small. We will examine the definitions of a caravan and consider the Bill's implications for the work of councils. I am concerned about instances in which a council owns a site and its caravans. The Committee will have to examine that issue. Today has shown that there will be some debate on what is reasonable or unreasonable as far as the law and the Departments are concerned. Therefore, we need more guidance on that.

Again, I congratulate my colleague John McCallister and the Committee for Social Development on their work. I particularly commend them on their thorough consultation, which demonstrates to all Members that consultation means meeting people, listening to them, taking their points on board and, if necessary, changing legislation. I support the Bill and look forward to Committee Stage and thereafter.

Mrs M Bradley: I commend John McCallister for placing the issue into a modern legislative framework, which should offer protection to

caravan owners and establish their rights as contributors to the life of holiday parks and the economy. Reasonable site owners will work with their residents to create a better environment and to install better facilities for everyone.

Today's debate has been extremely intense. John was subject to a heavy grilling and defended his Bill well. The Bill, when it incorporates the changes that I hope will be made after today's discussion, will increase the number of people who invest in holiday homes. Over the past few years, the abuse of an unregulated system led many people to give up their holiday homes. The most recent legislative changes happened in 1963, which was some 47 years ago. In light of that, changes must be made to the system, but they must benefit the owners and users of the sites. All I ask for is a Bill that protects people's rights on both sides, so that everyone can enjoy caravan sites. Northern Ireland has some lovely sites, and it is a shame that certain situations mean that people cannot rest easy on some of them.

I look forward to the next stage of the Bill. I hope that the Bill is successful and that everyone supports it.

Mr Deputy Speaker: I call the Minister for Social Development, Mr Alex Attwood.

Mr Wells: Time.

The Minister for Social Development

(Mr Attwood): That was the first "time" of many, I am sure.

Jim Wells accurately referred to John McCallister's taking of interventions during the debate as "extraordinarily generous". The way in which the Member for South Down handled himself was not only extraordinarily generous, but enormously competent. He gave a fine parliamentary performance.

Mr Boylan suggested that, after today's debate, Mr McCallister may want to go on a caravan holiday. Once Mr McCallister has taken the Bill through all its stages, I suggest that we perhaps have a collection to offer him more than just a caravan holiday, welcome though that would be. Indeed, we may see that in subsequent times.

I also thank everyone who contributed to the debate. Mr Wells reflected on the fact that the debate was one of quality and robust exchange. Indeed, there has been good consideration of some of the many material issues that arise

from the Bill. It reflected well on the Assembly that the quality of the debate measured up to the importance of the issue that is under discussion.

I thank Mr McCallister for his opening remarks and for bringing forward this important piece of legislation. I am delighted and pleased that the Department was, as Mr Hamilton said, able to assist in redrafting the Bill. I commend Margaret Ritchie for her work in helping the Bill to reach this stage, and I look forward to playing an equivalent role in moving forward.

I ask whether I could take a little time to acknowledge the contribution of the former Minister for Social Development not only to this Bill but to politics in the North over the past three years. I also acknowledge her role as the Minister for Social Development. She has demonstrated, perhaps more than any other Minister, what it means to go into government and into power and what it means to try to address the needs of those who are in need, be they caravan owners or people who are in poverty or disadvantage. The fearlessness that she demonstrated throughout her three years as Minister and her tireless service, as well as her commitment and conviction to politics addressing the needs of the powerless, will stand the test of time. I hope that, in some small way, I can measure up to the legacy that she has left.

I also thank other Ministers and their officials for their support in bringing the Bill to its Second Stage. I thank in particular the First Minister and deputy First Minister for providing access to the expertise of the Office of the Legislative Counsel. I also thank Ministers Foster and Poots for their contributions to Parts 2 and 4 respectively of the Bill. Just as I think that the debate reflected well on the Assembly, the way in which the Bill came before the Assembly, with the assistance of three other Departments and four other Ministers, demonstrates a coherent, cohesive and productive way of managing business on behalf of the people of Northern Ireland. The Bill is a good expression of democratic practice and good government on behalf of the people of Northern Ireland.

As we heard from all the contributions, the Caravans Bill is a much needed piece of legislation that is designed to protect the rights of

caravan owners and residents. I intend to touch on some of the issues that Members raised.

The Bill will provide residential caravan owners and occupants with the same rights as their counterparts elsewhere in Britain. Although there are only a small number of residential caravans in Northern Ireland — an area that is subject to Part 1 of the Bill — there are signs that that number is growing.

I trust that the Bill will do much to generate a new confidence in the park homes sector that will benefit caravan owners and park owners alike. I also trust that it will create new discipline among those caravan site owners who have committed error in the past or who have been on the wrong side of best practice. The Bill will also provide holiday caravan owners with a level of protection beyond that which holiday caravan owners elsewhere in the United Kingdom enjoy. The measures represent a balanced approach, giving a degree of peace of mind to the estimated 14,000 holiday caravan owners in Northern Ireland, without imposing any undue burdens on good caravan park operators.

The main interest of my Department in the Bill is in Parts 1 and 3, which relate to residential caravans. Such caravans are commonly referred to as mobile homes, or park homes.

2.15 pm

Part 1 of the Bill provides a detailed statutory framework for protecting the rights of residential caravan owners who live on approved sites. That framework centres on a requirement for written agreements to be in place between site owners and caravan owners, for a series of detailed terms to be applied in any agreements and for courts to have the authority to hear a range of matters relating to residential agreements.

As mentioned earlier, Part 1 is based on the Mobile Homes Act 1983, as amended, and it reflects recent changes in the law in England, following reviews of its park homes industry. It is good legislation; it has been proven to work, and I trust that when the Bill passes through all its stages, it will be proven to work here as well.

Part 3 of the Bill offers protection from harassment and unlawful eviction to those who own or rent a residential caravan on an approved site. Part 3 is based on the Caravan Sites Act 1968, as amended, and it protects the rights of residential caravan occupiers to peacefully enjoy

their homes. All Members will agree that advances in that regard are to be welcomed.

The holiday caravan sector is dealt with in Part 2 of the Bill. There is already a considerable body of existing consumer protection law that applies to that sector. Unfortunately, many holiday caravan owners do not have written agreements with site owners, and that has made it difficult to ensure effective enforcement of the existing law. The requirement in Part 2 of the Bill for written agreements to be in place will address that gap. It represents an important step forward that will put Northern Ireland ahead of Britain on the issue.

Part 4 of the Bill updates the definition of a caravan in line with the definition used in England and Wales. That change is an important building block, which will provide clarity and help to ensure the effective application of the Bill.

I wish to make some comments on the individual contributions of Members, which produced a wide-ranging narrative about the Bill and issues that it may yet seek to address following its Committee and Consideration Stages. I congratulate Ian Paisley Jnr on being elected to Westminster in the recent election. He made a number of interventions, which, curiously, captured attentions in and around the Bill. He rightly pointed out that Part 1 may extend to only the smaller sector of caravan owners in the North. At the same time, however, he recognised that it was not desirable to have what he referred to as the “willy-nilly selling of caravans” without licence or control, giving rise to further problems in caravan sites. He captured the tension between trying to create the maximum degree of protections for all caravan owners and the need to ensure that there is not a free-for-all, as was referred to by other Members.

That theme was taken up by Jim Wells, Alban Maginness, Fra McCann and Alex Easton, who touched on the issue of the right to sell a caravan and the control of a pitch vested in a caravan site owner. Like Mary Bradley, Willie Clarke and Jim Wells, Mr Easton referred to a number of cases — which, in my view, are not simply hard cases — in which a caravan site owner has engaged in what can only be deemed as exploitative behaviour towards caravan owners, and, particularly, as Jim Wells pointed out in one case, vulnerable caravan owners. Mary Bradley and Willie Clarke captured the

essence of that issue by referring to people being ripped off and charged exorbitant fees for moving a caravan a few yards and to others being refused access to sites for the purpose of removing their caravan.

Basil McCrea rightly pointed out that all those matters can be subject to amendments in the Bill when it goes through its Committee and Consideration Stages. I am not in a position to commit the Department for Social Development to any further amendments to the Bill. However, I will be very attentive to scrutiny of the Bill by the Social Development Committee to determine whether reasonable measures can be taken that get the balance right and can add more to the Bill, if that is deemed necessary.

Mr Wells: Will the Minister give way?

The Minister for Social Development: I will, Mr Wells.

Mr Wells: I am honoured to make history by being the first Member to seek an intervention from the new Minister. Will he and his Department consider issuing guidelines on what constitutes a reasonable contract? The problems that we have been discussing could be solved if there were guidelines, possibly non-statutory, indicating what the Department believes to be a reasonable contract. Those guidelines could be for the entire industry, and would, it is hoped, get round many of the problems indicated. Having been Minister for only 12 hours, he may not be able to give us a categorical view on that point on the hoof, as it were, but it is something that I think is worth consideration.

The Minister for Social Development: I will correct the Member on one point: I have been a Minister for five hours, and, therefore, I am even more cautious to what commitments I enter into. If he could come back to me by teatime, I may be able to make a more generous response to his intervention. I also have to be mindful that enforcement of regulation falls more to the Minister of Enterprise, Trade and Investment than to me, but I will commit to having a conversation with the Minister of Enterprise, Trade and Investment to consider issues around contracts in the holiday sector, which were mentioned by Mr Wells and others.

I will also ask officials to provide me with a briefing to capture the current regulations, protections and laws, including those enforced

by the Trading Standards Institute, to create certainty about the rights and entitlements of caravan owners, especially in the holiday sector, so that people entering into contracts have a fuller view and insight into their current protections, guarantees and legal entitlements. I will not make any particular commitments beyond that at this stage. However, I will take up the matters that Mr Wells mentioned in his intervention with my officials and with the Minister of Enterprise, Trade and Investment.

I also thank Mr Wells for his comments on my taking up office. We share a number of things going back some years. Not only are we of the same vintage, but we were at college together, we make the same length of speeches, and we have the same youthful looks. However, unlike me, Mr Wells is known for his sound and well-judged contributions to debates, which is something that I wish to follow in the future.

I know that we are pressed for time, but I will respond to some issues that were touched on in the debate. If there are any other matters that I have not replied to, I will deal with them by way of correspondence.

Mr Clarke raised the issue of protection for Travellers. I want to comment on that so that certainty is created. The situation, as I understand it, is that all Travellers living on NI Housing Executive sites will have the right to protection from harassment and eviction under Part 3 of the Bill. However, those rights will be given only to Travellers who live in park homes; in other words, those who are living in them permanently or nearly permanently. They will have the protections of Part 1, which is where the meat of the Bill is located.

Travellers who are on transit or halting sites, given that those facilitate temporary accommodation, will not have the protections of Part 1 of the Bill as drafted. They will be entitled to other protections in legislation, but not to the enhanced protections in Part 1 of the Bill. Those matters can be revisited when the Bill enters its Committee Stage.

I am mindful that Question Time is almost upon us. I will conclude by making particular comments about John McCallister, who has been the alpha and the omega of the legislation and the debate. I welcome the Bill and the fact that Mr McCallister has been its architect and its sponsor, and has taken it to its Second Stage.

As other Members said, Mr McCallister deserves warm acknowledgement for his work heretofore. After today's debate, he will probably need much warm encouragement in doing what is required to get the Bill over the line to Royal Assent.

It may be the only private Member's Bill to get over the wall and be passed as law during the current Assembly mandate. If that proves to be the case — Ms Purvis's private Member's Bill may yet achieve that status — it would reflect the importance of the issue and demonstrate the Assembly's response to the identifiable needs of the communities in the North. It would also reflect Mr McCallister's personal integrity and authority and, by association, the work of Margaret Ritchie and other Ministers who helped him to get the Bill to its current state of preparedness.

The Bill is much needed and, even before amendments, does much to protect the rights of caravan owners and residents. On behalf of the Executive and, in particular, the ministerial colleagues to whom I referred, I welcome the Bill and commend it to the House.

Mr Deputy Speaker: As Question Time commences at 2.30 pm, I suggest that the House take its ease until that time. On resumption of the debate after Question Time, the next Member to speak will be John McCallister, who will respond to and conclude the debate.

The debate stood suspended.

2.30 pm

(Mr Speaker in the Chair)

Oral Answers to Questions

Office of the First Minister and deputy First Minister

Mr Speaker: Order. Question 2 has been withdrawn

OFMDFM: Arm's-length Bodies

1. **Ms J McCann** asked the First Minister and the deputy First Minister, given the possibility of Budget cuts by the new Administration in London, whether they will ensure that bonuses will be restricted for senior civil servants and senior personnel in arm's-length bodies for which their Department is responsible. (AQO 1270/10)

The First Minister (Mr P Robinson): Pay awards to senior civil servants in the Northern Ireland Civil Service are determined by the Minister of Finance and Personnel. No bonus payments were made to senior civil servants as part of the 2009 pay award; a decision has yet to be made on the pay award for 2010. There will be implications for many arm's-length bodies whose senior staff contractually follow that award. If no bonuses are awarded to SCS staff for the 2009-2010 reporting year, that policy could be extended to the wider public sector. Such a decision would need to be agreed by the Executive. In the past, separate pay and bonus arrangements were in place for the Strategic Investment Board; however, those are now being brought into line, and no bonuses will be paid. It should be noted that a key feature of implementing pay policy is the need to honour contractual entitlements.

Ms J McCann: I thank the First Minister for his answer. Given that we now know that there will be £120 million worth of cuts, does the Minister agree that front line services and the most disadvantaged and vulnerable should be protected from proposed cuts?

The First Minister: I agree with the Member. However, I warn the House that there is some concentration on the £120-plus million of cuts in this financial year, should we decide not to

defer. Significantly more than that is planned over the three years of the comprehensive spending review period that will follow. One of the decisions that the Executive will have to take is whether we defer all or part of those cuts in this year, remembering that we would have to bear a heavier burden in the following year.

Mr Kinahan: Given concerns about cuts, I wonder whether the First Minister and other Ministers will follow the example of the Prime Minister and his Cabinet and take an immediate 5% pay cut.

The First Minister: That sounds like a good idea for the Assembly as a whole; I am sure that the Member will want to join in such a proposal. If he tables such a motion, I will support it.

Mr D Bradley: Go raibh maith agat, a Cheann Comhairle. Does the First Minister agree with the Minister for Social Development that there should be a thorough review of the number of senior civil servants? Does he further agree that his own Department should be examined to see whether it justifies having more than 20 senior civil servants?

The First Minister: The average across all Departments is about 20 senior civil servants. The number of such civil servants has remained steady in Northern Ireland since the mid-1990s, whereas at Whitehall the number of senior civil servants has increased by 39%.

If the Member wants as good a comparison as I can give him from the Irish Republic, the middle and higher levels of the Irish Civil Service have increased by 82%. Therefore, Northern Ireland has maintained its levels, and, compared with Great Britain and the Republic, it has done very well.

The Member is aware that, as a result of recent efficiencies, we reduced the number of civil servants in OFMDFM by 51, two or three of whom were, I believe, senior civil servants.

Mr Bell: How does the Northern Ireland Executive's position on bonuses last year compare with that of Whitehall? What is the First Minister's Department doing to ensure that arm's-length bodies are following the Senior Civil Service position?

The First Minister: Whitehall did not introduce a policy of stopping the bonuses of senior civil servants. This Administration has led the way in that respect. In relation to the pay of employees outside the Civil Service, the Strategic

Investment Board is the one body that lay outside that policy in OFMDFM and, as I said at my last questions for oral answer, it is proposed that it should be included.

Mr Speaker: Question 2 has been withdrawn.

OFMDFM: Community Engagement

3. **Mr Hamilton** asked the First Minister and deputy First Minister what plans their Department has to engage with hard-to-reach communities across Northern Ireland. (AQO 1272/10)

The First Minister: With your permission, Mr Speaker, I will ask junior Minister Robin Newton to answer.

The junior Minister (Office of the First Minister and deputy First Minister) (Mr Newton): I thank the Member for his question. The Executive are fully committed to moving society forward and making a real difference to the lives of all our people. We are also committed to working towards building a fair and inclusive society that is at ease with itself, a society that is integrated and cohesive and in which everyone is regarded and treated equally. All our Departments' policies aim to be inclusive and to consider the needs and rights of all section 75 groups. One of the legacies of the past is that poverty and violence have combined to leave many areas with problems of multiple deprivation. Those communities can be the hardest to engage.

OFMDFM supports good relations work across all 26 district councils, each of which produces an annual action plan that is tailored to address the most important good relations priorities in its area. The Department also works with community empowerment networks and a wide range of interface regeneration groups to find ways to address particular issues faced by people living in interface areas. In addition, we are working in partnership with the Police Service, education and library boards and city councils. OFMDFM delivers approximately £500,000 per annum to assist with the provision of a range of relevant and effective interventions and summer diversionary projects in Belfast and other identified areas of need.

Mr Hamilton: I thank the junior Minister for his response. He will know that many disadvantaged communities across Northern Ireland have not always responded positively to intervention in the past. Will he spell out

whether his Department is examining any new ways or models of engaging with those traditionally hard-to-reach communities?

The junior Minister (Mr Newton): It is vitally important that we address that question. We first need to recognise that there is a problem and have done so. We need to engage with and listen to the concerns of those who are traditionally regarded as being in areas that are difficult to reach. If we are to move the peace process and society forward, we cannot ignore those areas. We would do so very much at our peril.

We are always keen to look at new and innovative ways to reach out to those who traditionally have not engaged. We will be looking across the UK and further afield at what has worked in other jurisdictions, while fully taking into account our own unique circumstances. We can also look at evidence of best practice across Northern Ireland to see what has been effective and to see whether we can apply that to hard-to-reach groups in individual communities.

Discussions have taken place at political and official levels in the Department on how to address those difficult issues — and they are difficult, Mr Speaker. However, as we move forward, we are determined that no community in Northern Ireland will be set apart or not be part of the success of the devolution initiative.

Ms Lo: In my experience, the best way to engage hard-to-reach groups is by having designated staff go out to meet them. With the cut in the equality unit of OFMDFM, will the junior Minister explain how that will happen?

The junior Minister (Mr Newton): I thank the Member for her question. I suppose that, yes, obviously, there is concern across Northern Ireland that good relations should be an aspect of everything we do. However, funding for the promotion of community relations and good race relations has been increased by one third in the period 2008-2011 and from £21 million in the previous CSR period to almost £30 million in the current one. In addition, funding for youth and interface workers has increased by one quarter.

Last summer, OFMDFM's community relations unit provided £400,000, via the Department of Education, to the five education and library boards to fund a range of diversionary activities for young people who might otherwise be drawn into antisocial behaviour or rioting in interface

areas. In addition, £100,000 was provided for diversionary activities over the summer specifically in north Belfast interface areas.

Approximately £3 million was spent on the district council community relations programme to operate community relations-based programmes, such as small grant schemes for community groups engaged in cross-community activities. There is a range of similar activities, and, rather than taking up the Assembly's time with a verbal answer, I am happy to forward a written answer to the Member if she is happy for me to do so.

Mr Molloy: Go raibh maith agat, a Cheann Comhairle. Does the junior Minister believe that there is a need to develop additional resources and greater cross-departmental working to address the historical and interrelated nature of deprivation, particularly for those who live in deprived areas?

The junior Minister (Mr Newton): I am sorry, Mr Speaker, I did not quite catch the Member's question.

Mr Speaker: The Member should repeat his question.

Mr Molloy: Does the junior Minister see a need to develop additional resources and greater cross-departmental working to redress the historical and interrelated nature of deprivation, particularly that experienced by those who live in deprived areas?

The junior Minister (Mr Newton): There are a number of issues at the heart of Mr Molloy's question. A number of cross-community and cross-departmental initiatives target child need, child poverty and deprivation in general. In many ways, those initiatives have still to reach fruition. Nevertheless, I shall outline one cross-departmental pilot initiative. I think the Member will agree that one of the big problems in deprived areas is the community debt accumulated by individuals and families. I commend an initiative that aims to tackle the problem of those who are in the clutches of moneylenders. The initiative is being piloted, but I believe that it could make a significant contribution to the debt problem and help get people out of the clutches of illegal moneylenders. Of course, there is a desire across all Departments to address levels of deprivation that, unfortunately, exist in many communities.

Local Government Reform

4. **Mr B McCrea** asked the First Minister and deputy First Minister what discussions they have had with the Minister of the Environment regarding the local government reform process. (AQO 1273/10)

The First Minister: Last week, along with the deputy First Minister, I met the Minister of the Environment and agreed that certain matters should be explored in greater detail. We expect to meet again shortly.

Mr B McCrea: Given the collapse of local government reform and the fact that we do not have the ESA, will the First Minister tell us how many more of the Executive's key policies are expected to fail? In addition, how much has been invested in local government reform, and will he estimate how many millions of pounds of taxpayers' money have been wasted?

The First Minister: I am surprised to hear the Member being so critical of his party colleagues, who, after all, introduced the policy, even though they did so at an Ulster Unionist Party conference, which seemed to be a strange place for the Minister to make his statement. However, having accepted that the Ulster Unionist Party policy is moving forward, I would not be as critical as him about how it is proceeding.

We recognise that, in this day and age of politics, we should attempt to get the highest level of consensus possible on moving forward. In this case, that does not mean just getting consensus in the Executive and the Assembly. Because this relates to local government, it requires consensus among those who are in local government. In this case, the Minister's proposals were rejected in some key aspects and, therefore, he entered into dialogue with local government.

2.45 pm

The purpose behind the reduction in the number of councils was to gain efficiencies. Therefore, if the policy does not gain efficiencies, it is not worth proceeding with. Local government was asked whether it could produce proposals that would bring forward the same savings as the Minister's proposals. It believed that it could, and it has now been asked to have those proposals identified and tested. The Minister is anxious to have those checks carried out

so that he can be sure that we do not invest the more than £100 million that it would be necessary to invest in order to effect around £438 million of savings. It would be very silly of the Minister to proceed to spend the money before he was absolutely certain that he was going to get the stated efficiencies.

Mr McGlone: Go raibh maith agat, a Cheann Comhairle. Will the Minister clarify whether the elections to local councils will proceed on the 26-council model? Like Mr Basil McCrea, the SDLP has major concerns about the millions of pounds that have been squandered on RPA to date.

The First Minister: It may well be that the Ulster Unionist Party's Minister squandered money on RPA. I have not looked particularly at the detail of it. However, the present Minister is ensuring not only that we make efficiencies but that we do it in such a way that those efficiencies are brought to the fore as quickly as possible. That is particularly important given the climate within which we have to work. Simply having 11 councils rather than 26 is not the only way to make efficiencies. Members might want to wait a few weeks, because the policy will have to be considered by the Executive, but it is possible to have some of the transitional benefits of the efficiencies that are being considered by local government under the 26-council model, just as it would be under the 11-council model.

Mr McElduff: Go raibh maith agat, a Cheann Comhairle. Tá ceist agam don Aire. Does the First Minister believe that the recommendations of the Boundaries Commissioner should be respected by the Environment Minister and be free from party political or partisan constituency considerations?

The First Minister: They certainly should be free from party political consideration. That is essential. The Minister must always act in a capacity that raises him above that level, and, therefore, the Minister must come to the issue with clean hands. However, the law gives a role for the Assembly to determine whether it accepts the results of the Boundaries Commissioner's work, and it has the power to change it on foot of a recommendation from the Minister, supported by the Executive. That is what the law requires, and the law must be carried out impartially without any party political considerations.

Mr Neeson: Has the First Minister discussed with the Environment Minister any possible

conflict of interest, bearing in mind that the Department of the Environment is in control of local government and the Minister continues to be a councillor on Lisburn City Council?

The First Minister: We need to look at the ministerial roles of a number of Ministers from different parties where there would be a similar conflict. That is one reason why my party has indicated that all Ministers will be standing down from local government. The Member will have noticed that some of my party colleagues have already started that process.

UK Government

5. **Mr Hilditch** asked the First Minister and deputy First Minister what discussions have taken place with the new Government at Westminster. (AQO 1274/10)

9. **Mr McQuillan** asked the First Minister and deputy First Minister to outline the outcome of any meetings they have had with the new Prime Minister. (AQO 1278/10)

The First Minister: With your permission, Mr Speaker, I will answer questions 5 and 9 together.

The deputy First Minister and I spoke to the Prime Minister, David Cameron, immediately on his appointment, and we met him last Thursday during his visit to Northern Ireland. In the past week, we also held separate meetings with the Secretary of State, Owen Paterson, and the Northern Ireland Office Minister of State, Hugo Swire. During those discussions, we outlined the unique circumstances in Northern Ireland, including the need to address the historical imbalance between the public and private sectors and the link between economic stability and continued political progress. More specifically, we explored options for dealing with the announced public sector cuts; raised the issue of corporation tax; enquired about the publication date of the Saville report; and stressed the importance of finding a workable and speedy solution to the ongoing problems of the Presbyterian Mutual Society.

In response, the Prime Minister acknowledged the political progress that has been made here in recent years. He indicated that he wants to develop an impartial relationship with the devolved Administrations, based on the principles of what he describes as respect, and offered all three devolved Administrations the

option of deferring cuts until the next financial year. That may seem an attractive option, but it would have implications for future Budgets and would require careful consideration by the Executive. He is also committed to producing a paper examining options for reducing corporation tax here, recognises the differences between each of the devolved regions and expressed a wish to use the Joint Ministerial Committee more effectively to address disagreements in an environment of mutual respect.

Mr Hilditch: I thank the First Minister for his answer and the comprehensive list he has before him. Will the First Minister tell the House what the £6 billion of cuts will mean for the Northern Ireland block grant? How do the Executive intend to address that?

The First Minister: The Treasury provided the Department of Finance and Personnel with a communication today that indicates that the Barnett consequential of those cuts will be £142.027 million. However, additions resulting from recycled savings amounting to £14.128 million must be factored into that figure, meaning there will be a net reduction of approximately £128 million. It will be for the Executive to determine the extent to which those reductions are applied during this financial year or are carried forward.

I am delighted that the Scottish and Welsh First Ministers are with us today. With them, we will seek a common approach that will give the devolved Administrations the widest flexibility in dealing with fiscal matters. Hopefully, that will include the ability to switch between capital and revenue and automatically draw down our EYF, both of which would be helpful in the current circumstances. However, we have not yet been given the division between the capital and resource departmental expenditure limits by the Treasury. Until those are announced, it is difficult for us to assess whether and by how much matters should be held over until the next financial year.

Mr McQuillan: What does the Prime Minister intend to do about the plight of Presbyterian Mutual Society members?

The First Minister: During the election campaign, spokespersons for the Conservative Party indicated a high level of sympathy with the plight of the savers in the PMS. I raised that matter during the telephone call I had with the

Prime Minister. The deputy First Minister and I also raised it when we met him recently, and he indicated that work is urgently going on in the Treasury. In the run-up to the election, we placed a proposal before the Treasury. That proposal was endorsed in principle by the Executive, but it requires some items to be cleared in relation to state aid from the EU and also requires the approval of the Treasury. We will continue to contact the new Administration in Westminster to see whether progress on those matters can be made as urgently as possible.

Mr McKay: Go raibh maith agat, a Cheann Comhairle. It would be an understatement to say that there is a great deal of public concern about the cuts, the possible effect that they will have on our local economy and particularly the effect they will have on front line services. What will the Executive and the Office of the First Minister and deputy First Minister do to ensure that the cuts will not have an immediate short- to medium-term effect on front line services?

The First Minister: The prospect of £6 billion of Conservative and Ulster Unionist Party cuts strikes dread into many people in Northern Ireland, which relies heavily on the public sector. Furthermore, as we move forward into the much greater cuts that will arise from the CSR period, the Executive will have to take hard decisions. I agree with the Member that, given that we have little choice if cuts are imposed on us, we must do everything that we can to protect front line services. We need to remember that the option of simply cutting jobs out of the public sector will have an impact on recovery in Northern Ireland. The prospect of holding back on capital programmes will have an impact on the construction industry in particular. If we have recovered from the recession, jobs will be created in the private sector to offset any jobs that are lost, but they will be net losses if we were to take those cuts in the current financial year. The Executive will have to weigh up those types of issues.

OFMDFM: Absenteeism

6. **Mr Bell** asked the First Minister and deputy First Minister to outline the levels of absenteeism in their Department over the past three years. (AQO 1275/10)

The First Minister: The level of absenteeism among staff in our Department over the past few years has been consistently lower than the

average across the Northern Ireland Civil Service. During 2006-07, 10.7 working days were lost for each member of staff in OFMDFM compared with an average of 13.7 across the service. During 2007-08, 9.7 working days were lost for each member of staff in OFMDFM compared with an average of 12.9 across the service. During 2008-09, OFMDFM absence rate figures reduced again to 6.8 days, which was the lowest in the Northern Ireland Civil Service and compares with 11 days for the rest of the service.

We are not yet able to report the final absence figures for 2009-2010, but the provisional figures indicate that we should continue to have a lower than average level of absenteeism in the Department. We expect to see finalised headline figures for 2009-2010 later in the year. We also expect a substantive report on sickness absence across the Northern Ireland Civil Service to be published by the Northern Ireland Statistics and Research Agency in the autumn.

Mr Bell: The whole House will commend the First Minister for his Department's leadership in this area. In light of OFMDFM's good performance, is there a case for setting more ambitious absenteeism targets for the Department?

The First Minister: In my view, yes. I always regard targets not as something that must be reached but as something that is just out of reach. Therefore, we have to stretch to get the best from our programmes and, indeed, the various areas in which we set out targets in the Programme for Government. When I was Finance Minister, absenteeism figures were appalling. Some Departments in which permanent secretaries had given attention to the matter had much better statistical evidence. We have now raised the level of concern about absenteeism to the extent that we can see a reduction in Departments across the board, and the overall figures are reducing substantially. However, our figures are still much higher than those in the private sector, so there is more work to be done.

Social Development

Living over the Shop Scheme

1. **Mr Savage** asked the Minister for Social Development what progress has been made across Northern Ireland in relation to the Living over the Shop initiative. (AQO 1284/10)

The Minister for Social Development

(Mr Attwood): I thank everybody who acknowledged Margaret Ritchie's great work as Minister and congratulated me on my appointment. I am tempted to say, Mr Speaker, that your loss is, perhaps, Mr Robinson's gain, but we will know about that on Thursday.

I thank Mr Savage for his question. The Living over the Shop initiative was introduced on a pilot basis in 2002.

Only properties in a designated town centre living initiative area are eligible for funding. Twenty-one towns or cities have been designated in the past three years alone, and 94 applications have been approved to date, with £1.8 million spent on the initiative.

3.00 pm

Mr Savage: I thank the Minister for his answer. Will he explain the potential impact on the Living over the Shop scheme of not following through with local government reform?

The Minister for Social Development: I thank Mr Savage for his supplementary question. My predecessor, Margaret Ritchie, made it clear that the initiative is very suitable to be devolved to local councils. Local councils are best informed and best placed to make judgements on local solutions to local commercial issues. Therefore, my Department under Margaret Ritchie was anxious that the scheme cross over to local government. Given that £2 million to date has been spent on the initiative, which has worked in 21 designated areas, one would like to think that, in the fullness of time, it will be rolled out elsewhere. However, if the initiative is frustrated by a lack of funding, a lack of political will or a lack of ability to get around the issue of the RPA, not only will we as politicians and as the Government have let people down but people's needs and hopes for the regeneration of their local area will be frustrated. That would not be a healthy sign for the Assembly to send to the community, and I hope that the RPA issue gets resolved.

Lord Browne: What progress has been made on the Living over the Shop initiative, which forms part of the redevelopment scheme in Newtownards Road in east Belfast under NRd2012?

The Minister for Social Development: At present, 21 areas have been so designated.

My mind and that of the Department is open to looking at other areas where the scheme might be rolled out. I shall have to come back to the Member with detail about the Newtownards Road scheme. Whether it is Mr Savage's reference to Banbridge, Lord Browne's reference to east Belfast or any other Member's reference to an area in his or her constituency, the initiative is worthwhile. The budget is currently limited, but the initiative is worthwhile in making our town centres more attractive, not only for commercial activity but for residential activity. Therefore, with the RPA, money and the development of the scheme, there will be an opportunity to do more business.

Mr McGlone: Go raibh maith agat, a Cheann Comhairle. Will the Minister confirm that his Department is prepared and ready to transfer the functional delivery of the LOTS scheme to local government, whether or not the proposed reform of public administration goes ahead? We have heard some uncertainty around that. Can he confirm that the necessary funding for that transfer will similarly be guaranteed from departmental budgets?

The Minister for Social Development: I thank the Member for his question, and I am pleased on both counts to be able to give him an affirmative answer. There is no doubt whatsoever that my Department wishes full responsibility for the initiative to be transferred to local councils, and, in the event that that happens, we are also committed to transferring the budget. I am prepared to give those guarantees. However, just as the initiative has worked well for people in some parts of the North in the past three years, I hope that, in the next 10 months, the Government of which I am now a member will deliver much more for communities in the North that are in need, including for town centres. That includes the rolling-out of the initiative in other parts of the North.

Community Funding

2. **Mr McDevitt** asked the Minister for Social Development for an assessment of the budgetary and financial outlook for community funding in the next Budget round. (AQO 1285/10)

The Minister for Social Development: I thank Mr McDevitt for his question, which is very important, for reasons that I shall explain. My Department currently has £38 million available to complete a number of community projects. I

do not intend to rehearse what all of them are, but substantial funds are available across a range of initiatives.

On many fronts, considering the budget that we have and on the basis of what we currently have — in making that point, I am mindful of the announcement of the Treasury in London this morning — it appears that the funding commitments that the Department has entered into are satisfied by the budget that has been allocated, save for one issue, namely the single biggest challenge that has been left to me by Margaret Ritchie under the current budget: the almost total absence of any capital funding for regeneration activities this year.

There is a history to all of that with regard to how the Royal Exchange initiative is supposed to be funded. We are aware that that project has not been taken forward at this stage. The consequence of that is that substantial funds in respect of the Royal Exchange initiative may be returned to the Department of Finance and Personnel in the very near future. Given what I said about the almost total absence of capital funding for regeneration activities in the current financial year and given that my predecessor and the Department have rightly entered into some commitments in that regard, I trust that my Executive colleagues, in the event that Royal Exchange money goes back to DFP, will recognise the importance of regeneration and will allocate substantial moneys from those funds back to my Department to enable me to take forward various initiatives.

Mr McDevitt: I thank the Minister for his answer and wish him well in office. Financial pressures notwithstanding, will the Minister consider the reorientation of future community funding towards shared future projects as against single identity community funding?

The Minister for Social Development: I recognise that a lot of very good work has been done over the years and decades in the North in respect of single identity work. If we are to stretch ourselves as a Government and live up to the ambitions of our community and if the hopes and needs of our diversity of people are to be fully satisfied, we need to have a gear change when it comes to a shared future. A shared and reconciled future is not only the right way to go but the sustainable way to go. At a time when there is the potential that less money will be available, if we can do more about

a shared and reconciled future for the people of the North, it will result in better services for all our people, because they will be able to share services and, in doing so, there may be less duplication.

When it comes to shaping the North over the next phase of government, therefore, a step change on a shared and reconciled future is required. In taking forward my ministerial responsibility, I would like to see that step change work itself through when it comes to community funding, and I would like to see greater emphasis on community and shared future development as well as on what the honourable Member referred to as single identity community funding.

I refer Members to what Duncan Morrow and Mike Morrissey recently reported. They said that the least segregated areas tend to be the least deprived and that the worst 10% of areas in Belfast are at least 80% segregated. That is not a healthy position to be in. However, we got to that place, and we need to correct it. I believe that this funding stream is one means to begin to do so.

Mr Campbell: I join in congratulating the Minister on taking up office. With regard to community funding, the Minister will be aware of the difficulties of the hard-to-reach communities, particularly where they exist in working-class housing estates across Northern Ireland. They have been mentioned on numerous occasions in the House and elsewhere. In the course of this financial year, will he undertake to examine how community funding can best be targeted to produce better results in the communities that are, by definition, hard to reach?

The Minister for Social Development: I agree with the Member, and I am mindful that he speaks for a constituency in which there have been some particularly appalling and tragic circumstances over the past 18 months. The answer, in principle, is that I agree. I agree because more and more people in this country are beginning to realise that, if devolution is to fully measure up, it has to measure up to what the Member referred to as hard-to-reach communities. That applies not only to community funding but across the range of government activity, economic activity, INI, the shared future strategy and interventions by the Education Minister that have made very valuable contributions to dealing with people who are

in hard-to-reach or severely disadvantaged communities. Therefore, I agree with the principle. If the Member has proposals for directing community funding in his constituency or in the North in general to fulfil that purpose, I would like to hear them.

Mr Armstrong: What discussions has the Minister had with the Minister of Enterprise, Trade and Investment about developing social enterprises in Northern Ireland?

The Minister for Social Development: I can say categorically that, in the five hours that I have been a Minister, I have had no such discussions with the Minister of Enterprise, Trade and Investment. I want to dispel any doubts in the Member's mind about whether I have had any such conversations. When I was taking forward the Caravans Bill earlier, I made a commitment to meet the Minister of Enterprise, Trade and Investment about a particular enforcement regulatory matter around residential caravans. I can confirm to the Member that, when I have that meeting with the Minister of Enterprise, Trade and Investment, I will explore the issue that he raised.

Town Centre Regeneration

3. **Mr Hamilton** asked the Minister for Social Development how much the Department intends to spend on town centre regeneration in the 2010-11 financial year. (AQO 1286/10)

The Minister for Social Development: I thank the Member for that question, which touches in part on the answer that I gave a short time ago. In the current financial year, my Department has £19.8 million gross to spend on town centre regeneration. That will cover a wide range of projects, including site maintenance, Laganside, front line staff, Ilex, Peace III match expenditure and some public realm projects. As I said, I do not have sufficient capital funds to complete the regeneration projects that it is essential to complete this financial year. That is why I know that I can rely on the Member to urge his colleagues in the Executive to support the bid that I will make for Royal Exchange moneys to come back to the Department in the June monitoring round. The consequence of that is that there will be projects across the North, including the Member's constituency, that will be committed to and completed this year.

Mr Hamilton: I thank the Minister for his reply. The Minister will know that many towns across Northern Ireland are already out to consultation or are preparing master plans for the regeneration of their town centre. Will he ensure or examine how he can ensure that, when those consultations go out to the public, they will have all available information about any planned shared surfaces that there might be in town centre regeneration schemes, so that people who are visually impaired or disabled can reply and respond positively and properly to those consultations?

The Minister for Social Development: I thank the Member for his question. If he knows of any regeneration plan that has gone out for consultation or which is yet to go out for consultation where there may be an issue about whether there has been full consultation with relevant groups, including those with a disability or the partially sighted, I would welcome hearing that. As far as I am aware, all DSD schemes are quality-assessed and involve consultation with an array of interested groups and organisations, covering all relevant matters such as delineation, lighting, position of street furniture etc. When my Department commissioned an access mobility study for Belfast city centre, it specifically considered the needs of people with disabilities, including those who are blind or partially sighted.

At the moment, the urban regeneration unit in my Department does not have any plans to develop shared surface schemes in Northern Ireland. However, my colleague Conor Murphy advised me that, in January 2009, the Department for Transport commissioned a wide-ranging, two-year research project on shared surfaces and DRD is represented at project board level. The purpose of that research, among others, is to investigate how shared surfaces can be made to work for people with disabilities, particularly those who are blind or partially sighted. Therefore, if my Department is missing a trick and if there are gaps in our consultation, let me know, and I will try independently to join up with what my colleague Conor Murphy is doing to ensure that, when it comes to shared surfaces, the needs of those with disabilities and those who are partially sighted are properly and fully addressed.

3.15 pm

Mr Elliott: I wish the Minister well with his new portfolio. What specific assessments have been carried out and what hard evidence is there of the impact that his Department's town centre regeneration programme has had on economic value and trade in those areas?

The Minister for Social Development: I cannot address that question fully, although it is very relevant: if my Department and others invest heavily in regeneration, does it make a material difference to economic opportunity?

There were previous questions on living over shops. When town centres are regenerated and given life and activity and when people occupy properties, that in itself might create shops to service neighbourhoods. All regeneration expenditure has to be assessed against whether there is material change to the environment and whether it produces more opportunities for housing and economic and commercial activity. If the Department has made specific assessments of regeneration schemes in various parts of the North, I will ascertain that information and convey it forthwith to the Member.

Mr D Bradley: Gabhaim buíochas leis an Aire as na freagraí a thug sé go dtí seo. Tréaslaím a cheapachán leis agus guím gach rath ar a chuid oibre san am atá roimhe. I congratulate the Minister warmly on his appointment and wish him the best of luck in the work that lies before him.

I noticed that in several of his answers the Minister referred to the Royal Exchange budget for urban regeneration. What kind of projects could be lost to DSD if it is not permitted to retain a reasonable proportion of that budget? Go raibh míle maith agat.

The Minister for Social Development: I thank the Member for his kind comments. Go raibh míle maith aige astu go léir.

A public realm of £27 million could be lost, including projects in Belfast, Downpatrick, Dungannon, Clooney, Waterloo Place and other schemes throughout Northern Ireland, as well as neighbourhood renewal projects that total £6.9 million and urban development grants that total £5.4 million and cover schemes in Belfast and regional towns, including the development of former military sites at Fort George and Girdwood. It is incredible that projects of that scale and potential impact on communities,

to which Mr Elliott referred, could be put in jeopardy. That is why I am confident that the Minister of Finance will hear the argument and understand the needs of Belfast as an urban centre and the needs of his own constituency of East Antrim, which is urban and rural. Given that, I am confident that in conversations in the days and weeks ahead we will be able to get that over the line in a way that allows all those projects — and more — to be rolled out during the coming year.

Savills Report

4. **Mr Doherty** asked the Minister for Social Development for an assessment of the rent convergence set out in the Savills report. (AQO 1287/10)

The Minister for Social Development: I thank Mr Doherty for his question and look forward to his supplementary question. The Savills report is worth reading as a stocktaking exercise of the state of social housing in the North, an area in which there have been many successes not only during the past three years under Margaret Ritchie but during the past 30-odd years under the Housing Executive and housing associations.

Although the report does not make any particular proposals on rent convergence, it advises the Department that a complete examination of the rental system is beyond its brief. It recommends that a complete review of the rental system be carried out for Housing Executive and housing association properties. My predecessor Margaret Ritchie commenced that work, and, in the fullness of time, we will determine what the empirical evidence is.

There are those outside this Chamber — I am not suggesting that the Member is one of them — who casually suggest that somehow Housing Executive rents are too low. I do not accept that that is a working presumption for the review of rent convergence that the Department has undertaken. I believe that, when we complete the review, given that we do so in a transparent and comprehensive way, the evidence will rebut those who casually and wrongly suggest that Housing Executive rents are too low.

Mr Doherty: I thank the Minister for his answer and wish him well in his new office. Does he agree that any move towards rent convergence would have a detrimental impact on those least

able to pay? Can he give an assurance that, when the review is completed, that will not be the case?

The Minister for Social Development: Yes, I can reassure the Member that, in the fullness of time, when the rent convergence review has been completed, I will share that information with the Assembly and the Committee. I repeat that I do not necessarily accept that the evidence shows that Housing Executive rents are too low, whatever housing association rents may be. Indeed, I draw some reassurance from the fact that, over the last couple of years, Margaret Ritchie and the Housing Executive were able to constrain the increases in rent for Housing Executive properties. In fact, the evidence that we have — it is only preliminary at this stage — suggests that, by and large, the housing associations followed the lead of Margaret Ritchie and the Housing Executive, though there may be exceptions. That is what the evidence suggests to date, as far as I am aware.

I want to give a further reassurance to all Members. Given that Housing Executive rents are substantially discharged by housing benefit, which confirms that it is people on low pay or state benefits who are living in Housing Executive properties, it would be simply intolerable if the range of Housing Executive tenants were in any way further burdened, given the burdens that they already experience in their lives.

Mr Burns: I congratulate the Minister on his appointment. Will he tell us what he considers to be the main findings that can be drawn from the Savills report to assist the development of housing policy in Northern Ireland?

The Minister for Social Development: As I said earlier, I recommend that Members read the Savills report, which is the most comprehensive survey of its kind ever undertaken here. It was a stock condition survey of over 90,000 Housing Executive properties. Therefore, given that range, it gives us a very detailed evidence base to develop a new maintenance investment strategy, and, in particular, it will enable the Housing Executive and the Department to target its resources where they will have most impact and most benefit.

I am proud of the fact that, because of the investment in the Housing Executive stock over the years, the Savills research team was able to conclude that the condition of the housing stock was the best that it had ever seen. That

is a very powerful testimony to the work of the Housing Executive since its formation. That is not to deny that there still remain areas of need, that there are still issues of overcrowding and that there are still 37,000 people on the housing transfer waiting list. However, the conclusion I draw from all of that is that, if we have successfully invested in the housing stock so that the Savills team was able to draw that conclusion, we must maintain that and protect it, not put it in jeopardy. We must invest our money in the best possible way; however, budgetary negotiations must not in any way, shape or form put in doubt the historic achievement of turning round the housing situation in this part of Ireland.

Social Housing

5. **Mr McCarthy** asked the Minister for Social Development for an update on the Department's current social housing deficit. (AQO 1288/10)

The Minister for Social Development: I thank the Member for his question. I do not intend to rehearse the arguments about the deficit in social housing. Margaret Ritchie made and won those arguments in government, in and outside the Chamber, and among the population. Given that the housing budget relies on house and other property sales, the collapse of the land and property market created unforeseen pressure and had a severely detrimental impact on housing and on the Department for Social Development more than on any other Department. As I said, Margaret Ritchie deserves immense credit, because it is widely acknowledged by people involved in social housing that she turned the situation around.

My target is to improve on Margaret Ritchie's achievement of building more than 1,800 newbuild starts in the past financial year by building 2,000 newbuild starts in the current financial year. I also have a wider target in respect of new housing starts over the lifetime of this mandate, as set out in the Programme for Government. That is the priority. Given the Assembly's good work in achieving outcomes such as building more houses this year than in any other year in the past decade, I trust that none of the funding for such work will be put in jeopardy in future budget negotiations.

Ultimately, however, if Housing Executive or social housing depends on land sales rather than on guaranteed budget lines year on year,

the number of new housing starts will be put in jeopardy. Therefore, as Margaret Ritchie regularly said — I endorse her comments — until and unless the housing budget is put on a sound financial footing and is not subject to the vagaries of the market in the sale of houses and other property, there will be a hand-to-mouth existence. That is not a clever way of doing something as important as providing affordable social housing for people in need.

Mr McCarthy: I thank the Minister for his answer and congratulate him on his appointment. I, too, commend Margaret Ritchie for her work.

I know that the Minister has been in office only a few hours, but, given that he spoke repeatedly this afternoon about a shared and reconciled future, will he tell the House whether those new houses, which will hopefully be built, will be allocated to just one section of the community or whether they will be made available to everyone?

The Minister for Social Development: I thank the Member for his comments and his question, although I do not have time to address all the issues that arise from it. However, I have made it clear that the need to put housing on a secure financial basis remains a priority and that we must stretch ourselves when it comes to a shared future, including shared housing. I will not ride roughshod over the practices of past decades in allocating housing on points. However, the allocation of housing and the ways in which housing moneys are spent in various parts of the North need some further consideration. A review of the Housing Executive is due, so let us see through that whether there are ways and means of thinking smarter, building more, helping people and, at all times, dealing with the need that exists in the North.

3.30 pm

Private Members' Business

Caravans Bill: Second Stage

Debate resumed on motion:

That the Second Stage of the Caravans Bill [NIA 17/09] be agreed — [Mr McCallister.]

Mr McCallister: I thank my colleagues from across the House for their contributions. The five-minute ceiling on contributions having been lifted, the debate has, as Mr Wells said, been very useful, even though Mr Wells pushed that to the limit of our endurance. However, it is useful to see that there has been co-operation between Departments and between former Minister Ritchie and Minister Foster, Minister Poots and now Minister Attwood. We heard from various Committee Chairpersons, so it is useful to have seen the co-operation that exists between the Committees and in the House. That demonstrates the level of scrutiny that Bills are receiving, and it is an example of when the House is at its best and when we do what we are sent here and paid to do.

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

I will touch on some of the contributions. The Chairperson of the Committee for Social Development, which, of course, is the main Committee that will focus on the Bill, offered the Committee's support. Having presented the Bill to the Committee in March 2010, I am grateful for its interest in pursuing it.

It was great and very encouraging to see the House, including Mr Hamilton, so excited and enthusiastic about what could, on the face of it, be considered a mundane subject. Mr Hamilton talked about the boost in trade, the enhancement to tourism and how we can build on that economy. We have to get this legislation right so that we get the balance between encouraging site owners in their business endeavours and securing the rights of caravan owners.

Mr Boylan gave support from the Committee for the Environment. He mentioned that it had a small, but, I would argue, very important, role in looking at responsibilities in road traffic legislation and the definition of certain planning terms. That Committee may also want to look

at the role of local government and how the powers of license could be extended to it.

Mr Maginness gave the Bill a general welcome on behalf of the Committee for Enterprise, Trade and Investment. I am grateful to him for that support, following my presentation to the Committee late last year. He is now off to a meeting in Brussels, and he apologises for not being in the Chamber for the full debate.

As my colleague Mr Basil McCrea ably pointed out, if the Bill goes through to Committee Stage, there will be many occasions for Members to make the representations and amendments that the House would like to see. The Committees' interaction today is a hallmark of the way in which the Bill will proceed.

It is always useful to get support from the Alliance Party, and Mr McCarthy gave that today. However, now that it is in the Government, the Alliance Party no longer fulfils the role of loyal opposition. Nevertheless, Mr McCarthy made some important points about people's right to peacefully enjoy their caravans.

I know that Alex Easton has been involved in this matter from a constituency perspective since 2007, and I am grateful to him for his support. He highlighted some very useful concerns and sought clarity on some issues. Given that he is a member of the Committee for Social Development, I am quite sure that he will ably scrutinise the Bill as it makes its way through Committee Stage. Issues to do with the removal of caravans need to be scrutinised so that the protections that we all want can be put in place.

Willie Clarke talked about getting the balance right, which is, in essence, what we need to do, especially with regard to the holiday sector. We do not want to drive down business, and, therefore, we have to get the balance right. Mr Clarke asked about the Travelling community, and I noted that the new Minister gave a very comprehensive response and, hopefully, clarified for Mr Clarke the effect that the Bill would have on Irish Travellers.

Mr Clarke also talked about other issues, such as electricity and patios. The price that can be charged on sites for electricity is regulated.

Mr Wells seemed more concerned about my announcing in the 'Mourne Observer' that he agreed with Willie Clarke. For Jim Wells,

that is a very serious allegation. He spoke about abuses of the system, and we do have to find the balance that Mr Clarke spoke about. I assure Mr Wells that on the issues of insurance and of workmen being allowed on sites, the Bill provides adequate cover through the written contracts. He spoke about site owners' "Genghis Khan-type" approach, which, I think, was slightly over the top. However, we have to strike a balance on who can access sites, because there will be families and young children present.

My colleague Danny Kinahan from South Antrim said that he is looking forward to scrutinising the Bill. He also talked about the big investments that some people make in caravans, and that has to be recognised. It is crazy to invest so much money without having some level of protection.

Mary Bradley spoke about the length of time since we last legislated on caravans — some 47 years. Some Members may have been here 47 years ago, but not many. I certainly was not.

I am grateful to the new Minister for his kind remarks about me and the Bill. I am grateful to him for his support and wish him well in his new role. I also associate myself with his remarks about his predecessor, Margaret Ritchie, who is off doing very important work as the Member of Parliament for South Down.

The debate has highlighted the good relationship between the executive and legislative branches of government. Those branches are working to progress the Bill and to enhance the rights of people in the permanent residential sector and the holiday sector. The Bill and today's debate are excellent examples of how that is happening.

I am grateful to my colleagues, to the Minister for Social Development, to Committee Chairpersons and to Ministers Foster and Poots for their support in getting the Bill through the Executive. I commend the Bill to the House.

Question put and agreed to.

Resolved:

That the Second Stage of the Caravans Bill [NIA 17/09] be agreed.

Department of Education's Community Relations Budget

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 in which to propose and 10 minutes in which to make a winding-up speech. All other Members who are called to speak will have five minutes.

Ms Lo: I beg to move

That this Assembly expresses deep concern at the Minister of Education's decision to introduce significant cuts to her Department's community relations budget for 2010-11; and calls on the Minister to explain how her Department can now make any meaningful contribution to building good relations between young people and to an overarching Executive policy on cohesion, sharing and integration.

The Minister of Education, Caitríona Ruane, recently announced that she will cut 70% of the Department's community relations budget, from £3.6 million in 2009-2010 to £1.1 million for this financial year, to meet her efficiency savings.

The Department, through its community relations branch, has responsibility for the promotion of good community relations among young people from three to 25 years old in the education and Youth Service sector. Previously, it provided funding for 26 community relations organisations, a schools community relations programme and two Youth Service support schemes. The 26 core-funded organisations are grant-aided until the end of May 2010, with no clarification of whether funding will continue. It is feared that the much-reduced budget will decimate the expertise that has been built up throughout the school system and in the voluntary sector.

According to the Minister, the bulk of the funding for this year will be used in preparation for the implementation of the new community relations, equality and diversity policy, which she plans to adopt in the current financial year. However, the draft policy has not yet been published for consultation, and it will be months before the new policy can be established to replace the Department's old community relations policy, which it has now ceased to support. Clearly, there is a vacuum in policy direction from the Department.

One of the key strategic priorities in the Programme for Government is to:

"Promote tolerance, inclusion and health and well-being."

The Office of the First Minister and deputy First Minister has produced the draft programme for cohesion, sharing and integration, albeit two and a half years late. We must, therefore, question the Minister's rationale for slashing funding when there is a clear strategic drive by Government to address community relations. Furthermore, the divisions in our society continue to result in huge social and economic costs. It is vital that our children and young people have the opportunity to develop an understanding of different cultural traditions.

Despite political progress in recent years, sectarian and racist attitudes, as well as deep-rooted patterns of segregation and inequality, remain major problems in our divided society. In addition, new immigrants continue to come to Northern Ireland to seek to work and to contribute to the local economy. Although that is an encouraging sign of increased globalisation, their presence poses a further challenge to traditional conceptions of identity.

A recent Good Relations Forum report, 'Ensuring the Good Relations Work in Our Schools Counts', recommends that the Minister of Education and her Department give greater strategic direction to the schools sector to ensure that the teaching and practise of good relations is successfully mainstreamed across all schools. It also suggests that the Department should identify and commit a long-term and appropriate budget to support all schools in providing good relations modules within citizenship programmes, thereby guaranteeing its widespread re-prioritisation across the schools sector. Moreover, it believes that there should be compulsory good relations programmes in schools, and there are, of course, many good reasons why that should be so.

Undoubtedly, there are clear links between poverty, conflict and lifetime opportunities. A number of pieces of research have highlighted the critical role of schools in contributing to a shared and peaceful society in Northern Ireland. The Bain report and research by the University of Ulster in 2004 show that socially and economically deprived areas tend to suffer most from the legacy of the past. If not addressed by society and by services including education,

such suffering tends to be perpetuated and can contribute to trans-generational poverty.

However, 95% of Northern Ireland's schoolchildren attend what is, in effect, a segregated school system, and, therefore, there is limited opportunity to meet and interact across traditional community divisions. It is also widely accepted that limited exposure to those outside their communities consolidates negative attitudes that are passed down through the generations.

3.45 pm

Outside the formal integrated sector, it is largely up to individual schools to decide how to promote good relations issues and interaction. Indeed, the community relations programmes that were funded by the Department of Education up to March 2010 were voluntary. As a consequence, there is no consistent approach or sector-wide buy-in or delivery to the promotion of good community relations.

Sadly, there is also clear evidence of growing sectarianism and racism in Northern Ireland. The research paper 'Too Young to Notice?: The Cultural and Political Awareness of 3-6 Year Olds in Northern Ireland' indicates that many children and young people continue to regularly exhibit and experience sectarianism and racism. The report cited that school was one of the three factors that increased children's awareness of and attitudes to those matters. The other two are family and the local community. Clearly, what the report refers to as:

"de facto segregated nature of the school system"

in Northern Ireland has helped to create environments that are overwhelmingly Catholic or Protestant in their ethos.

The Northern Ireland life and times survey 2008 provided an analysis of responses by age. The results showed that the 18- to 24 year-old age group's views on community relations in Northern Ireland are less positive than those held by the overall population. For example, 6% of that age group felt that relations between Protestants and Catholics are worse now than they were five years ago, compared with only 2% of the overall population. Eight per cent of that group expected relations to get worse over the next five years, compared with only 3% of the overall population.

The latest PSNI crime statistics show that in 2009-2010, there was a 24.3% increase in

sectarian crime in Northern Ireland. A recent report by the Terry Enright Foundation looked at the views of young people in interface areas. In particular, it noted that 44% of those questioned had admitted to being involved in some form of rioting or stone throwing at interfaces, and 33% had engaged in vandalism. About 10% had been involved with either the youth justice system or the Probation Service. That is worrying when it is considered alongside the hardening of sectarian views among young people that is reported by youth workers.

Finally, I want to address the reluctance of some teachers and youth leaders to deal with community relations issues. Teachers need the training, skills and professional support to challenge negative attitudes and discrimination inside and outside the classroom. However, although all teacher training colleges have diversity programmes, they do not always make all their good relations modules compulsory. Furthermore, not all teacher training colleges give their students work experience in an alternative sector.

Mr Deputy Speaker: Bring your remarks to a close, please.

Ms Lo: Feedback from the Equality Commission following a series of seminars held with teachers and education stakeholders in 2008 identified the fact that many teachers had concerns about addressing good relations at school.

Mr Deputy Speaker: Time is up.

Ms Lo: That was due either to a lack of training or a fear of the consequences.

The Chairperson of the Committee for Education (Mr Storey): I wish to inform the House how the Committee for Education has sought to ascertain the current situation around the Minister's cut in her Department's community relations budget for 2010-11 from £3.5 million to £1.1 million, as outlined by the proposer of the motion.

The Department of Education's funding for community relations terminated on 31 March 2010 in preparation for the implementation of the new community relations equality and diversity policy. However, the Committee was recently informed that the new community relations policy is:

"due to issue shortly for public consultation".

It could be well into 2010-11 before any community relations funding is released to organisations, and that will be on the basis of one third of last year's budget. I will come back to that, time permitting, when I speak as a private Member.

The Committee heard from one of the 26 community relations organisations whose core funding programmes have been directly affected by the termination of funding at the end of March 2010, and which stands to lose four experienced community relations staff. That would doubtless be a great loss to that organisation.

Funding has previously supported schools' community relations programmes and a number of Youth Service core programmes. The community relations sector has highlighted in particular the severe impact of that cut on its work with young people in interface and rural areas, where there is little or no provision from the statutory Youth Service. The withdrawal of that funding could leave young people vulnerable to dissident groups and gangs, and some could well end up bearing the brunt of a prison sentence, which would cost thousands of pounds, particularly at a time when levels of unemployment and deprivation in such communities are on the rise.

The potential costs for society, particularly in conflict areas, are disproportionate to the relatively small amounts of community relations money involved. The Committee also heard that the Department's funding often levers in around four times that amount from non-UK Government sources. Major uncertainty is hanging over those organisations about when and if the Department's new community relations programme will provide funding. Even if funding is provided, it may be at a much reduced level. In the meantime, staff experience that has been gained over decades will be lost and valuable youth programmes will cease.

The Committee for Education understands that budget constraints mean that choices will have to be made. However, I have questions about the extent of the community relations budget cut and how it will be managed and about the resulting uncertainty for the sector.

I will briefly speak as a private Member. I concurred with the proposer of the motion, Ms Lo, when she said that there was a "vacuum in policy development" in the Department of

Education. Unfortunately, under the tenure of this Minister, the Department either has a vacuum in policy development or it develops a policy that will sit there for month after month, as we have seen with the early years strategy, the special educational needs policy, and others.

I think that there is a more serious issue facing community relations with regard to this Minister. To use the phrases "community relations" and "the current Education Minister" in the same sentence is a contradiction in terms. This Minister and this Minister alone has sown the seeds of dissension. Instead of harmony, there is discord. Instead of co-operation, there is confrontation. It is regrettable that we have a Minister who has presided over polarisation in the education sector. Despite her most repeated mantra that she is looked upon with a great degree of favour in the education sector, I think that she would have few friends who could defend in this House her record on community relations.

The Minister must explain to the House today the way in which funding will be dealt with.

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

The Chairperson of the Committee for Education: She must also explain what she will do to repair the damage that she has done to community relations.

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

Mr B McCrea: My colleague Mr Storey talked about the Department of Education's policy vacuum, but a policy vacuum is the best that many people to whom I talk can hope for. Any policy that comes from the Minister is worse than anything that they could possibly have imagined. Therefore, perhaps we should ask the Minister for more policy vacuums.

The message that is being sent out seems to be completely at odds with the direction that we want to take. Surely the common goal is to dismiss unfortunate sectarianism. Surely the fundamental purpose of our sitting together in this Building is to talk and work together. We may disagree, quite strongly sometimes, but all Members would admit that if, on meeting in the corridors, they chat and pass the time of day, that makes the discussion of other issues easier. Does the Minister mean to send out such a contrary message?

We all have to make decisions on priorities in these straitened financial times, but the 70%

cut that Ms Lo outlined will decimate much of the considerable good work that goes on. I have been involved in many issues concerning public achievement, youth interaction and interface areas, and a huge difference is made on a modest budget. Do we want to destroy that? Do we really want to throw the expertise and confidence that has been built up in those communities onto the funeral pyre of some political ideology?

The Minister will have the opportunity to respond, and I would like her to explain where her priorities lie. During the Westminster election campaign, people from the Minister's party trumpeted that she had found more money to buy school uniforms for those who could not afford them. Recently, the Minister also announced a £2 million investment in accommodation for the Irish-medium sector. It seems that projects that find favour with the Minister receive funding and funding is taken away from those that do not.

There is no clearer sign of the importance that the Minister attaches to peace and reconciliation and community relations than her slashing of their budget. I cannot help but think that there has been a terrible mistake, that something was lost in the fine detail, that the Minister will move immediately to tell us that that is not what she meant and that she will find the money to look after the people who do such a good job.

During Question Time, the Minister for Social Development spoke about the amount of segregation in the poorest areas of our society. If we are to tackle the unfortunate legacy of the past, surely that will be done through our children and young people. We can talk to the children and young people and bring them here. Indeed, recently, I had the privilege of bringing people from the 174 Trust, which is located in an interface area of north Belfast, to Parliament Buildings. Children and young people from all backgrounds and walks of life were here, and they were just being children. They simply got on and worked together as a tremendous unit.

The Assembly needs to get real. If it talks about good relations and delivering good for the people of Northern Ireland, it must start with the children. It must have joined-up government. This Minister has a lot of questions to answer.

4.00 pm

Mr D Bradley: Go raibh maith agat, a LeasCheann Comhairle.

The process of reviewing the Department of Education's community relations policy began as far back as 2008. That review has had a staggering impact on community relations schemes ever since. As has been said, the outcomes of the review and the consultation document have still not been published, although here we are in May 2010.

Youth and school groups have been affected since 2008 because they do not know where the commitment to a shared future is. Core youth workers for community relations have been lost because of the drip-feeding of short-term funding. Community relations workers, in conjunction with youth workers, are the core workers needed to support youth groups in that very difficult work. The Department of Education was supposed to bring in short-term transitional funding arrangements in lieu of a policy but, as I understand it, that still awaits ministerial decision. We have heard that the size of the cuts is 70%, which involves a reduction from £3.5 million to £1.5 million. Instructions were issued from the Minister to run down all community relations support schemes. As a result, workers in posts have either been on monthly contracts or on protective notice, or posts have been vacant because there is no security of tenure.

There is a lot of uncertainty in the world of community relations. Why? Because there is no funding for the hire of premises, transport, programmes or local groups. How can peace-building in a divided society be sustained in such a situation? Grass-roots workers are at their wits' end and wonder how much the difficult work that they have done and the successes that they have achieved were really valued. The rhetoric, they will conclude, has once again proved to be empty.

Worst of all, the future leaders of our shared society are being denied the formation that they want and that we need them to have. The situation has led to chaos at the chalk face of youth community relations, with teachers and youth workers wondering where they will get support for their projects. As mentioned earlier, in the most difficult interface areas where programmes have been developed, the work is now not supported. Young people have had

to be told that there is no financial support to continue their community relations projects.

I take this opportunity to recognise the work that has been done with thousands of young people in communities and schools and on residential courses, which covers extremely difficult issues that must be faced up to if we are to have a truly peaceful future. That work has been done quietly and effectively. It is difficult, challenging, valuable and necessary, and it requires a degree of skill that can only be built up and built upon over years of commitment. Surely, we should be asking how we can support the formal and informal education sectors in finding ways of transforming relationships of hate into those of interdependence and trust. We should not cut funding. A genuine commitment to building a sustainable peace and a shared society must include young people. If the devolved Government here do not provide the required leadership, the initiative will be handed to others with a more destructive intent.

This is not merely a matter of funding; it is a question of where we want to lead our young people. Do we want to lead them towards a brighter, more diverse and peaceful future or allow them to be dragged back into the darkness of the past?

I call on the Minister of Education to act now to restore substantial funding so that those valuable programmes will not be lost to us and will continue to influence the young people in our society in a positive way. Go raibh míle maith agat.

Mr Hilditch: I welcome the motion, particularly on the back of the comments made by junior Minister Robin Newton during Question Time, which refocused where we should be with good relations.

The incorporation of community relations into the education programme is vital. It is crucial to our children's development and leads them into adulthood. In today's society, anybody aged from three to 25 can gain from a better understanding of equality, diversity and interdependence becoming daily practice in our lives. That is why I am concerned by the Minister's decision to cut her community relations budget — as has been well reported in the Chamber — by some 70% from £3.5 million to £1.1 million. It again appears that U-turns are being performed on decision-making and on policy, leaving children, schools, teachers,

parents, unions, voluntary groups and their volunteers, along with the general public, very concerned and somewhat confused.

We understand that the Education Department and all other Departments of the devolved Government are in a time of financial hardship. However, when the budget was considered by the Committee for Education, it was regarded as unfair to blame it on the ESA delay. The Department of Education must remember that it is not the only public authority that is struggling at present.

I understand that there is a return of £4 for every £1 invested in the scheme, which must be considered. I, therefore, ask the Minister to reconsider her figures and to look at ways in which she can accommodate the 26 groups that have secured funding. Otherwise, it will be a struggle to carry out crucial work done by the likes of Community Relations in Schools (CRIS), Belfast YMCA, the National Trust, and others. How does the Minister suppose they will fund salaries and meet running costs in the weeks ahead?

We appreciate the work to date to build community relations in the education and youth sectors. Nevertheless, it is evident that improvements are needed, and the Department must review its responsibility to build good relations between the young and their communities. It has become apparent that the success and the standards achieved by many of the projects are hard to assess and the training provided for those in the sector is insufficient. Good relations must become part of the school curriculum: it can no longer be avoided or regarded as optional.

Schooling can help to counteract negative views, such as hatred, bigotry and prejudice, which still exist in a lot of our communities. Northern Ireland society is still somewhat divided and many of our housing estates and schools are still predominantly identified with a single community. Segregation is costly and financial resources can be duplicated. Contact and network between communities can be hindered, provoking misunderstanding. That is why I urge the Minister to review her plans to cut the budget so dramatically.

Our children deserve the opportunity to explore diversity issues, so that they are encouraged to think about how people who differ politically, religiously, ethically and culturally can live together in our community, rather than in fear

and misunderstanding. It is time to embrace the many interesting communities that our society now welcomes. I support the motion.

Mr O'Dowd: Go raibh maith agat, a LeasCheann Comhairle. I apologise for not being in the Chamber for the start of the debate.

First, in relation to the wording of, and my party's approach to, the motion, the first line of the motion states:

"That this Assembly expresses deep concern at the Minister of Education's decision to introduce significant cuts to her Department's community relations budget".

It is reasonable that the Assembly should be concerned at any Minister having to severely cut anything in a departmental budget. My party has no difficulty in supporting that approach. Of course we are concerned. I suspect that, in the weeks and months ahead, we will have many such debates around the various Departments under the Executive's control.

The second part of the motion, which is also valid, calls on the Minister to outline:

"how her Department can now make any meaningful contribution to building good relations".

We support that part of the motion as well, because the Department of Education has a role to play in developing good community relations, and I look forward to hearing how the Minister will set out her plan for the time ahead. However, with respect to the people who have signed up to the motion, I suspect that we are today involved in a bit of sham fight.

As I said, especially given today's announcement that a further £128 million will be lost from the block grant, we will be having many of these debates in the weeks and months ahead. Each party will roll out how Minister A, B or C should fund various programmes. However, the next part of the argument must also be developed: how will they fund those programmes? This year alone, the Department of Education has lost £74 million from its budget, not including the £13 million of savings that it must secure for the now stalled ESA Bill. That is £87 million that will come out of the departmental budget this year.

We have heard much from the Health Department and the Department for Social Development about the difficulties in implementing the programmes under their control with restricted

budgets. The Department of Education is in the same boat. We could be debating a new start to the motion, expressing deep concern at the Minister of Education withdrawing funding from teachers, schools, buildings, transport, child support or child psychologists. In all those areas of the education budget, difficult decisions had to be made. Indeed, I recall the Education Committee being asked to forward to the Department any suggestions on how the Minister should manage this year's budget. The Committee did not forward a response.

Although I respect the motivations of those Members who tabled the motion, and, as I said, my party will support it, reality is hitting hard and hitting home. There are decisions to be made about where budgets will be spent. On this occasion, unfortunately, we are talking about severely cutting back a community relations budget. However, under the Department of Education, a range of other community relations work is ongoing. I welcome the fact that the youth budget received only a minor adjustment and will continue. One need only think of local youth groups and community organisations that are involved in cross-community work in our own areas every day of the week. In my constituency and, no doubt, every other constituency, through area learning communities, schools are involved not only in titled community relations programmes but in sharing resources with schools and in enabling pupils to cross boundaries that were never crossed in the past. I welcome that work.

Sometimes — and I am not suggesting that this was the case with the Department of Education's community relations budget — the touchy-feely stuff of community relations becomes an industry. To ensure that community relations improve, people must work genuinely together on issues of common purpose and cause. Although the time ahead will be difficult, resources are still available to schools, through the Department of Education and the education and library boards, to allow real cross-community work to continue. For example, the GAA and the IFA are working together on a scheme to promote soccer and Gaelic football in schools.

Mr Deputy Speaker: Bring your remarks to a close, please.

Mr O'Dowd: That is also cross-community work. Go raibh maith agat, a LeasCheann Comhairle.

Mr McCallister: Every Member knows that the Northern Ireland Budget is under extreme pressure. Savings have to be found in all Departments, because successive Finance Ministers have failed to identify and deal with Northern Ireland's budgetary black hole. We have warned consistently that that was going to cause problems.

We have to work at and improve community relations, and we must not take it for granted. Unfortunately, doing her own thing for her own people is a hallmark of the Minister of Education. She does not make a genuine effort to cross the bridge and bring people together. She does not deal with the cross-community issues that confront us every day in our constituencies. We live in a divided society, although some places are much more divided and polarised than others.

How are we going to fix that situation? We know that community relations is a long-term issue, but the short-term budgetary decision that the Minister has made will have a long-term effect on those community relations. That is a serious difficulty that will build up and store problems for the future. We must find the resources to tackle the polarisation in communities that I and others spoke about so that we can bring communities together.

4.15 pm

Mr O'Dowd talked about the youth budget, and I am grateful that the cuts in that budget have been small, although there could have been adjustments. I have been involved in youth work in rural areas for many years, and I support the need for that work to continue. I recognise the need for good community relations right across Northern Ireland, whether that is in South Down or wherever. We need to try to build on that and not take away the money that funds those types of programmes. It is vital that we do that, because we have heard today how important such programmes are across all communities. I hope that the Minister thinks about that again.

Mr B McCrea: Is the Member aware that during the election campaign, a meeting took place at W5 at which the community relations budget was discussed and at which members from all parties were present, including Daithí McKay of Sinn Féin? All were shocked at that. Will the Member join me in wondering whether the Minister has discussed the matter with Daithí McKay or with the community

relations professionals, all of whom feel that their professionalism has been completely undermined?

Mr McCallister: I agree with my colleague. We have to consult, and the Minister's hallmark is that she neither consults nor listens, and neither does she want to engage with the people who are involved in the programmes.

Mr O'Dowd: Will the Member give way?

Mr McCallister: No, I will not, because you never take interventions from any of us.

Mr O'Dowd: I do certainly.

Mr McCallister: Once he learns to take interventions, I will of course reciprocate —

Mr Deputy Speaker: Order. Members should make their comments through the Chair.

Mr McCallister: I agree with my colleague that it is vital that the Minister engages with those professionals. I agree that she should speak to the Member for North Antrim and hear what commitment he gave at that meeting on the importance of community relations work. Perhaps she might take some advice from him on where she should go on that important issue. The Minister needs to start a process of listening and learning, because she has failed to do that in all the other policy areas that she deals with. It would be good if she could start to listen and learn and to act on that now.

Mrs M Bradley: The Department's decision to cut funding for school cross-community projects by 70% on top of cuts in our intercommunity youth work is a worrying development. If we are to create a society that is based on a shared future, we need to recognise that schools are in a unique position in that they can help to counteract negative views such as the hate, bigotry and prejudice that exist in our society. They are also in the unique position of being able to promote the healing of community divisions. They are uniquely placed to provide hands-on leadership in the work of achieving a shared future, and they have an important role to play in shaping people's views and their relationships with others. The Minister has often said that we should start everything in the early years. That also needs to be looked at. We should support our schools as much as we can, because they can help our young people to share with one another.

The desire for a shared future is a cornerstone of SDLP policy, and we must all learn the value of working and living together. The SDLP will strive to construct a shared and equal society that is free of hate. However, cross-community projects are essential to drive forward change in the elimination of hate and the promotion of good relations. The decision to cut funding to the community relations budget will have a detrimental impact on the work that cross-community projects do in promoting and encouraging real, meaningful and sustained contact among our children and young people who are from diverse backgrounds and cultures.

The SDLP also fears that the cuts will end up costing more in the long term. Cross-community work pays multiple dividends in hard cash saved as we gradually reduce the impact of division and sectarian violence.

The Community Relations Council (CRC) has described the importance of cross-community projects. They can provide our young people with the skills to resist the sectarianism and racism that unfortunately still exist in our society. The council strongly believes that teaching and practicing good relations in all schools is something that can no longer be avoided or seen as optional. It has also said that the school sector and its many stakeholders require greater leadership, encouragement and co-ordination to mainstream much of the good practice that exists. That will require greater sharing and collaboration between communities and schools, with the support of the Department of Education.

The DUP and Sinn Féin grudgingly produced a cohesion, sharing and integration strategy, which provides no practical leadership at all. Indeed, all it really did was push responsibility back to Departments for the production of ideas on a shared future. We now know what Caitríona Ruane's contribution will be: a 70% cut in the community relations budget from £3.5 million to £1.5 million. She and her Department have no intention of taking their responsibilities seriously.

If our society is ever to be free of the legacy of the past, the Minister must reconsider her decision and reintroduce to the community relations budget what is due to it to do the work that we need for our young people.

Dr Farry: I am grateful for the opportunity to take part in the debate. I apologise for missing

the earlier contributions, but I have followed the debate from another place.

Mary Bradley made a point about the cohesion, sharing and integration strategy. I and my party welcome the progress that has been made by the DUP and Sinn Féin on that. We look forward to the forthcoming consultation on the strategy, and remain optimistic that a robust policy can be put in place to deal with the reality of continued division. That is the most important issue facing our society, and one that carries so many social, economic, financial and other costs.

Importantly, the CSI strategy must not simply be a document for OFMDFM to place in a silo or to use as part of a tick-box exercise. If it is to work, it has to be an all-embracing strategy that stretches across all aspects of government and involves all Departments. As we speak, the CSI process is based on inputs coming from Departments. I know that the Department of Justice and DSD are taking it very seriously, but there is potential for all Departments in the Administration to make a contribution to it, not least the Department of Education. That Department is absolutely critical to the creation of a rounded cohesion, sharing and integration strategy, and I am at a loss as to how it can make such a contribution to an overarching Executive policy objective in the context of a 70% cut in community relations funding. Although a new policy may be introduced, there will be a void in the coming year, and there is, at best, scepticism as to what departmental policy will follow for this important area.

As we know, young people are the most impressionable in society. It is at a young age that attitudes are constructed and framed in minds, and those attitudes often stay with a person in later life. There is substantial evidence of people picking up sectarian and racist attitudes at a very early stage, and it is important that our education system tackles such problems and that that action is not simply perceived as addressing a negative. Through wider citizenship and civic lessons, people should be able to talk about the contributions that they can make to create a positive future as part of the shared, cohesive and integrated society that we are surely striving to achieve through the policy. If the Department of Education does not make a viable contribution, there will be a major void in any community relations strategy that the Executive take forward.

Other Members referred to vulnerable people being led astray by violent groups in society. The Minister's party is acutely aware of the threat posed by the dissidents and of how they can lead young people astray. Alongside other actions that may take place elsewhere, community relations and youth work, through the Department of Education, are two elements of how we can challenge that threat to peace and stability in society and prevent a recurrence of the situation that wasted so many lives over the past 40 years.

I want to stress the point about the false economy. I appreciate that we live in difficult times and that tough decisions must be taken, not least in the context of today's news. Later this year, even more difficult news for future years' budgets will, undoubtedly, emerge. However, investment in good relations has to be seen as part of investing to save. Costs must be reduced elsewhere in the system. A small investment in community relations means that much deeper costs can be avoided later. Members know only too well about the costs that accrue from division, through public order problems on the streets and people being led astray into a life of violence. Those costs are imposed not only on the individual victims of division, but on the perpetrators, for whom the cost is a wasted life, and on the system that has to deal with them.

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

Dr Farry: There is much to be achieved from investing in community relations.

Ms Purvis: I was baffled, as were other Members, by the Education Minister's announcement that she was reducing her Department's community relations budget by an estimated 70%. Essentially, she is gutting that budget. She is a Minister who claims to be led by a commitment to equality, and, therefore, community relations should be at the heart of her Department's efforts to improve the lives of young people.

We struggle to cope with the legacy of violence from the recent past. The best that we can do is to work earnestly to ensure that the failings of previous generations do not infect our young people and pull them in to repeating the pattern. That danger is before us now, and it can be mitigated only through proactive and innovative measures. Community relations are central to ending the cycle of violence.

We continue to live in segregated communities, with our young people attending separate schools and leisure centres, playing in separate playgrounds and even travelling to school on separate buses. Given that level of division and the lack of serious investment in community relations, I am extremely curious about how the Minister intends to achieve equality in the education system and among young people. Does the Minister truly hope to achieve parity of esteem or the falsehood of a separate but equal society?

The Minister may recall that the United States tried the separate but equal doctrine, and it did not work. The US civil rights movement, with which the Minister's party claims an affinity, exposed the failings and falsehoods of the absurd suggestion that communities and cultures that shared the same land could and should live separately. Mutual respect and parity of esteem come not from separation, but from understanding. Understanding comes from exposure, knowledge experience and integration.

Inherent in the Minister's decision, as Mr Farry outlined, is an economic absurdity. The removal of funding for community relations does not mean that the need for those programmes will go away. Rather, the demand will show up as crises in various budgets. It will show up in the DHSSPS budget as young people struggle to deal with the stresses of living with violence. It will show up in the DSD budget as communities struggle with the dual penalties of segregation and deprivation. The Minister is well aware that all the designated interfaces in Northern Ireland are in areas where residents already struggle with the stresses of poverty, deprivation and educational underachievement. The demand will show up in the policing budget as tensions develop into a crisis. I cannot understand any economic argument that the Minister might make to support her decision. The cutting of the community relations budget cannot possibly deliver any form of economic savings or efficiencies in the long run.

4.30 pm

Improvements could certainly be made to the way in which community relations are delivered and managed by the Department. Reviews of those efforts recommend that a clear policy framework be constructed to ensure that community relations programmes are focused and constructive and that the work is not

duplicated. Where is the clear policy framework? If there are problems with the way in which the budget has been administered, changes need to be made. Improvements cannot possibly be made by gutting the funding stream.

My concern with the Executive is the apparent lack of deliberate reflection and consultation from Ministers when they make budgetary decisions. We are entering a period of significant reductions in public spending. The cuts that Ministers make to their budgets must be extremely precise and based on careful assessments of where need does and does not exist, not simply on lopping off figures from a budget line item. It is not possible to argue that the need does not exist for community relations work among young people in the education system.

Not only is the need there but it has expanded. We are a different society now from what we were 10 years ago, and our communities have grown. There are thousands of new arrivals in Northern Ireland from countries around the world, and those people have brought their cultures, religions and ideas. I hope that we have begun to recognise and embrace our gay, lesbian, bisexual and transgender citizens and the important role that they play in society. Community relations are not only about Catholics and Protestants but about normalising our society and recognising the fact that our future is shared. I urge the Minister to revisit her decision and invest in the equality that she claims to support.

Mr Deputy Speaker: Your time is up.

Ms Purvis: I support the motion.

The Minister of Education (Ms Ruane): Go raibh maith agat, a LeasCheann Comhairle. I am taking a strategic approach to addressing community relations, and my decision must be viewed in the context of the impact of the wider education budget and plans to introduce a new community relations, equality and diversity policy. The task for education is to prepare children and young people for living in a society that is diverse.

The existing community relations policy was originally developed over 20 years ago, with the focus mainly on promoting contact by bringing together young people from Catholic and Protestant communities. However, I concur with the many Members, particularly Anna Lo and Dawn Purvis, who said that much has changed

in our society, including the revised curriculum, equality legislation, the political environment and the wider diversity that now exists. For example, in the early 1990s, there were 655 newcomer pupils for whom English was an additional language. By 2009-2010, that had risen to 7,533 pupils, an increase well in excess of 1,000%.

Given that today's society is much more diverse, any policy needs to reflect all section 75 groups, not just two or three of them. There are nine grounds in equality, including persons of different religious belief, political opinion, racial groups, sexual orientation, gender or age, people with and without a disability and people with or without dependants. The Good Friday Agreement and the St Andrews Agreement committed to actively promoting the advancement of human rights, equality and mutual respect as well as the United Nations Convention on the Rights of the Child and the current Programme for Government. Any community relations, equality and diversity policy must reflect those commitments.

To ensure that community relations work in schools reflects the current environment, I commissioned a review of the policy. In undertaking the policy review, my Department engaged widely with stakeholders from across the education sector. I established a working group comprising a range of expertise and perspectives to assist in the review and to make recommendations for future policy direction. Members of the group included a school principal; a youth worker; people from the Council for the Curriculum, Examinations and Assessment (CCEA); the schools inspectorate; the Community Relations Council; Ultach; the Council for Ethnic Minorities; the Children's Law Centre; the Equality Commission; and the Human Rights Commission. The working group considered detailed evidence, including presentations from key stakeholders; a literature review; an Education and Training Inspectorate report; an audit of educator training needs; and responses to over 2,000 pre-consultation questionnaires.

The results of the review indicated the need for a wider approach to community relations and identified inadequacies in the existing policy. The review identified inadequate monitoring and evaluation of the quality of community relations provision; the restrictive nature of funding criteria, which limited current practice and

did not encourage progression in community relations; the unnecessary complexity of five separate funding strands; insufficient in-service training for teachers; and the lack of connections between community relations work and other education policies, which have led to this work being seen as an add-on rather than as being integral to the curriculum.

Drawing on the findings of the review, I plan to bring forward a new community relations, equality and diversity policy. That will be supported by guidance, and I plan to bring the policy forward for public consultation later this year. I want to move away from the dependency on external organisations in delivering community relations, equality and diversity, by seeking to embed this work firmly in educational settings by providing a strong skills base for educators and the teaching resources required.

The new community relations, equality and diversity policy will address the findings of the working group by engaging children and young people on the need to promote equal rights and building a culture of mutual respect. As such, the policy will align with the direction that the programme for cohesion, sharing and integration is taking. The new policy will include clear and meaningful outcome measurements to ensure that its impact can be measured, something that, it has been clearly acknowledged, the existing policy fails to do.

Thug mé réimse polasaithe ar aghaidh cheana féin agus mé ag cur an chur chuige nua seo san áireamh, amhail Gach Scoil ina Scoil Mhaith: Ag Tacú Le Daltaí Ó Thíortha Eile agus tograí polasaí ar an mbealach chun tosaigh do riachtanais oideachais speisialta agus cuimsiú.

With a wider approach in mind, I have brought forward a range of policies, such as Every School a Good School: Supporting Newcomer Pupils, and policy proposals on the way forward for special educational needs and inclusion. They contribute to the broader approach that will underpin the aim of improving relations between communities and promote inclusion and a culture that welcomes diversity and equality.

Our schools have an important role to play in community relations, equality and diversity. Teachers and youth workers, often in difficult circumstances, assist our young people to be enlightened, critical thinkers who are prepared for the responsibilities and obligations of life in a changing democratic society.

My policy for school improvement, Every School a Good School, lies at the centre of the reform agenda and is consistent with article 29(d) of the United Nations Convention on the Rights of the Child. Every School a Good School acknowledges that school premises are a resource that could be better used by local communities and that providing for increased community use of school premises can be an effective way of building links between schools and their local communities. I responded to Members' interest on that subject on 11 May.

One significant way of achieving better community relations is ensuring that the 11,000 people who leave our schools without the necessary qualifications are addressed. We must ensure that the programme that we are putting in place continues, because that one action will make a significant difference. We cannot afford a situation in which our young people are leaving school without qualifications.

Through the revised curriculum, I have sought to embed community relations, with personal development, mutual understanding and human rights work at primary level, and learning for life and work at post-primary level in order to provide opportunities to address equality and diversity issues and promote good relations. Among the very good community relations and equality programmes for our schools are those provided by INTO and the Ulster Teachers' Union through their work with Amnesty International.

In 2010-11, current expenditure for education has increased by 1.9% to just over £1.9 billion, but, faced with meeting the efficiencies that are required by the Executive, I have had to balance a range of education priorities against the need to achieve efficiencies. My priority has been to protect front line services and to ensure that the needs of those who are most disadvantaged continue to be at the forefront.

As part of the budget process, an equality and human rights screening was undertaken. It showed that the different needs of the various groups were not being met fully by the community relations policy. As John O'Dowd said, my Department has suffered significant efficiency savings of £74 million, on top of the £13 million savings previously withdrawn in anticipation of the ESA. The best way that both parties opposite can contribute to community relations and equality is by supporting the establishment

of the education and skills authority, instead of putting their heads in the sand.

Faced with decisions about whether to reduce the community relations programme or reduce money going into the classroom, where there are already opportunities to address that work, I have concluded that the latter is preferable and more sustainable. I absolutely agree with Anna Lo on the points that she made about poverty; I have no argument with that. We must target on the basis of need, and the new policy must do that.

I remain committed to increasing the relative funding for primary schools. I have announced that the budget provides for an additional £90 per primary pupil, which represents a 3.1% increase in funding per primary school pupil compared to last year. All parties say that they support extra money for primary schools, but they need to make measured contributions to the debates, given the current economic climate.

I have also extended the free school meals entitlement criteria to include working families with children in full-time nursery and primary schools, with a household income below £16,190. When fully operational, it is expected that an additional 20,000 pupils will benefit from the extension of the scheme, and I encourage all lower-income families to claim their entitlements. I also encourage Members to spend their time letting their constituents know about the scheme rather than trying to pick holes in the community relations strategy in a very ill-thought-out way.

I am considering a draft early years strategy for nought to six-year-olds, and I have set aside £1.5 million to take forward development in that key area. I congratulate Members who mentioned it, because it is a key policy that will make a significant difference in future. I have also just announced up to a further £1.3 million funding to provide additional preschool places to meet unprecedented demand.

The curriculum sports programme, delivered by the GAA and the IFA — organisations that reach out to their communities — continues to receive funding, with £1.5 million available in 2010-11. The programme's emphasis is on participation for everyone and working with working-class communities.

I remain fully committed to the youth services and their important impact on our young people. However, in recognition of the continued need

for good relations and equality, I have been able to make provision to retain a funding stream for community relations work. The previous community relations funding schemes terminated on 31 March 2010, and the organisations affected were given notice of that on 3 August 2009 to provide time to bring existing programmes to a managed closure.

Beidh mo chuid feidhmeannach ag obair leis na príomhpháirtithe leasmhara san earnáil chun bealaí nuálaíocha agus éifeachtúla ó thaobh an chostais de a aithint lena chinntiú go n-uasmhéadófar an cistiú atá ar fáil..

My officials will work with key stakeholders across the education sector to identify innovative and cost-effective ways of ensuring that the funding available is maximised. To facilitate the administration associated with the winding-up of existing schemes, I have made short-term allocations to all the organisations affected from the 2010-11 budget. The funding will cease at the end of May. The focus will be on embedding community relations in the mainstream education system. Most of the 2010-11 funding for community relations will be used to secure posts in the education and library boards and in the Youth Council, which are critical to the implementation of the new policy. Initially, they will be used to ensure a managed run-down of current schemes until the end of June and to prepare for implementation of the new policy.

4.45 pm

In addition, significant expenditure of over £200 million for special educational needs, £8 million for supporting newcomer pupils and £28 million for youth services contributes to the wider approach to community relations. It is against that background and the need to take cognisance of the relevance and impact of other policies in respect of community relations that my decision to set community relations funding at £1.1 million should be viewed, not by focusing narrowly on one funding stream.

With all the work that my Department is engaged in, I am confident that education will continue to make a vital, meaningful and sustainable contribution to building good relations and equality between young people across the nine grounds rather than two or three grounds, and to the emerging Executive policy on cohesion, sharing and integration.

Mr Lunn: I thank all Members who have contributed to the debate. It has been constructive. There has been little disagreement. I noticed that even John O'Dowd appeared to agree with the motion. I am glad to hear it. We all recognise that we are in difficult financial times and that more lie ahead. The Department of Education is no different to other Departments. However, there are questions to be asked — they have been asked, rightly — about the degree of the cut and its disproportionate effect on voluntary groups whose other funding sources are limited.

I appreciate the Minister's point that the bulk of the funding that has been withdrawn is being used to prepare for implementation of the new community relations, equality and diversity policy, which is proposed to be adopted during the current financial year. However, we are quite well into the financial year, and the Minister talked about bringing it forward for consultation "later this year". Given that most of the groups that are now being severely disadvantaged by the cut will expect to be funded under the new policy, what on earth are they supposed to do in the meantime? In proposing the motion, Anno Lo stated that they are grant-funded only until the end of May. The £1.1 million that is left is to cover the entire financial year. The new policy has not even been produced in draft form. Given the Department of Education's rather sorry record of bringing forward policy documents, when can implementation be expected? It seems to me that the best estimate is some time around Christmas. What is supposed to be done about the 26 community relations groups, the schools' community relations programme and the youth support scheme?

Anno Lo referred to the Programme for Government commitment to promote tolerance, inclusion, health and well-being. Is this decision in line with that commitment? Indeed, David Hilditch made an interesting point about Robin Newton's comments earlier, which he said refocused the community relations strategy. The jury is out on that. OFMDFM thinks so little of that Programme for Government commitment that it has taken almost three years to bring forward a draft CSI strategy. Frankly, that came only after pressure from the Alliance Party and as part of the deal to persuade us to accept the Justice Ministry. Although the strategy is yet to be made public, it is rumoured to be high on rhetoric and low on substance. Given that it was brought forward under duress, it is, perhaps,

a half-hearted compromise. However, my party colleague Stephen Farry informs me that there is strong affirmation in the strategy of the principle of contact.

The Department of Education seems to be prepared to leave so many worthy groups in the lurch on the vague promise of a new policy later this year if they can stay in business in the meantime. I wonder what all of that says not only about the Department but about the Executive's commitment to community relations.

I want to spend a few moments on what Members have said during the debate. Straight away, Mervyn Storey mentioned one funded body that he knows of which is in the process of losing four experienced staff. Other Members made similar points. Mervyn also referred to young people from interfaces in deprived areas and the possibility of them being turned from the proper way into more doubtful associations. That point was echoed by Dawn Purvis and Dominic Bradley.

Several Members spoke about a vacuum in policy development. That is the problem: we have done away with one policy without replacing it with another. All that has been said about education sounds familiar. Basil McCrea spoke about the common goal of trying to dismiss sectarian tensions and commented that a modest budget can make a huge difference. That is absolutely correct. He also said that the Assembly needs to get real about community relations. He specifically referred to comments that I did not hear because I was not at the meeting in question. However, there seemed to be at least a difference of emphasis between what Daithí McKay said at the W5 meeting and what the Minister is now saying.

Dominic Bradley referred to the review that started in 2008 and the loss of many good people to the community relations sector. He spoke about staff being placed on protective notice and the fact that there is no funding for programmes or transport and stated that, in that vacuum, the initiative was being handed to others.

John O'Dowd surprised me slightly — I do not know why I was surprised — by agreeing with the concerns that were expressed. He did not appear to disagree with any part of the motion, but I wonder whether Sinn Féin will actually support it. We will wait and see. He made the valid point that the Department's budget is tightly stretched and that £87 million is being

lost to it this year. That is fair enough. We all know that there are very difficult decisions to be made but, in recent times, the Minister has managed to come up with extra money that we did not know about for various schemes. She has not been given much credit for some of those, but I will give her credit for the reprioritisation of Whitehouse Primary School, the money that has been found for preschool places and the decision on prep schools. All of that is very welcome. Today, she mentioned a slight adjustment to the free school meals criteria and another £2 million for the Irish-medium sector, which will not please everybody, but it is money that has been found.

Mr Storey: Wasted.

Mr Lunn: No; not wasted, Mr Storey. It was found. *[Interruption.]* Sorry? I do not mind giving way if somebody wants to make a comment.

Lord Morrow: I hope that it is not another rubbish report that the Member is reading from, such as the one that he referred to last week in the House.

Mr Lunn: Lord Morrow will not let me live that one down, but I stand by my view. John McCallister made a telling comment about short-term budgetary decisions with long-term effects. He could not have put it better; that is very sound logic. Mary Bradley spoke about the SDLP's policy, which I think we all share: a shared and equal society, free of hate. She also mentioned the multiple impacts of cross-community work. There is no disagreement anywhere in the House about those matters.

My party colleague Stephen Farry referred to the CSI strategy being all-embracing and was completely at a loss to reconcile that strategy, little as we know about it, with the 70% cut to a particular budget. Dawn Purvis was baffled by that decision; aren't we all? She spoke about "gutting" the budget and the failed United States policy of "separate but equal".

The Minister has responded. I agree with what she said at the beginning of her speech: much has changed in 20 years, and the policy needed to be reviewed. That is fine. There is not a policy in existence in this place that should not be reviewed on a more regular cycle than that.

(Mr Speaker in the Chair)

I like the sound of the new policy that the Minister described and of all the work that is

going into that. She talked about 2,000 pre-consultation questionnaires — fair enough — and a wide-ranging review. However, she said that all that will happen later this year. In the meantime, those groups have little or no money.

Finally, the Minister referred once again to the ESA — I do not know how she could ever get through a speech without mentioning it — and the necessity to establish it in order to save some money. For the record, I completely agree with her. I am just throwing that in during the last few seconds of my contribution. She talked about a managed run-down of existing schemes. A managed run-down simply means that existing schemes will run out of money at the end of May or possibly June. However, until a new policy is established and some new funding is provided, a gap will exist. I, therefore, appeal again to the Minister to try to fill that gap so that those schemes are not detrimentally affected.

Question put and agreed to.

Resolved:

That this Assembly expresses deep concern at the Minister of Education's decision to introduce significant cuts to her Department's community relations budget for 2010-11; and calls on the Minister to explain how her Department can now make any meaningful contribution to building good relations between young people and to an overarching Executive policy on cohesion, sharing and integration.

Fortieth Anniversary of Disbanding of B-Specials and Formation of UDR

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

I wish to inform Members that a valid petition of concern was presented today in relation to the motion. Under Standing Order 28, the vote cannot be taken until at least one day has passed. Therefore, the vote will be taken as the first item of business tomorrow morning, Tuesday 25 May. The motion can, however, be debated today. I remind Members that another effect of the petition is that the vote on the motion will be on a cross-community basis.

Mr Storey: I beg to move

That this Assembly notes that April 2010 marked both the fortieth anniversary of the dissolution of the Ulster Special Constabulary, or B-Specials, and also the fortieth anniversary of the formation of the Ulster Defence Regiment; expresses its gratitude to the bravery of the many people who served in each; acknowledges the sacrifice made by many personnel as they defended the population against terrorism; and calls on the Secretary of State for Northern Ireland to mark these two important anniversaries.

Declan O'Loan's new party must now be in operation given the cross-party marriage of SDLP and Sinn Féin Members in relation to the signing of the petition of concern. No doubt the SDLP leader will have some questions to ask Mr O'Loan about who will be the new leader of the party. That is not said to politicise, in any way, what this afternoon is about.

Many people want revisionism at the heart of the way in which we move forward and, unfortunately, they wish to airbrush from existence the gallant history of the men and women who served in the B-Specials and the UDR. That will not happen as long as members of my party are on this side of the House. Many people have stood between terrorism and the community. Among them were the members of the Ulster Special Constabulary and the UDR, whose brave service helped to hold the line against terrorism. The motion acknowledges their service and sacrifice. It is only right and proper that this opportunity be taken to applaud

the way in which the community was defended from those who sought to murder by night.

A force of special constabulary was raised under the Special Constables (Ireland) Act 1832. Recruiting for the Ulster Special Constabulary opened on 1 November 1920, after a period of unrest and as the South descended into anarchy and chaos. Between 1920 and 1922, it is estimated that some 428 people were killed and a further 1,766 were wounded as the IRA sought to kill the Northern Ireland state at birth.

In 1922 alone, 232 people were killed and 1,000 wounded. Just as the IRA would again fail in latter times, so, too, did it fail in the 1920s.

5.00 pm

When World War II broke out, a ready-made force of 13,000 men was available for Home Guard duties. That would later swell to 40,000 personnel. In the 1950s, the IRA reverted to carrying out a terrorist campaign. The Ulster Special Constabulary played an important role in responding to and defeating that terrorist campaign. It is interesting to note historical author Tim Pat Coogan's description of the B-Specials as:

"the rock on which ... the IRA ... foundered."

After that period, and until its dissolution, the Ulster Special Constabulary continued to give gallant and dedicated service to the Province. Regrettably, members of the Ulster Special Constabulary lost their lives in the line of duty. They were ordinary people who placed themselves to the fore in combating terrorism, and they deserve our thanks.

This year also marks the fortieth anniversary of the formation of the Ulster Defence Regiment (UDR). It was formed in 1970 and incorporated some former members of the Ulster Special Constabulary. Its main purpose was to engage in guard and patrol duties in Northern Ireland, and it was a key component in resisting the extreme, cruel and bloodthirsty terrorist campaign that republican terrorists waged against the entire population. The depravity, cruelty and brutality of events such as Bloody Friday bear solemn testimony to the circumstances in which the UDR served this community, and served it bravely.

In the late 1980s, the UDR provided backup for the RUC across 85% of Northern Ireland. Since its formation, 40,000 people served in its

ranks. It is estimated that the combined total of full-time and part-time members exceeded 60,000 personnel. Given the sheer number of people who served in the regiment, the extent of the reach of its duties and the prolonged period for which it was on active service, the UDR's disciplinary record is nothing less than exemplary. By the time that it merged into the Royal Irish Regiment, 197 members and 47 former members had been murdered. The UDR was on active service longer than any regiment since the Napoleonic wars.

Whereas regular troops could usually be attacked only while on duty, members of the UDR lived and worked in the community. They were almost always attacked when at home, when at work or when unarmed. Today, we do well to remember those who lost their lives. Although it would be improper to pick out any individual, I recall one incident involving a serving member of the UDR who travelled to work with someone whom he thought was his colleague, but who was charged a few years later with his murder. How sad that we had a society in which that was not only something that happened but, unfortunately, was something that was supported. I trust that we will never again go back to that mentality. These were ordinary Ulstermen and Ulsterwomen who placed themselves in danger that we might live in peace. In the worst days of the Troubles, they became the target of terrorist organisations that we in this House might have a future.

Today, Sinn Féin sits in this regional Assembly in the UK. Today, it upholds the British criminal justice system. Today, it gives allegiance to, and, in many cases, is actively giving evidence to, a British police service. The republican movement has been forced to deal with decommissioning; it has been forced to announce the formal ending of its campaign; it has been forced to issue a formal stand-down order to all its personnel; and it has been forced to sign up to support the police, the courts and the rule of law.

In short, as Mr Molloy, a Member of this House, said in 1999:

"We are really prepared to administer British rule in Ireland for the foreseeable future. The very principle of partition is accepted, and if the unionists —

Mr Molloy: On a point of order, Mr Speaker. Is it correct for a Member to misquote another

Member in the House? I ask the Member to withdraw that particular quote.

Mr Speaker: I have often said in the House that Members have to be careful when they are quoting other Members. Therefore, it is very important that if Members are being quoted, they are being quoted correctly.

Mr Storey: Mr Speaker, I am quite happy to provide you with the source of the quote.

I will complete the quote:

"The very principle of partition is accepted, and if unionists had had that in the 1920s they would have been laughing."

The brave men and women of the UDR, through their service, gallantry and sacrifice, greatly helped to bring republicans to that place. They deserve our thanks, and I express my personal thanks to them in the House today.

Today, our Province is, to a large degree, at peace. Although the situation is not perfect, and though the institutions in the House are far from perfect, there is no longer the devastation and death that happened on a weekly basis when I was growing up.

As we seek to move Northern Ireland forward on that basis, we must never forget our past or the great price that was paid by so many to bring us to where we are today. As we reflect upon our past, there can be no greater contrast than that between the role of the various republican terrorist organisations on the one hand and the role of the forces of law and order, as epitomised by the members of the B-Specials, the UDR and other members of Her Majesty's forces, on the other. The former had a clear political agenda, which was designed to destroy our Province, its economy, its way of life and its heritage. The latter had no political agenda; they only sought to stand between us and those who would destroy our lives and our property.

Mr Speaker: Will the Member bring his remarks to a close?

Mr Storey: Republican terrorists deserve no praise or commendations; they deserve no memorials. However, those whom we commemorate in the motion do deserve our thanks and appreciation.

Mr Speaker: It is right that, as far as possible, Members quote other Members correctly. However, it is not the Speaker's job to sit in

judgement about where Members get their information. Mr Molloy will have an opportunity to correct what has been said when he speaks in the debate.

Mr O'Dowd: The previous Member ended his speech by telling republicans that they have no right to remember their dead and they have no right to remember those people who lost their lives in a conflict that was not of their making.

The motion is about many things. However, at its centre is the right of people to commemorate, in their own way, those to whom they felt close, those to whom they felt loyalty and those who had the same political views. So, it is difficult when someone gets up and makes a speech about the right to honour someone, only to tell others at the end of it that they have no right to do the same.

Mrs D Kelly: It should not necessarily fall to this House to honour such people.

Mr Speaker: The Member has an extra minute.

Mr O'Dowd: Thank you, Mr Speaker.

As I move through my speech, I will clarify my position on that. I will not be going cap in hand to the British Secretary of State asking for permission to commemorate anyone. If the unionist parties opposite are serious about commemorating those who served, fought and died as members of the Ulster Defence Regiment and the B-Specials, they should be responsible for organising such commemorations, instead of seeking permission to do so from someone else.

The previous Member to speak, perhaps rightly, gave a one-sided version of the history of the B-Specials through to the UDR. All those organisations were formed for one reason and one reason only: to maintain the status quo in this state. The way in which they went about that created not only the conflicts of the 1920s that the Member spoke about but surely helped to create the intense conflict that we saw from 1969 through until we eventually reached where we are now.

The actions of the B-Specials bred a fear in the nationalist community. That not only drove many nationalists physically from their homes but many others left Ireland simply because the B-Specials ruled the community in which those people wanted to live. That was no way for any society to be built.

The Member moved on to discuss the creation of the Ulster Defence Regiment. Throughout his speech, he talked about terrorism and terror. I do not say this to be inflammatory, but many in my community, including myself, would have seen the Ulster Defence Regiment as a terrorist organisation. I am not saying that to provoke a reaction or to cause hurt to anyone. However, as was the case with the B-Specials, the actions of members of the Ulster Defence Regiment, whether they were in or out of uniform, caused fear among the broader nationalist and republican community. I do not think that that is a history on which this House can reflect in common purpose and be proud of.

The actions of those people did not help to end the conflict, as Mr Storey said. Rather, they helped to prolong the conflict. Members of the UDR, and their forefathers in the B-Specials, did not involve themselves in a campaign of security. I assure you that when a UDR patrol was seen in the communities that I represent, no one felt secure. When the UDR stopped you at the roadside, searched you, took your details, asked you where you worked, and were able to tell you everything about your life, it was not for your security. When that same information ended up in the hands of so-called loyalist paramilitaries, it was not for your security. When that same information was used to kill your neighbours, members of your family and members of the broader community, it was not for your security. That was terror in its classical form.

That did not bring us to peace. What brought us to peace was politics. We can rewrite our own versions of history, but we are on these Benches today because we decided to make politics work. I am glad that politics is working, because I do not want another generation to experience the life that we experienced. I do not want another generation to go off to join organisations such as the UDR or the RIR, and I do not want another generation to go off to join the IRA. I want the next generation in this society to make politics even stronger and to resist those who, whether through words or actions, choose to bring us back to the days of conflict. That is the way forward.

I want those who wish to remember to be able to do so in a dignified way, whether they are remembering the B-Specials or the UDR. However, I also want them to understand that we as republicans have a right to remember those who were dear to us. Those IRA volunteers and

their families have a right to remember their loved ones in a dignified way. If we can have common cause in that, it would show a maturity about this society.

Mr Elliott: I thank and congratulate the Members who moved the motion. As a former member of the Ulster Defence Regiment, I take great pride in having served in that regiment.

I want to deal with a couple of issues that Mr O'Dowd raised. There will never be any similarity between those who served in Her Majesty's security forces to protect all communities in this Province and those terrorists who skulked about in the dark of the night or in the light of the day and murdered the citizens of this Province and the wider community. Indeed, they murdered not only the citizens of this Province but citizens of the Irish Republic and Great Britain. There can be no similarity between those two groups.

I want to dispel another myth about the B-Specials and quote directly from the Hunt report, which, at paragraph 3.16, states that the:

"USC were also used in Belfast to protect licensed premises which, being largely Catholic owned and managed, were at risk from Protestant hooligans when communal tension was high. Again, they did the job well — as is evidenced by the destruction of so many public houses as soon as they were withdrawn."

That proves that the B-Specials were not sectarian. When I served in the UDR, I protected people from the nationalist and Roman Catholic community in the same way that I protected those from the Protestant and unionist community.

5.15 pm

I recall nights when I guarded the homes of nationalist politicians in my constituency because of the threat against them; I did the same for unionist politicians. Mr O'Dowd referred to people being searched. That was absolutely right; I was searched by other members of the security forces, but I did not complain. Law-abiding people had absolutely nothing to fear. The difference was that, for decades, some people deliberately murdered others, bombed the Province and tried to destroy its citizens.

Fortunately, although many people lost their lives — our memory should be with them at this time — the terrorists were not able to bomb and murder the people of the Province into submission. The peaceful society that we have

today is due in no small part to the B-Specials, the Ulster Defence Regiment and other security services. But for their actions, the Province could easily have slid into anarchy many years ago.

Mr Storey said that certain people may not have pulled the trigger to murder their neighbours who served in the Ulster Defence Regiment or the B-Specials, but if they did not, they set them up. That caused huge suspicion and mistrust among communities. When the Ulster Defence Regiment was first established, there was a huge attempt to recruit as many Roman Catholics as possible. The fact that that did not happen had nothing to do with the reasons behind the formation of the regiment. It was because those from the Roman Catholic tradition chose not to make it happen.

I served with Roman Catholic colleagues. One night, one of them went out on duty with one patrol and I went with another. That was the last time that I saw him: he was murdered that night. Another colleague with whom I served lived in a predominantly Roman Catholic housing estate. The people who lived there made his life a misery just because he wished to serve his community. I say shame on those who murdered their fellow citizens, even though they were of the same religion.

Mr Speaker: The Member must bring his remarks to a close.

Mr Elliott: I say shame on those who made that soldier's life a misery just because he was serving the community.

Mr D Bradley: Go raibh maith agat, a Cheann Comhairle. From what we have heard today, we know that there are deep sensitivities around the motion for people on all sides of our community. Some unionist people watching the debate will have had family members who were in the UDR, and some will have had family members who were in the UDR and were murdered. There are probably Members who, as we have heard, were in the UDR, and, as Mr Elliott said, knew people who were murdered.

Likewise, nationalist people, as well as Members, have had family members murdered at the hands of UDR members, sometimes acting in collusion with loyalist paramilitaries. I would like Members to be sensitive to both perceptions of the UDR. A sectarian slanging match across the Floor of the House will not serve well the memory of the dead. It is not

what their families would want, nor is it to anyone's benefit. The families want to know the truth about how their loved ones died and to have that truth acknowledged.

I do not seek to demonise everyone who was in the UDR, some of whom were neighbours who lived on the same street as me. It would be wrong of me to do that, but it would also be wrong to deny that some members of that regiment acted outside the law, sometimes in collusion with loyalist paramilitaries.

In my constituency, a group known as the Glenanne Gang, which comprised loyalist paramilitaries, members of the RUC and its Reserve, as well as members of the UDR, was responsible for at least 18 gun and bomb attacks in which 58 people were murdered. The group had its headquarters on a farm outside the village of Glenanne. One of the gang members, former RUC Sergeant John Weir, confessed to his part in those activities and exposed the gang members.

Weir was a member of the RUC's special anti-terrorist group, the special patrol group. In his evidence, he named Robin Jackson, a loyalist paramilitary from Lurgan and the late Robert McConnell among the members of the gang. He stated that Jackson and UDR member McConnell were responsible for the murder of republican John Francis Green at Mullyash near Castleblayney.

The Dublin and Monaghan bombings were co-ordinated from the farm, and the explosives were stored there. Weir said that the explosives for both attacks had been provided by an intelligence officer in the UDR. The bombs were assembled at the farmhouse in Glenanne. The main organisers of both attacks had been a loyalist paramilitary and a named UDR captain from Lurgan. The bombs had been transported in cars by Robin Jackson and the UDR captain, both of whom took part in the Dublin attack.

The gang was also responsible for gun and bomb attacks in two pubs in Crossmaglen, after which one man died; the murder of two football supporters at Tullyvallen; and the attacks on Donnelly's bar at Silverbridge and Kay's Tavern in Dundalk, in which four people died and others were injured. Bomb attacks were also carried out in Castleblayney and at the Rock Bar in Keady, in which three people died.

UDR member the late Robert McConnell was the common element in most of those attacks, with the named UDR captain supplying the explosives in most cases. Gang members were also involved in the Miami Showband killings. Three of the Reavey brothers from Whitecross and three members of the O'Dowd family were also victims of the gang, as were RUC Sergeant James Campbell and Ahoghill grocer William Strathearn. Weir admitted complicity in the latter murder for which he was convicted and imprisoned.

RUC Sergeant John Weir has been accepted as a credible witness by Justice Henry Barron, who led the inquiry into the Dublin and Monaghan bombings, and by the Historical Enquiries Team in Northern Ireland. The members of the UDR who were involved with the Glenanne Gang were not defending the population against terrorism: they were doing the opposite. They were terrorising the community. They acted outside the law in collusion with loyalist paramilitaries and brought death, injury and destruction to scores of innocent people. That is why the SDLP has lodged a petition of concern.

Mr Speaker: Bring your remarks to a close.

Mr D Bradley: That is why we oppose the motion. Go raibh míle maith agat.

Dr Farry: The issue is clearly sensitive, and I fear that the middle ground is very narrow indeed. The Alliance Party tried to table an amendment to suggest a positive alternative that might have had the potential to unite the House, but it was not taken forward. We must appreciate that history is rarely a black or white matter. There will always be interpretation and dispute around it. That is particularly the case in Northern Ireland.

We accept that there is a landmark anniversary in relation to the standing down of the Ulster Special Constabulary, or B-Specials, and the creation of the Ulster Defence Regiment, which later merged into the Royal Irish Regiment. The question is whether we should call on the Secretary of State to commemorate that. If we do, whether he would want to act on that is another matter.

As other Members said, there is scope for people in this society to have their own commemorations. However, we should look at how we can jointly commemorate our shared history. I may return to that point later.

The Alliance Party welcomes every opportunity to express its gratitude to and respect for those people who have served in the police and security forces, whether in the RUC, the PSNI or the Ulster Defence Regiment, to defend this society against terrorism, be it loyalist or republican, and those who have consistently acted in line with the values of the rule of law, democracy and human rights. Although I have critical comments to make about the B-Specials later, I accept what Mr Elliott said about the Hunt report's reference to their protection of Catholic lives and property. It is also important that we recognise the significant loss of life among the B-Specials and the UDR.

That said, in trying to give a balanced reflection of the situation, it is only right that we acknowledge that there were abuses of power in policy and practice by the state — both the Stormont and direct rule regimes — during our history. Individuals acting with Crown authority also abused their power and authority in how they conducted their duty. There are documented examples of members of the Crown forces who acted in an illegal manner, were involved in some extremely serious crimes and had links to paramilitary organisations. That is all on record.

We must also reflect on the fact that different sections of our community have different perceptions and real experiences of the B-Specials and the UDR. In doing so, it is important that we draw distinctions between the B-Specials and the UDR. The context of the two organisations was different. The B-Specials were part of the RUC and controlled by the Stormont regime, and there was no balance in their membership. As Mr Elliott said, strong efforts were made to recruit Catholics to the UDR in the early 1970s, but those attempts were ultimately unsuccessful.

We must recognise that the B-Specials were drawn almost exclusively from the Protestant section of our society. That fact was borne out by a succession of reports; namely, the Scarman, Cameron and Hunt reports. The point was made that it was almost impossible for a Catholic to be a member of those organisations. Policing and security are at the heart of the conflict in Northern Ireland and Ireland. People from the Catholic tradition were regarded as being de facto subversives, which was a wrong assumption in many cases.

It is important to reflect on two themes that the Assembly should never forget. First, we have an ongoing challenge to deal with the past and the legacy of the past. We have still not come to terms with it, and, in some respects, we continue to push it away. Indeed, the new Government seem intent on doing that. We also have to reflect on how we build a shared future and produce a stable, free and prosperous society. We must take a balanced view of our history.

Mr Buchanan: I support the motion, and I congratulate my colleagues Mr Storey and Lord Morrow for securing the debate in this important anniversary year. It is only right and proper that we have the opportunity to place on record our deep respect for the members of the Ulster Special Constabulary and the Ulster Defence Regiment. They played a crucial part in the battle against the enemies of the Province at different stages in our history, and we in the House owe them a great debt of gratitude.

The republican propaganda machine worked hard to malign and misrepresent the USC and the UDR over the years, but it was only propaganda. Republican terrorists regarded members of those organisations as legitimate targets, and several hundred of their members were brutally murdered in cold blood. They were easy targets for the so-called brave volunteers of the IRA. Many were attacked when out of uniform and going about their ordinary civilian jobs, working on their farms or arriving home only to be gunned down in front of their family by bloodthirsty gangsters during a campaign that was supported by Members of the House.

A table in the book 'Lost Lives' shows responsibility for deaths, year by year, from 1966 to 2006, and it reveals that 2,152 murders were committed by various republican terrorist groupings in some of the most vicious circumstances, so I will take no lectures this evening from the Members opposite. Their attempts to discredit the B-Specials and the UDR will be treated with the contempt that they deserve. Republican accusations that these people were drawn from the Protestant riff-raff must also be strenuously rejected. Most unionist families, my own included, can speak with pride of family members who served in varying roles in the B-Specials and the UDR. I am proud to be able to say that members of my family served and still serve in Her Majesty's forces.

5.30 pm

The USC played a pivotal role at crucial moments in the history of Northern Ireland. Tribute has rightly been paid to its members' public-spirited service and selfless devotion. Even the Hunt report, which recommended its disbandment, paid warm tribute to them. It said that, to a man, the special constables had devoted themselves to the cause of Ulster and that they had rendered gallant service.

When Northern Ireland was established in 1921, it faced an immediate and severe threat from its enemies, and we are eternally grateful for the contribution of the USC at that time. Not only did Northern Ireland survive then, but it is still here today as part of the United Kingdom, even though Barry McElduff, speaking on the radio last week, got very worked up about that particular issue. Mr McElduff may be in denial, but I remind him that he sits in the Northern Ireland Assembly within the United Kingdom of Great Britain and Northern Ireland, where he now supports the police and the rule of law and the judicial system.

The B-men's knowledge of local areas and local people was crucial at different stages in our history. They played a key part in the Home Guard during World War Two and in the defeat of the IRA campaign of 1956 to 1962. Then, in 1969, when militant republicans again attempted to destroy Northern Ireland, the B-Specials came to the rescue once more, only to be sacrificed on the altar of political expediency. The Hunt report, which recommended the scrapping of the Specials and the creation of an unarmed police service was naive and failed to face up to key realities. As Dr Paisley once said:

"if you want to destroy a country pull out the teeth of her defence forces and she will be easy prey."

I have no doubt that the Troubles, which were the scourge of this Province for many years, would not have lasted as long as they did had the B-Specials been retained and not disbanded.

The B-Specials were disbanded in 1970 and replaced by the RUC Reserve and the UDR, and I want to pay tribute to them as well. They stood in the gap and were not found wanting. Many of their members were murdered, many more injured, and many carry the scars of physical and mental pain to the present day. Unfortunately, they too ceased to exist, but their bravery must not be forgotten. I share

the regiment's pride in the award of the Conspicuous Gallantry Cross by Her Majesty the Queen, and I call on the Secretary of State to begin his term of office on a sound basis by ensuring that the B-Specials and the UDR are properly remembered and celebrated in this fortieth anniversary year.

I close by quoting some words from a poem by John Potter, which is dedicated to the UDR:

"We did not serve because we hate

Nor bitterness our hearts dictate.

But we were they who must aspire

To quench the flame of terror's fire.

As buglers sound and pipers play

The proud battalions march away.

Now may the weary violence cease

And let our country live in peace."

Mr Speaker: The Member's time is up.

Mr Buchanan: I support the motion.

Mr Molloy: Go raibh maith agat. First, I refute completely the allegations made by Mr Storey at the beginning of his speech, even though he has left the Chamber. Misquotes and allegations are easily thrown about without standing over the facts.

I find it hard to believe that this backward-looking motion is before the House today. Some spoke of revisionism; this is real revisionism. I would have thought that even the DUP, at this stage, would have realised that it was largely the actions of these two paramilitary forces that led to the collapse of the six-county statelet. They were the real terrorists.

I welcome the fact that the B-Specials were disbanded. Everyone in the nationalist community rejoiced at that event. Unfortunately, many of them simply changed uniform and moved across to another organisation. They continued the harassment, the murder of nationalists and the collusion with others to ensure that loyalist paramilitaries had information to act on.

My early memories of the B-Specials are of being taken out of the car when I was very young, coming from midnight Mass at 1.00 am, by these men dressed in long black coats, brandishing guns and asking everyone their

name and address. They asked my father for his name and address, even though the B-man was a next-door neighbour who knew him better than most —

Mr Moutray: He did not shoot him, did he?

Mr Molloy: — but that was part of the harassment.

Mr Speaker: Order.

Mr Molloy: That was part of the harassment to put people in their place and to try to intimidate them.

For me, the Troubles began when the Tynan platoon of B-Specials, which I am sure Members sitting opposite would know well, shot John Gallagher on the Cathedral Road in Armagh. John Gallagher was a young man who was going home from his work and was walking through a peaceful civil rights march that was attacked by B-Specials, who shot John Gallagher. For me, that was the start of the Troubles because that was when the terrorists really opened up.

The B-men also opened fire on unarmed marches in Dungannon, Coalisland and across the North. The Protestant militia were at their dirty work, but this time, the croppies would not lie down; they continued to challenge. We then had the whitewash of Scarman, when it was found that the B-men were always carrying someone else's gun, no one was accountable for anything, and no one admitted playing a part. These were the forces of the state, being paid by the state, allegedly to keep order. Even the British Government could not stand over their actions, and the B-Specials were disbanded, to the delight of the nationalist community once again.

After the battle of the Bogside, we saw —

Mr Moutray: *[Interruption.]*

Mr Speaker: Order.

Mr Molloy: After the battle of the Bogside, the B-Specials were completely humiliated by children on the top of the flats who beat them down with petrol bombs, stones, bricks and, on many occasions, their hands. The B-Specials had proved to be useless at anything in such a situation.

The disbandment of the B-Specials was welcome but short-lived, because many of them joined the UVF. I know that in the murder triangle, where I lived, most of them joined

the UVF and became the paramilitary force that killed many Catholics in that area. Others joined the UDR. The UDR was supposed to be a regiment —

Mr Moutray: Others joined the IRA.

Mr Molloy: I do not think that any of them joined the IRA.

Mr Moutray: *[Interruption.]*

Mr Speaker: Order.

Mr Molloy: Others joined another paramilitary force, the UDR, which was supposed to be a British Army regiment with accountability. What followed was collusion with loyalist murder gangs; bogus patrols, who shot two GAA men who were returning from an all-Ireland final, including a neighbour of mine, John Farmer; and the direct murder of Catholics who were shot when they came across them. That is what members of the nationalist community think about when they hear the name B-Specials or UDR; they think about murder and paramilitary connections. Those two organisations have a lot in common: both were Protestant, paramilitaries, murderers, and they were both disbanded, even by the British Government. Even the British Government could not stand over them. *[Interruption.]*

Mr Speaker: Order.

Mr Elliott: Will the Member give way?

Mr Molloy: By all means.

Mr Elliott: I thank the Member for giving way, Mr Speaker.

First, I resent the fact that the B-Specials and the UDR are being called paramilitary forces. That is absolutely unnecessary and not true. Secondly, will the Member accept the fact that I condemn people in any of those forces who broke the law? However, will he condemn members of terrorist organisations, such as the IRA, who skulked about at night, shot, murdered and blew up our citizens? Will he condemn them in the way in which I have condemned those in the security forces who broke the law?

Mr Molloy: First, to continue on the lines of what I had been saying: both those regiments had a lot in common. Both had to be disbanded by the British Army after they had been used and served their purpose as a cover for loyalist paramilitaries whom they worked alongside.

I will respond to Mr Elliott's point: we are talking about people who were supposed to be the forces of law and order, the Government's representatives on the ground, the people who were supposed to be protecting all citizens —

Mr Speaker: The Member will bring his remarks to a close.

Mr Molloy: Mr Speaker, I think that I have an extra minute.

Mr Speaker: I warned Members about giving way close to the end of their time. Unfortunately, Mr Elliott ate into the Member's extra time. When Members have the Floor and decide to give way, they must be aware of how much time they have left.

Mr G Robinson: I support the motion, and I shall attempt to express my admiration of and thanks to the members of the B-Specials and the UDR for their role in protecting the entire population from those who desired civil unrest and planned to commit murder and destruction. The role they played, amid great sacrifice, has never been acknowledged properly. The B-Specials were part time and underpaid, apart from a small allowance for service and wear and tear on clothes. They were expected to do occasional duty, usually one evening per week, in their home area.

In 1997, in his most recent book, 'Crisis and Decline: the Fate of the Southern Unionists', the historian R B McDowell recalled childhood memories of those years:

"... one bright evening I stood at a window ... I heard footsteps and saw a patrol of B Specials, decent, middle-aged men with police caps and armlets, carrying themselves with solemn determination. I felt reassured."

Mr McDowell captured the perfect description of the typical B-Special: a decent middle-aged man.

A former B-Special told me that the work was often dull. However, the roll of honour for the entire Ulster Special Constabulary tells the story of just how dangerous the work really was. Between 1921 and 1970, 246 men lost their life while serving their community. In those 50 years of service, as Drew Nelson stated recently, they helped:

"the people of Northern Ireland in the defence of a democratic way of life."

The B-Specials' major advantage was that they knew who in their communities would be likely to associate themselves with terrorists. They had confidence in their local control over terrorists, and they were sure that the terrorists recognised and feared that knowledge. Sadly, in 1970, the Ulster Special Constabulary was disbanded and replaced by the UDR. The B-Specials had become a victim of lies, innuendo and political cowardice. As Dr Paisley said at the time:

"if you want to destroy a country pull out the teeth of her defence forces and she will be easy prey."

Like the B-Specials, sadly, the UDR was also disbanded. Once again, local people, men and women who believed in defending their country, paid a heavy price in lives lost and injuries. Those are the facts and, with them in mind, the motion is correct to call on the Secretary of State to mark the two anniversaries. I join my colleagues in expressing gratitude to all those who served in the B-Specials, the UDR or any of the forces when terrorists wanted to destroy democracy and when they inflicted terrible wounds on our people and our wee country.

Mr Savage: I support the motion, and I commend those who proposed it. I stand proud of my 14 years of service in the Ulster Defence Regiment. I pay tribute to the brave men and women whom I had the honour to serve alongside, especially those who left their families, tragically, never to return home. As a community, we must never forget those who risked life and limb to keep this country safe and secure.

Last week, the Minister of Culture, Arts and Leisure reminded us that the next decade is strewn with anniversaries: the battle of the Somme, the Easter Rising, Ulster Day and the birth of Northern Ireland all have their 100th anniversary. Indeed, the Ulster Special Constabulary was formed in 1920 and, no doubt, there will be events to mark that milestone. Today, we call on the Secretary of State to mark the fortieth anniversary of the disbandment of the Ulster Special Constabulary and the formation of the UDR, both of which were recommendations in the Hunt report.

5.45 pm

I agree with the proposers of the motion that we should mark these events. 1970 was a very troubled time in Northern Ireland. The fact

that the Hunt Committee was formed at all was testament to that. Northern Ireland was not prepared for the campaign of murder that the IRA waged. The Hunt report was an attempt to make our civil defences fit for the purpose of keeping the peace.

The fact that such actions were required is an awful reflection of the situation that prevailed at the time. It will not be possible to get through the debate without making reference to the fact that some Members on the Benches opposite were probably sometimes a cause for the concern that required the UDR to be formed. Several Members have serious questions to answer relating to their activities — indeed, their active service — in proscribed organisations. Members of the UDR fell at the hands of evil men, and it is difficult for many to accept that certain people sit in the Government of this place, given what they have done. However, we have succeeded in forcing them to move on, and the UDR played its part fully in that process. We forced them into a position of knowing that their violence would not win and that it would not achieve their stated aims. We forced them to surrender their weapons, and we now have them making Northern Ireland work for its people. Today, Northern Ireland is a different place to what it was in 1970, and I am proud of the part that my party played in making that happen. I believe that it is right to mark the part that the UDR and the Ulster Special Constabulary before it played in that process.

We are entering a decade of anniversaries, and we are debating one of them today. We need a structured and joined-up approach to those anniversaries to ensure that the legacy of the sacrifice that was made in order to bring us peace is never forgotten. We can look back at the time and dedication that was devoted by so many men and women across our land who guarded key installations and provided comfort and support to families living in remote country areas. This was a land of unrest. Hopefully, we have moved forward to a new beginning in which all our people can live in peace and harmony. Those who served their country were not doing it for money. They did it because they loved the country in which they lived.

Mrs D Kelly: In participating in the debate, I am mindful of the fact that 197 serving members of the UDR and 60 former members were murdered during the conflict. I am very much aware of the pain and suffering that is still

experienced by their families. However, I do not know why the Members opposite expected this debate to be anything other than divisive.

Last week, Minister Nelson McCausland talked about how we must interrogate the past, prevent revisionism and get to the truth of what really happened. Therefore, I want to refer to the establishment of the Ulster Special Constabulary, otherwise known as the B-Specials. At a ministerial meeting in London in 1920, James Craig proposed a new volunteer constabulary for the Six Counties. He called for a force that should be raised from the local population and organised on military lines. Craig told the British Cabinet that the organisation of the UVF should be used for that purpose. Charles Wickham, chief of police for the North of Ireland, favoured incorporation of the UVF into regular military units. Wilfrid Spend, head of the Ulster Volunteer Force —

Dr Farry: Wilfrid Spender.

Mrs D Kelly: OK. Spender encouraged his members to join, saying that there was no reason why the UVF should not furnish all the numbers required. West Belfast MP Joseph Devlin told the Commons:

“you are going to arm pogromists to murder the Catholics...we would not touch your Special Constabulary with a 40 foot barge pole”.

In a debate in the House of Commons on the Special Estimates, John Hume welcomed the disbandment of what was a purely sectarian force.

A special C1 division was created in 1921, specifically to take in groups of UVF members. Information provided by Assembly Research and Library Services notes a mother's thanks to Eamon de Valera for the creation of and what she viewed as the necessity for the B-Specials, so that her sons would not be conscripted into the British Army. Therefore, joining the B-Specials was a way in which some people could avoid conscription.

Within months of their creation, the B-Specials were engaged in organised sectarian violence. In Roslea, members of the B-Specials — many of whom were former members of a vigilante gang organised by Basil Brooke — burned down Catholic houses. In June 1921, the B-Specials were involved in killings near Newry, but the worst atrocity happened in March 1922, when

five members of the McMahon family were lined up and shot in their north Belfast home. A survivor testified:

"Four of the five men were dressed in the uniform of the RIC but, from their appearance, I know that they are Specials, not regular RIC."

The following week, USC and RIC members were involved in six further killings in Belfast.

As Mr Molloy recalled, the final deployment of the B-Specials was in August 1969. When the Scarman tribunal examined the fatal shooting of John Gallagher and the wounding of two others at Shambles Corner, Armagh, on 14 August 1969, it found that there was no way that the tales told by witnesses from the B-Specials could be true.

Other Members' contributions focused on the B-Specials and the UDR. It would be remiss of me, as a representative of Upper Bann, not to acknowledge that members of the UDR were killed. However, they were also complicit in and guilty of the murder of some of my constituents and of members of the family of a former party councillor, Gabriel O'Dowd, for which members of the UDR were convicted.

Over the 40 years of conflict between 1966 and 2006, some 3,720 people died, the majority of whom were murdered by the IRA. I welcome the earlier comments of Mr John O'Dowd, but it is unfortunate that it has taken Sinn Féin so long to recognise what the SDLP has always said, which is that politics brought about peace. Over the years, John Hume, Gerry Fitt, Paddy Devlin and their successors in the SDLP made that argument. It is shameful that so many people were murdered before Sinn Féin discovered it to be true.

Mr Adams: Go raibh maith agat, a Cheann Comhairle. If I may, I will ignore the remarks of the previous Member who spoke. I have no problem with Members celebrating the UDR or the B-Specials, but I oppose the motion, because it is inappropriate for them to do so in the Chamber.

The B-Specials were an armed wing of the old unionist regime at Stormont. However, I am also conscious that members, former members and relatives of the RUC, B-Specials and the UDR were killed by republicans. I am mindful of the hurt involved and want to be measured in what I say. Everyone should regret the fact that anyone

was killed, and I certainly do. At the same time, there is no avoiding the shameful record of the B-Specials force or the fact that it had to be disbanded by the British Government. The UDR has a similar history, and it was also scrapped.

The British Government of the day made no bones about the purpose of those organisations. They armed unionists to defend the union and partition, and they equipped them with all the weapons of coercion, sectarianism and terrorism. That was also the case with the UDR. Perhaps Members should reflect on the fact that, when the British establishment felt the need to protect its mainstream regiments, it recruited more expendable, indigenous people to do its work and founded the UDR as part of its Ulsterisation strategy.

I understand why some people joined those organisations, and I do not doubt that many of them, such as Mr Elliott and Mr Savage, may have behaved bravely in the conduct of their duties. However, it is my strong view that those organisations and their members were used by sinister elements in the political and military elites here for their own narrow ends, and, when they had served their purpose, the British Government simply got rid of them.

Those who tabled the motion must have known that it would not get the support of other parties. They must have known that there would be the divisive type of discussion that we have had. So, what is the purpose? What is the objective? How do today's debate and the offensive remarks of some of the Members opposite fit into the effort to unite parties here in the urgent work of delivering for people on a range of pressing social and economic issues and building a more inclusive and prosperous future for everyone?

Even a brief glimpse at the history of the UDR or the Specials would satisfy all but the most jaundiced eyes that those forces were entirely subversive. The history of the UDR, in particular, is replete with accounts of its involvement directly in the murder of Catholics and indirectly in the murder of hundreds more through collusion with death squads. In addition, British agents such as Brian Nelson helped to procure weapons through the old apartheid regime in South Africa. Those weapons were secured for the use of three unionist paramilitary organisations: the UDA, the UVF and Ulster Resistance, which was founded by leading

members of the Democratic Unionist Party. In the six years following the arrival of the arms shipment from South Africa, 229 citizens were murdered by unionist paramilitaries. In many cases, files and photos of nationalists and republicans were passed over to the death squads, frequently from within the UDR.

As part of the necessary process of peace building and understanding, I appeal very respectfully to the Members opposite to reflect on what has been said from these Benches. I appeal to them to resist the temptation to put forward divisive motions such as this one and to commit themselves to building peacefully and democratically for the future.

Mr Bresland: It is not only a privilege but a pleasure for me to rise to my feet to pay a heartfelt tribute to the gallant members of the Ulster Special Constabulary and the Ulster Defence Regiment in this important anniversary year. Northern Ireland has come to a place of peace, but the road has been a long and rocky one. A high price has been paid to bring us to where we are today.

As we reflect on the journey along that rocky road, all of us in the House will have our heroes and our villains. There are those in the House whose open hatred of the B-Specials and the UDR is well known. No one argues that those organisations were perfect — there are bad apples in virtually every organisation — but they have been condemned by those who are in no position to judge. Indeed, words such as “pots”, “kettles” and “black” spring to my mind. Despite what republican propaganda might say, the vast majority of the B-Specials and the UDR were decent and hard-working members of society. To me and to thousands of others across the Province, the memory of the B-Specials and the UDR is warmly revered. Along with the RUC and the Army, they stood between us and those who wished to destroy us and our way of life. Most of us on this side of the Chamber have strong ties with the Specials and the UDR. Many of our family members were proud to wear the uniform.

Today, Northern Ireland's position in the UK is stronger than ever, and we look forward to celebrating the 100th anniversary of Northern Ireland in 2021. Those who served in the B-Specials and the UDR played a major part in the preservation of the union. From the setting-up of Northern Ireland in 1921 until the force's

disbandment in 1970, the B-Specials were the key to Ulster's survival. The Hunt report states that, during the early days of Northern Ireland, the Specials bore a heavy responsibility for the preservation of law and order in the Province.

I am not old enough to remember those days, but I do remember how the peace and prosperity of the Province was shattered in the late 1960s, when those who hated the very existence of Northern Ireland within the United Kingdom rose up in open rebellion. At that dangerous time, the Government relied heavily on the B-Specials. But for the B-Specials, who knows what might have happened? However, as we have seen too often in our Province, the B-Specials were sacrificed to appease those who would never be satisfied and would always demand more. I echo the words of the Prime Minister of Northern Ireland in 1970. He said to members of the USC:

“You have done magnificently. Ulster owes you an immense debt”.

It was not long before those who replaced the USC, namely the UDR and the RUC Reserve, became the targets of verbal and physical attacks from republicans.

6.00 pm

As I return my attention to the UDR, I speak from the heart and from personal experience. It was my privilege to serve as a part-time member of the Ulster Defence Regiment for 15 years. Some were not happy with that. Republican terrorists tried to murder me in May 1981, but I survived, and, with the grace of God, I am here today to see my children and my grandchildren. The same cannot be said for hundreds of my UDR colleagues who were sent to an early grave by the enemies of the Province and left behind loved ones who will carry the burden of their loss to their own graves. The memory of the gallantry of the members of the UDR and their successors in the Royal Irish Regiment must never be forgotten.

I join my colleagues in urging the new Secretary of State to ensure that the fortieth anniversary of the disbandment of the USC and the creation of the UDR is marked in a way that brings honour to those two gallant organisations. I support the motion.

Mr Moutray: I count it as a privilege to take part in the debate and to acknowledge the sacrifice that was made by members of the

Ulster Special Constabulary and the UDR in the many years that they defended this country from terrorists.

On 8 June 1920, IRA terrorists planned an attack in Lisbellaw in County Fermanagh. The target was to be the courthouse in the village, which, some time before, had been stripped of its Royal Irish Constabulary complement. Information about the impending attack came into the hands of the local population, and they took it upon themselves to defend the village. The 50 or so IRA raiders were taken completely by surprise when the bells of the parish church rang out as an alarm, and several were wounded in the fighting that ensued.

As a direct result of that and other attacks, a new defence force was formed later that year, known as the Ulster Special Constabulary. I am very proud that my grandfather was one of those who was involved in the defence of Lisbellaw on that night in June 1920. Subsequently, he and my late father went on to join the B-Specials. That organisation was made up of men who gave up their time, usually one evening a week, unpaid, to defend their country from subversion and outside aggression. From the outset, the recruitment of Roman Catholics was discouraged by the Roman Catholic Church, the Ancient Order of Hibernians and Sinn Féin. Indeed, the IRA targeted for assassination Roman Catholics who did join. There is nothing new there then.

Sir Arthur Hezlet wrote in his book, 'The "B" Specials: A History of the Ulster Special Constabulary':

"Special constables had an almost immediate effect, and police reports from as early as December 1920 show a decrease in outrages".

The Irish historian Tim Pat Coogan stated in his book, 'The IRA':

"The B-Specials were the rock on which any mass movement by the IRA in the North inevitably foundered."

That shows their effectiveness.

Sinn Féin and others tried at every turn to blacken the image of the Ulster Special Constabulary. They sought to distort every incident and to stir up hatred of the force, even from before it started to function. However, to the law-abiding people of Northern Ireland, the B-Specials, like the UDR, stood for law and order

against rebellion and anarchy. Today, 40 years after their standing down, we acknowledge their commitment, thank them for their sacrifice and praise Almighty God for the men of the Ulster Special Constabulary, who served gallantly in a time of need. I support the motion.

Mr Kinahan: I had not planned to speak in the debate. However, as I listened to it upstairs and heard various comments from both sides of the House, I became quite infuriated. This is a very noble motion, but all that it is doing is giving the other side the chance to rip apart, blacken and damage the forces. I felt it necessary to come down to the Chamber, because I have a problem with this noble motion being used so that the two sides, which are now working together, can attack each other. I find that very odd.

I agree with my colleague that those who served did so for the whole community and they were not terrorists. There may well have been one or two who let the side down, but certainly nothing like all those numbers who are being blackened at the moment. This should be a chance to remember those who served and to thank them for serving and for risking their lives, especially those who paid the ultimate price of being maimed or killed.

I served in west Belfast, and I saw myself as one who was serving the whole community. However, I had an advantage. When I left, I went back to my base in England and went on to other things, and I could put it behind me. Those who served here could not do that. They were at risk every second, minute and hour of their day. Last year, we saw something similar happen to poor Constable Heffron. They were constantly at risk.

In my previous job, I once went to a house near Dungannon. The person there had a photograph of himself in uniform displayed inside the front door, and I asked him whether that was wise. He took me out into the car park and pointed at 14 houses, and he said that one son or two sons from each of those houses had been murdered. He carried on until he had been through all the houses. Then he took me upstairs to his bedroom where, along the wall above his bed, was a line of bullet holes. He was lucky; he heard them coming up the stairs, and he rolled out.

It is sad that we are here bickering about people who should be treated as heroes. That is extremely wrong. They fought a fight, and, yes, one or two individuals did things that were

wrong and for which they should be condemned, but that fight allowed us to have the politics that has led us to peace today. We should be allowed to mark these occasions, and we should ask the Secretary of State to mark them. It would be right for Members not to rise when they are challenged by the other side. Let us remember the individuals for all that they did.

Mr McGlone: Go raibh maith agat, a Cheann Comhairle. As I stand to speak, I am aware that there are sensitivities in the Chamber and outside of it, and, inevitably, this debate has reflected those sensitivities. Since we are coming to this debate from differing sides and perspectives, it is also inevitable that there will be no agreement on the motion. I sincerely hope that Members will agree on one thing: it was as utterly wrong and reprehensible, not merely regrettable, that members of the UDR or any of those regiments were murdered or maimed as it was for any members of those regiments to have engaged in paramilitary collusion and to have been involved in murdering or bombing.

I engage in the debate, therefore, with some reluctance. That said, I am not reluctant to oppose the motion. Mr Storey was here earlier, and he talked about moving the North forward. It is somewhat disappointing, but not surprising, that the Assembly is debating this motion at a time of utter financial crisis across Europe and at a time when our Executive are attempting to negotiate the extent of cuts to be imposed from Westminster and when public meetings are being held in protest at the cuts that are being made to the Health Service in our rural areas. I attended one of those meetings at the weekend in Magherafelt in my constituency. Perhaps the only surprise is that the party opposite neglected to mention Craig and the 1913 version of the Ulster Volunteer Force in this historically inclined motion, as my colleague Dolores Kelly pointed out.

Our society is divided by many things, not least by our differing views of the past, as has been reflected here this evening. There is no doubt that the proposers of the motion are sincere in their views, and we have heard that heartfelt sincerity expressed here this evening. However, many others, me included, do not hold the named organisations in quite the same regard as they do, and we have also heard the reasons for that this evening.

Let us not forget that the Governments of the day removed both organisations from the streets for very good reasons. That is why the SDLP sought a cross-community vote on the motion. If we are to start making real progress towards building a better future for all our people, one of the issues that we must resolve is a reconciliation of our shared past. It is a failure of the Assembly and the Executive that we have not even been able to attempt to agree a way forward to deal with that past. The only attempt to do so, flawed although it may have been, has been abandoned, and the new Government in Westminster seem unwilling to make any alternative proposals.

We will not resolve our different views of the past in the Chamber today, and, based on the motion, we will certainly not come anywhere near doing so. In fact, the debate has probably exacerbated the situation somewhat. Not for the first time, some Members may think that they can reconcile views, but they are mistaken in that perception. Any attempt to airbrush our shared history, as the motion does, is entirely counterproductive. It is as counterproductive as some Members' pretence that they were not there at that time. Therefore, based on the perception of difference and on the inability to arrive at agreement on what should be a shared history, I oppose the motion.

Mr Bell: I support the motion. It is a noble and honourable motion that respects those who served the entire community without fear or favour in a noble and honourable way. Their service required heroism and courage, and it required people putting themselves at risk for others, as we have heard today, and to sacrifice their tomorrow so that we could have our today. We wanted to see a stable Northern Ireland within the United Kingdom, where the rule of law is practised and upheld.

There is no doubt that history will record the service of the Ulster Special Constabulary and the Ulster Defence Regiment as being key elements in the business of delivering a stable Northern Ireland within the United Kingdom, where the rule of law is paramount. Those organisations were forced to face the most violent and evil terrorism, and it ill behoves anyone to point the finger at the Ulster Special Constabulary and the Ulster Defence Regiment, when those who make the accusations ordered the murder of a single mother of 10: a widow who was taken out, tortured and then murdered.

It was they who planted devices inside the corpses of those whom they murdered, in contravention of every aspect of warfare and the Geneva conventions. That terrorism was there to inspire fear, to remove Northern Ireland from the United Kingdom and to remove Northern Ireland's democratic freedoms.

Thankfully, as has been rightfully pointed out, members of the Ulster Special Constabulary and the Ulster Defence Regiment did not do what they did for financial reward, or to have their names written in lights. Soldiers and greenfinches in the UDR were prepared to give of themselves to provide the stable Northern Ireland that we enjoy, and it is to them that we owe a great debt of gratitude.

I will conclude by saying that I am the proud grandson of a grandfather whom I never knew, because he passed away long before I was born. However, he served as a commandant for the Ulster Special Constabulary in Tyrone. The service of such men and women cannot be airbrushed from history.

This is a positive motion. I am fully committed to taking Northern Ireland forward, but I must recognise the service of members of my family. Brothers of mine such as Freddie Starrett and James Cummings were prepared to sacrifice their tomorrow for my tomorrow, our tomorrow, this House's tomorrow, and for democracy in Northern Ireland. We owe them greatly.

6.15 pm

Lord Morrow: I have listened with interest to what Members have said in the debate. I am amazed at what some people can conjure up, some of the words that they can use and some of the actions that they seem to justify. I listened to the Sinn Féin/SDLP pan-nationalist front take a strident approach to the motion. On the one hand, those Members tell us that they are sincere. Indeed, Mr McGlone said that it was with reluctance that he took part in the debate. I look, however, at the petition of concern and I see Mr McGlone's signature, proud and in bold print. Mr McGlone had already taken part in the debate long before it reached the Chamber. Therefore, I am not sure that his crocodile tears suit in this instance.

Had the SDLP and Sinn Féin been sincere, would it not have been much better for them to have shown some backbone and resolution by tabling an amendment or a motion that

they thought could secure support from right around the House. That was not to be. Instead, they used the blunt instrument of a petition of concern to jettison the motion that stands in my name and in that of my colleague Mr Storey. The motion is a genuine attempt to recognise the services of people who have gone before us.

Although I should comment on much of what has been said in the debate, to comment on everything would be nigh on impossible within 10 minutes. I will, however, digress from the speech that I had prepared to comment on what Gerry Adams had to say. In his usual belligerent manner, Gerry Adams stated that, in fact, the USC and the UDR were just forces of a unionist Government. I know the howls of protest that come from that quarter when Gerry Adams is reminded that the IRA was just the wing, the cutting edge, of Sinn Féin. There are all sorts of protestations that, in fact, the two had nothing to do with each other. It just so happens, by chance, that a number of those who sit on the Benches opposite have records of which they should not be proud.

I want to put on record my profound respect for and gratitude to the Ulster Special Constabulary and its successor, the UDR. I can also stand here and say that I was a member of the Ulster Special Constabulary. I have no apology to make for that, nor did I ever have intent or murder in my heart when I went out on cold wintery nights. That was not in my make-up at all.

May 2010 marked a significant anniversary for the forces of law and order in Northern Ireland. It was the fortieth anniversary of both the disbandment of the Ulster Special Constabulary and the formation of the UDR. In my book, both of those forces of the Crown stand tall and proud in the annals of history in Northern Ireland. Some of us are not prepared to allow that anniversary to pass by or their heroism or, indeed, their memory to be airbrushed from those annals.

The Ulster Special Constabulary was made up of ordinary men and women who wanted to serve their country. Their role was vital in the protection of people and property, in counter-insurgency, and in helping the noble RUC, as it was then, to deal with terrorism. Those who stood against terrorists are to be commended for their selflessness in the face of republican brutality. We owe them a debt of gratitude.

The shameful treatment that those heroes and heroines received from the Government in efforts to placate republicans is to be deplored. They were stood down on the alter of political expediency. They were vilified for their sterling work and painted as wrong-doers simply for upholding law and order. It is remarkable that a force of such integrity should be pushed to one side to facilitate militant republicanism, the real intent and goal of which has been discovered and made manifest over the past 35 years.

During the 40 years since the Ulster Special Constabulary was disbanded in 1970, some 3,600 people lost their lives. That is a powerful statement in itself. We are left to pick up the pieces and to wonder how many lives might have been saved had a reckless Government not made those treacherous and dreadful decisions. Similarly, many were cut down in their efforts to maintain civil society or while protecting others. They paid the supreme sacrifice for upholding law and order, but their memories live on forever.

After the USC was disbanded, the UDR was formed. I pay tribute to that regiment of gallant men and women who, through the worst period of our history, stood between sanity and insanity. Regrettably, many were called to pay the supreme sacrifice, and graveyards across the Province pay tribute to the real heroes. Visit practically any graveyard in any border town in particular and one will see the poignant gravestones that tell us a very sad story of how some of the finest of this country were taken out by ruthless thugs.

Those individuals were not afforded high-scale pay or anything like that; that was not why they found themselves in the forces; they did not go in to earn lots of money. They enlisted with a sense of duty and purpose to bring some sanity and to protect their homes and the homes of the whole community — and I mean the whole community. I know that there are those who are reluctant to accept that and those who have it in their minds that the B-Specials were some sort of terror organisation because of the propaganda machine that was in full flight at that time. Therefore, many of the facts have got lost in the myths and hypocrisy that have been trotted out, particularly by the republican movement.

The republican movement slaughtered the innocent and it took mothers from their children

and left orphans behind, and, yet, sadly, the SDLP feels comfortable aligning itself with the petition of concern lodged today. Would it not have been better for the SDLP to state its own position clearly and to divorce itself completely from Sinn Féin, whose hands are anything but clean? The SDLP has missed a trick. Its members should have been man — or woman — enough to say to Sinn Féin that the SDLP is not prepared to join with it because of its past and its support for an organisation that was deemed the most ruthless in the western world. Today, however, the SDLP clasped hands with that party to vote down a legitimate motion.

Mr Storey warned us that he will not stand by and see the memory of those two organisations being airbrushed from history, and he is to be commended on that. John O'Dowd deliberately painted a picture that bore little resemblance to reality. Tom Elliott spoke as an experienced UDR soldier; he testified first-hand that he had protected not only the Protestant community but the Catholic community along a porous, difficult and dangerous border.

I commend Tom Buchanan, who made a superb speech today. Allan Bresland stands today as a survivor who is to be commended for his courage and determination. He does not come across as a bitter man; he comes across as a caring man, because he recognises that, but for the grace of God, his life would have been taken. Why? Simply because he was a serving UDR soldier.

I could comment on others who made useful contributions. George Savage spoke eloquently of his admiration for the UDR and the USC, as did George Robinson, Mr Bell and Mr Moutray. I thank all those who spoke in defence of the motion, and I commend it to the House.

Mr Speaker: I remind Members that a valid petition of concern has been presented in relation to the motion. Therefore, the vote will be taken as the first item of business tomorrow morning.

Adjourned at 6.25 pm.

Northern Ireland Assembly

Tuesday 25 May 2010

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

Members observed two minutes' silence.

Private Members' Business

Petition of Concern: Fortieth Anniversary of Disbanding of B-Specials and Formation of UDR

Motion proposed [24 May]:

That this Assembly notes that April 2010 marked both the fortieth anniversary of the dissolution of the Ulster Special Constabulary, or B-Specials, and also the fortieth anniversary of the formation of the Ulster Defence Regiment; expresses its gratitude to the bravery of the many people who served in each; acknowledges the sacrifice made by many personnel as they defended the population against terrorism; and calls on the Secretary of State for Northern Ireland to mark these two important anniversaries. — [Mr Storey.]

Mr Speaker: I remind Members that a valid petition of concern was presented yesterday, Monday 24 May, on the motion on the fortieth anniversary of the disbanding of the B-Specials and the formation of the UDR. Under Standing Order 28, the vote could not be taken until at least one day had passed. The vote will, therefore, be taken as the first item of business today. I also remind Members that another effect of the petition of concern is that the vote on the motion will be on a cross-community basis.

Question put.

The Assembly divided: Ayes 41; Noes 33.

AYES

UNIONIST:

Mr Armstrong, Mr Beggs, Mr Bell, Mr Bresland, Lord Browne, Mr Buchanan, Mr T Clarke, Mr Cobain, Mr Craig, Mr Easton, Mr Elliott, Sir Reg Empey, Mrs Foster, Mr Gardiner, Mr Hamilton, Mr Hilditch, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr McCallister, Mr McCausland, Mr McClarty, Mr B McCrea, Mr I McCrea,

Mr McGimpsey, Miss McIlveen, Mr McNarry, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Newton, Mr Poots, Mr G Robinson, Mr K Robinson, Mr P Robinson, Mr Ross, Mr Savage, Mr Spratt, Mr Storey, Mr Weir, Mr Wells.

Tellers for the Ayes: Mr Bresland and Mr G Robinson.

NOES

NATIONALIST:

Mr Adams, Mr Attwood, Mr Boylan, Mr D Bradley, Mrs M Bradley, Mr P J Bradley, Mr Brady, Mr Burns, Mr W Clarke, Mr Dallat, Mr Gallagher, Ms Gildernew, Mrs D Kelly, Mr Leonard, Mr A Maskey, Mr P Maskey, Mr F McCann, Ms J McCann, Mr McCartney, Mr McDevitt, Mr McElduff, Mrs McGill, Mr McGlone, Mr M McGuinness, Mr McLaughlin, Mr Molloy, Ms Ní Chuilín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Ms S Ramsey, Ms Ritchie.

OTHER:

Dr Deeny.

Tellers for the Noes: Mr Burns and Mr W Clarke.

Total votes 74 Total Ayes 41 [55.4]

Nationalist Votes 32 Nationalist Ayes 0 [0.0]

Unionist Votes 41 Unionist Ayes 41 [100.0]

Other Votes 1 Other Ayes 0 [0.0]

Question accordingly negatived (cross-community vote).

10.45 am

Executive Committee Business

Student Loans (Amendment) Bill: First Stage

The Minister for Employment and Learning (Sir Reg Empey): I beg to introduce the Student Loans (Amendment) Bill [NIA 22/09], which is a Bill to amend the law relating to student loans.

Bill passed First Stage and ordered to be printed.

Mr Speaker: The Bill will be put on the list of future business until a date for its Second Stage is determined.

Sunbeds Bill: Second Stage

The Minister of Health, Social Services and Public Safety (Mr McGimpsey): I beg to move

That the Second Stage of the Sunbeds Bill (NIA 18/09) be agreed.

Over the past 25 years, skin cancer rates in Northern Ireland have trebled. That is a shocking statistic that we cannot ignore. Skin cancer is now the most common cancer here, and it affects 28% of all individuals diagnosed with cancer. There is convincing evidence that exposure to ultraviolet (UV) radiation can cause skin cancer and other health conditions. That is true of natural UV rays from sunlight or UV radiation from artificial tanning devices. Each year, around 100 people in the UK die from melanomas that are due to sunbed use. That equates to two or three deaths a year in Northern Ireland.

Research also shows that the risk of melanoma increases by 75% for those who start using sunbeds before the age of 30. Despite the obvious dangers, however, we have evidence that shows that more and more young people are using sunbeds. A UK survey indicated that 6% of 11- to 17-year-olds have used a sunbed. More worryingly, a Scottish study reported that 7% of children between eight and 11 years old had used a sunbed. An Omnibus population survey in Northern Ireland in 2008 recorded that 28% of women and 8% of men had used sunbeds.

There is an additional risk factor. Our pale skin is the type that burns easily and is very vulnerable to the harmful effects of UV radiation. Of course, sunbeds are not the only cause of skin cancers. The point is that excessive exposure to UV radiation, particularly in younger people, has been shown to cause skin cancer and other conditions later in life. Sunbeds are an additional and unnecessary source of exposure to the very real risk of getting skin cancer.

At present in Northern Ireland the indoor tanning industry is not subject to any form of direct statutory regulation or age restriction. We have survey evidence that shows how an unregulated sunbed industry behaves. In 2007, environmental health officers carried out a survey of 332 sunbed premises across Northern Ireland, and their main findings gave cause for concern. The survey revealed a wide variation in operating practices and poor standards among some providers. One significant fact that emerged from the survey was that only about 16% of operators in Northern Ireland belong to the Sunbed Association. That suggests that the alternative to regulation — a voluntary code of practice — would achieve little to reduce the harm done by artificial UV devices.

The key aim of the Bill to regulate the sunbed industry is to reduce the number of cases and deaths from skin cancer caused by sunbeds. This is not about spoiling anyone's fun. I know that tanned skin is fashionable, and the weather in Northern Ireland does not oblige. However, that does not make the increased use of sunbeds safe or acceptable. Sunbeds appear to offer a quick and harmless alternative to natural sunlight, but they are not harmless. The evidence linking sunbed usage to the development of all skin cancers is growing. The advice from a number of expert bodies recommends that the cosmetic use of sunbeds, especially by children, should be discouraged because of the associated increased risk of skin cancer and other health problems. The Bill aims to eliminate as far as possible the use of sunbeds by children and young people under 18 years of age. It also aims to ensure that adults intending to use sunbeds are more aware of the potential risks to their health.

Just as worrying is the fact that across the UK there are around twice as many commercial sunbed outlets in deprived areas as there are in more affluent areas. Therefore, not only are

sunbeds a risk to health; evidence shows that they contribute directly to health inequalities.

The measures in the Sunbeds Bill will deliver significant public health benefits in the longer term, in particular to reduce the number of cases of and deaths from skin cancer. The Bill will aim to achieve that through the following provisions. It will prevent children and young people under 18 from using, buying or hiring sunbeds. It will make it illegal to operate unsupervised sunbed premises, and we know of cases in which children in England and Wales have been badly burned by using sunbeds in such premises. The Bill will ensure that adults are warned about the health risks through the display of health warning signs and detailed written information; prevent operators from making spurious claims about the health benefits to be had from sunbeds; make the use of eyewear compulsory; and set out the need for staff training and for sunbeds to comply with certain standards. Finally, the Bill will require sunbed premises to be registered with district councils. It will be illegal to operate sunbeds commercially without registering the premises. Such registration will apply to premises that hire or sell sunbeds. Those provisions will be enforced by district councils through their environmental health officers, as they already carry out enforcement in relation to sunbeds from a health and safety perspective.

When my Department consulted on proposals for regulating sunbeds, it included a proposal to introduce a registration scheme. An alternative to a registration scheme is a licensing scheme, which would be much more elaborate. I am not convinced that the licensing of sunbed premises at this time would be an effective and proportionate response to the problems that have been identified. The inclusion of a licensing scheme in the Sunbeds Bill would have required me to develop proposals and hold further consultation. That would have prevented the Bill, with its significant measures for regulating the industry, from completing its passage through the Assembly within the current mandate. Rather than delay, it is much better to move ahead with registration, which can be done more quickly and will be very effective. If it proves necessary, my Department will develop proposals for licensing the industry.

Sunbed regulation is now law elsewhere in the UK. Scotland introduced measures in 2008 to regulate the sunbed industry, and they came

into effect in December 2009. Legislation covering England and Wales received Royal Assent in April 2010, and those provisions will come into effect from April 2011. The measures that I am proposing in the Sunbeds Bill go further than the legislation for Scotland and for England and Wales. I have included provisions on compulsory training, technical standards for sunbeds and the registration of premises.

I believe that the measures contained in the Bill are workable, fair and compatible with other statutes, such as the Human Rights Act 1998. The Bill will ensure that the sunbed industry is properly regulated and that more people are aware of the potential serious risks to their health. Most importantly, the Bill will help to reduce the number of people, particularly young people, getting skin cancer and will save lives.

The Chairperson of the Committee for Health, Social Services and Public Safety (Mr Wells):

I welcome the Sunbeds Bill on behalf of the Committee for Health, Social Services and Public Safety. There are a few issues that I will outline, but we are broadly content with and support the principles of the Bill as presented.

The Committee was aware that a consultation on the regulation of sunbeds took place in late 2009. However, we did not expect the departmental officials to tell us in March 2010 that they were bringing forward a full Bill. That was a surprise to us, and we would have welcomed better notice. That said, the Committee is in complete agreement with the underlying principle of the Bill, which is to prevent the use of sunbeds by those under 18 and ensure that those over that age who use sunbeds are better informed about the risks.

On 18 March, the Committee heard from officials that the case to ban sunbeds for under 18s was strong. We heard that the four United Kingdom Health Departments had commissioned the Committee on Medical Aspects of Radiation in the Environment to consider the evidence linking sunbeds with skin cancers. That body reported in mid-2009 and provided a series of recommendations for the regulation of sunbeds.

The Committee also heard that young people in particular are at risk from sunbed sessions. Not only has there been a sharp increase in the use of sunbeds by young people, there is a link between the prevalence of commercial sunbed outlets and deprivation. While the Committee

was considering the Bill, any time that I was in towns throughout Northern Ireland, I took the opportunity to check where sunbed premises were located. The number of such outlets located in areas of deprivation is amazing, and that is a matter of concern. In Northern Ireland, there are already too many health issues that are linked to deprivation, and the Committee fully supports any action that will tackle health inequalities.

Young people who use sunbeds endanger their life. Skin cancer is a terrible disease from which to die, and each year in Northern Ireland two or three people die from melanomas that are directly related to sunbed use. It is a serious issue: it is a life-and-death issue as far as our young people are concerned.

On 18 March, the Committee was told that the Department was considering the merits of a licensing scheme for sunbed regulation, but that it was leaning towards not introducing the scheme for a number of reasons. The Committee explored those factors with the officials. The reasons included the fact that the Department believed that licensing would be a response disproportionate to the health benefits that might be achieved and that it might not be possible to develop a licensing scheme in the time available. Officials also pointed out that registration or licensing schemes have not been introduced in Scotland, Wales or England. The Bill, as introduced, does not include licensing. The Committee has some reservations about that and will be exploring the issue fully in the coming weeks.

Departmental officials pointed out that there are around 400 sunbed outlets in Northern Ireland. That equates to around 15 outlets in each district council area in the Province. We do not believe that it would be a huge burden on councils, either from an administrative or financial point of view, to operate a licensing scheme. Members will be aware that councils already operate widespread licensing schemes for other premises, so I do not think that it would require the creation of a new department or a significant investment in new staff. We believe that it would be better if councils were able to investigate a sunbed outlet and close it down if it was operating outside the rules. We see that as being a very effective deterrent in controlling those institutions.

The Committee also explored and will continue to explore the argument about the lack of time. It should be possible to introduce overarching legislation and deal with particulars through subordinate legislation. As the Bill stands, it contains clauses that do exactly that. For example, the introduction of technical specifications for sunbeds and mandatory training for sunbed operators are allowed for in the Bill but will be introduced at a later stage when details are finalised. The Committee will explore why a similar approach could not be introduced for licensing. The fact that no other country has gone down the route of licensing does not really add up. Why should Northern Ireland not be the first to do so and go one better than other countries in the UK in the protection of our young people?

The Committee also expressed concern about licensing and companies that hire out sunbeds privately. Although the issue is dealt with in the Bill, some members, including the Deputy Chairperson, are concerned that, without licensing, the Bill has no teeth. A company that deliberately leases a sunbed to an under 18 may be happy to pay the fine and keep on operating and breaking the law. We note that the Bill allows for a fine of £2,500 to be levied in such a situation. That is a substantial amount given the profit margin that a company would make from hiring out the sunbed. However, the company would have to be caught, and the fine would not be anything like the maximum of £2,500 for the first offence. So, what is to stop a company reoffending? The Committee understands that a balance must be struck between having regulation and driving operators underground, which may create a black market. We expect to have an interesting discussion about that in Committee.

One point raised by the Committee was the duty of care placed on private individuals who buy or hire sunbeds for their home not to allow under 18s to use them. Any parent could buy or hire a sunbed for their own use, and, while they were at work, their teenage son or, more likely, their teenage daughter could be using it with their friends. The Committee realises that it is an extremely difficult issue to enforce but is concerned that there is no duty on the individual despite the difficulties with enforcement. The example used at the meeting was alcohol. It is legal for someone over 18 to buy it for their own consumption, but that person has a duty to ensure that no one under the age of 18 drinks

it. It is a child protection issue, but, importantly, it gives out a message about personal and individual responsibility. The Committee is likely to want to explore that area.

11.00 am

I wish to finish on a positive note. The Committee is delighted by the introduction of the Bill. We fully support its principles, although we reserve the right to say that it does not go far enough. We are pleased that the Executive have found time for the Bill in their legislative programme, and we look forward to giving it detailed consideration at Committee Stage.

Mrs O'Neill: Go raibh maith agat, a Cheann Comhairle. As Sinn Féin's health spokesperson, I welcome the Second Stage of the Sunbeds Bill. I put on record that I agree with its principles and what it attempts to achieve. However, I also wish to put on record that Sinn Féin has some concern about licensing and feels that the Bill does not go far enough in some respects. Sinn Féin fully supports the moves to prevent the use of sunbeds by those aged under 18 and to ensure that those aged 18 and over are fully aware of the risks and health implications, so that they can make informed choices.

Cancer Research UK forwarded a briefing paper to Committee members, which stated that sunbeds have been linked to a variety of health conditions. The Minister referred to many of those conditions, which include eye damage, photodermatitis, photosensitivity, premature skin-ageing and skin cancer. People who use sunbeds must be fully aware of those implications.

The Chairperson mentioned that the Committee was briefed by departmental officials. We were informed of the particular dangers that sunbeds pose to young people. Officials at that meeting referred to the sharp rise in the numbers of young people who use sunbeds, and the Minister mentioned that today. The direct correlation between sunbed outlets and areas of deprivation was also highlighted. I am keen to explore those matters further at Committee Stage.

Undoubtedly, some sunbed operators run their businesses responsibly, and I spoke to people at one such business last week. Responsible operators support licensing, because they consider that it would be to the advantage of their trade and it would weed out irresponsible operators. That is another matter that we will

be keen to explore further at Committee Stage. We broadly support the Bill's principles. At the evidence session, the officials said that the Department's mind was not closed to the idea of licensing. However, the Minister said today that such a move would delay the legislation. Given that licensing may be the only way properly to safeguard people who use sunbeds, we must explore that area further. I have no desire to hold up legislation or to delay the improvement of the current position, but I do not want to miss an opportunity to push the boundaries as far as we can.

At the Committee briefing, officials said that there are somewhere in the region of 400 sunbed operators here. Those are spread around all the councils, and, therefore, environmental health and public health departments will not be placed under a disproportionate burden through having to regulate and monitor the situation. I look forward to Committee Stage.

Mr Gardiner: I support the Bill that the Health Minister has introduced. It is overdue. According to the Northern Ireland Cancer Registry, the number of people with skin cancer in Northern Ireland has trebled in the past decade, which is genuinely alarming. Despite all the cuts that are being imposed on the Minister, I ask him carefully to consider the expansion of skin cancer provision across the Health Service. That could begin with the provision of an additional consultant post and relevant supporting systems at the Royal Victoria Hospital, for example, to serve the entire Province.

Dr Dolan, a skincare specialist at the Royal Victoria Hospital, said that the exposure to harmful quantities of sunlight at an early age resulted from the wide availability of foreign holidays since 1970. Young people's exposure to sunbeds adds to the problem, and the Minister is right to take steps to improve regulation. He pointed out that research shows that using sunbeds before the age of 30 may increase a person's risk of developing melanoma skin cancer by up to 75%. In the United Kingdom, melanoma due to sunbed use alone is estimated to be cause approximately 100 deaths every year.

The Bill creates regulation where it is sorely needed: it prohibits operators of sunbed premises from allowing anyone under 18 years of age to use sunbeds on their premises; it prohibits the sale or hire of sunbeds to anyone under the age of 18; it prohibits operators from

allowing sunbeds to be used in unsupervised premises; and it places a duty on operators of sunbed premises to provide users of sunbeds with written information on the health risks associated with their use.

Some 28% of all cancers that are diagnosed in Northern Ireland are skin cancers. I am sure that every responsible owner of sunbed premises will agree with this measure, and I commend the Bill to the House.

Mr McDevitt: I apologise to the Speaker and to the House; other business has me slightly stretched today.

I welcome the Bill. Members who spoke previously noted that, in this respect, the Assembly is showing leadership not just at a regional level but across these islands. That leadership has come about after years of local government ensuring that sunbeds are seen for what they are — potentially dangerous machines.

I welcome much in the Bill, and I acknowledge the sterling work of officials and the leadership that has been shown by the Minister on this issue. However, there is a potential gap, which, at this early stage of the legislative process, deserves to be raised and reflected upon. The Bill has many good provisions. For example, it will make it impossible for minors to privately hire a sunbed in a tanning salon or for them to use a sunbed on the premises. It will also make it impossible for someone under the age of 18 to buy a sunbed, which is a welcome step.

However, the Bill is silent on whether someone who privately buys a sunbed will be under any specific duty to ensure that no one under the age of 18 uses it. That is an important point for two reasons. As we know from research and from our experience at local government level, here and in other parts of these islands, girls under the age of 18 from socio-economically deprived backgrounds are one of the groups that is most likely to abuse and overuse a sunbed. The use of sunbeds is higher among that group of people — the very group that we are trying to target with this legislation — in the parts of our region where people are less well off. In doing such sterling work and making such good provision to control the use of sunbeds for that very demographic, but by failing to impose a duty on individuals who purchase a sunbed privately from preventing it being used privately —

Mr McCallister: Does the Member have figures to suggest how many people from deprived backgrounds use sunbeds, be it through private ownership or a tanning salon? Is there widespread ownership of sunbeds in more deprived communities?

Mr McDevitt: I thank Mr McCallister for his intervention. It is an important question. As I understand it, the figures that are available to us suggest that, at present, private ownership of sunbeds is not widespread. That is because public hire of sunbeds is readily available. One reason why the legislation has been brought to the House is because minors from socio-economically deprived backgrounds avail themselves of sunbeds for public hire. The number of sunbed salons has mushroomed and the trade has flourished in some of our more deprived communities for that very reason.

The legislation will rightly control access by children to those salons. However, we must make sure that it does not, by accident, create another opportunity. That is my fear. In Committee, as John McCallister will remember, I raised a question with officials about whether we could introduce a basic licensing system for the private purchase of sunbeds by adults.

Such a basic licence should put the purchaser under a statutory duty to ensure that the machine that they are purchasing privately does not end up being available to children. That is the only gap in the Bill, but it is a significant one. I welcome the Bill's Second Stage, but I appeal to the Minister and his officials to reflect on that point and I urge them to consider whether the legislation can be tightened in its future stages to prevent a possible black market. Doing so would avoid driving the issue underground.

I believe, and there is probably a consensus at Committee level among colleagues who have spoken, that requiring private purchasers to obtain a licence and to be under a statutory obligation to ensure that a sunbed is never used by a minor in any place, with or without payment, would be an important way of rounding off what we all agree is a significant and worthwhile Bill.

Dr Deeny: As a member of the Health Committee, I welcome the Bill and the Second Stage debate, and I look forward to further debate at Committee Stage. The Bill is important because it is about preventing unnecessary loss of life and educating the public. I would like to see the

legislation introduced in Northern Ireland and I agree with Members that there is no reason why we should not take the lead.

It is well known that ultraviolet emissions cause cancer; sunbeds produce more such emissions than the Mediterranean midday sun. With 75,000 cases, skin cancer is the most commonly diagnosed cancer in the UK. Of those skin cancers, malignant melanoma is the least common but most dangerous. Northern Ireland has 259 of the 10,410 new cases of malignant melanoma diagnosed in the UK each year.

The incidence of malignant melanoma increases with age. However, the worrying trend is that its incidence is increasing among our young people. It is now the most common cancer in our young adults: those aged between 15 and 34. That development is of concern to any of us who deal with or have children. Another worrying statistic that underlines the importance of the debate is that, of all the major cancers, malignant melanoma has seen the largest increase in incidence over the past 25 years.

Melanoma can be a killer. An old friend of mine whom I had not seen for some years lost his young wife to malignant melanoma. It is a very serious issue, which is why we should treat it as such. Addiction to sunbed use is another issue. We know that certain behaviour patterns are associated with such an addiction: addictive people become addicted to sunbeds. That is something that we must look at as it reflects the seriousness of the overuse of sunbeds.

As Members said, we need to target certain individuals and groups, particularly the young and, specifically, young females and those with fair skin or those who have a personal or family history of skin cancer.

The whole emphasis is on regulation. It is about better informing people and them taking personal responsibility. A study asked people in Northern Ireland about their skin types, which are divided according to colour. Forty per cent of the public in Northern Ireland believed that they had skin type 1 or 2, which is naturally fair skinned. However, the reality is different: Northern Ireland has a predominantly fair-skinned population. That goes to show that although personal responsibility is very important, some people do not realise that they are fair-skinned and are at risk.

11.15 am

The Bill contains a lot of suggestions from the British Association of Dermatologists. We talked about restricting sunbed use for people under 18 years of age, but it is more important to ban our under-18 population from using them. The Bill also bans the sale or hire of sunbeds to the under 18s. In addition, we should have a total ban on coin-operated, unmanned sunbeds. It is essential for the health of our people that there is full-time supervision of sunbed facilities by trained staff. Furthermore, it is important that there is the compulsory display and provision of customer information regarding the health risks, because one of the causes of skin cancer from sunbeds is overexposure. We must limit the number of tanning sessions that people have. I have heard of sunbeds being used in health facilities. It is very important that that is dealt with because it sends out the conflicting message that sunbeds are healthy. Sunbeds should be removed from all gymnasiums, leisure centres and health centres.

I disagree with the Minister on the issue of licensing. It is a very important and serious issue, and licensing should be introduced. Licences are needed for cars, guns, TVs and even dogs, so why are they not needed for a potentially lethal weapon, such as a sunbed? Mention was made of our local authorities regulating licences, and that is important. It is also important that licences be subject to regular inspections and that a power exists to revoke licences.

The Chairperson of the Committee for Health, Social Services and Public Safety:

Does the Member agree that in the short discussion that the Committee had about this issue, there were only really two issues between us and the Department? One was raised by the Member for South Belfast Mr McDevitt, and that is a duty of care on those who hire out sunbeds to prevent them from being used by the under 18s. The second is the more overarching issue of licensing. Does the Member accept that the Minister may wish to take the opportunity to go through the arguments that his departmental officials have given about why licensing is not appropriate? The more we examine them, the less water they seem to hold. Down District Council issues thousands of licences every year for everything from dogs and caravan sites to entertainment licences for nightclubs. Therefore, an extra 15 licences a year would

have absolutely no impact on the administrative burden of my council or, perhaps, on that of the other 25 councils in Northern Ireland. Will the Member urge the Minister to reflect on that and perhaps to address those issues when he makes his summation at the end of the debate?

Dr Deeny: I thank Mr Wells for his intervention. I agree, and I would like to hear the Minister's comments.

If it is an issue of timing, to which I think the Minister alluded earlier, licensing should be looked at as carefully as possible because of its importance: we are talking about people's lives. Therefore, if timing is the issue, it is not a big enough reason not to take licensing on board. Many of us think that licensing should form an important part of sunbed legislation here.

The Chairperson of the Health Committee compared sunbed licensing with other licensed activities. For example, alcohol use is also considered to be an addictive behaviour, so those in society who are allowed to sell alcohol do so under licence. As a health professional, I believe that we need to consider sunbed licensing seriously and be more rigid and strict with sunbed business owners, because, let us face it, certain individuals will use the addictive nature of sunbeds and the behaviour of those who use them for personal profit. If business owners can see a profit, they will exploit people's addictive behaviour. Incidentally, there is a link between sunbed use and areas of deprivation. Therefore, sunbed licensing must be looked at very seriously.

I welcome the Bill, and I look forward to further debate on the issue at Committee Stage. We are moving in the right direction. Just because sunbed legislation has not been introduced in Wales, Scotland and England, there is no reason why we should not take the lead. I look forward to further discussion on the matter.

Mr Easton: I, too, welcome the Sunbeds Bill, which is important and long overdue. In recent years, the sunbed industry has boomed, with sunbed or tanning salons opening all over the Province. Sometimes, there is more than one in an area.

A tan has become a fashion accessory, and compared with other tanning products, such as sprays or those that are in bottles, sunbeds offer people a natural tan. Unfortunately, for many users, sunbeds have become a habit that

threatens their health. Therefore, I welcome the Bill, particularly because it will ban the use of sunbeds in premises that offer such services to those under the age of 18. I also welcome the regulation of the industry. When using a sunbed, people should not be left unsupervised. Information detailing potential health risks must be provided to all sunbed users, whether they are purchasing a sunbed for private use or renting it for a prescribed period within the confines of a business premises. I welcome the fact that using protective eyewear will be compulsory and that all staff will have to be trained to operate sunbeds. I also welcome all premises operating sunbeds for business purposes having to be registered with the relevant district council, which will have the power to enforce the law on the proper use of sunbeds as laid down in the Bill.

The legislation will bring into effect a strategy to regulate the operation of sunbeds, and, hopefully, it will help to reduce the number of cases of skin cancer, which is the most common form of cancer. However, I have some concerns. Although the Bill is worthy, there is some room for improvement. Sunbed operators working out of business premises get off too lightly. Therefore, greater restrictions must be brought in. The Bill offers basic sunbeds regulation, which, in my opinion, reflects a common sense approach. Businesses operating sunbeds commercially should already be taking precautions, and the Department and other agencies should move to restrict the number of businesses operating sunbeds in any particular area. All sunbed businesses should operate in licensed premises, and, as a condition of the licence, all staff should have received a certificate of training.

Given that the Minister banned tobacco advertising, and given the health risks that are associated with sunbeds, should we also look at banning sunbed advertising? Perhaps the Minister will comment on that. In many ways, legislation should reflect the way in which licences are required from local councils to operate bars, nightclubs and businesses that sell alcohol and tobacco. When it comes to health, we cannot take risks, so, in the same way that we have taken precautions with the sale of tobacco and alcohol, we should learn from past mistakes.

We should not take a dim view of the issue, and we should ensure that our population is

protected from the dangers of adverse health risks. I support the Bill and recommend that all Members do the same. However, more work is needed. I am concerned that the owners of private sunbeds may not have the same laws applied to them as those who make a business out of sunbeds. I call on the Minister to undertake a review of the industry once the Bill becomes law.

Mr Ross: I am not a member of the Health Committee, but I have received communications from people in my constituency expressing concern about the unregulated use of sunbeds and the unregulated industry that governs them. Members are often criticised for not introducing enough legislation. However, that fails to recognise that good legislation should be measured not in quantity but in quality, and this is a positive Bill that will make a positive contribution to the country.

In recent decades, an increasing number of people have wanted to have a tan. It is a fashionable thing to have. Many people use creams and sprays, but, recently, more and more people have opted for the sunbed route, as the artificial UV rays provide a quick and easy way of getting the tan that they want. However, sunbeds come with a much higher risk than the alternatives that were used previously.

Startling statistics have been quoted already today. Around 50% of people in the United Kingdom aged between 18 and 50 have used a sunbed. As we have heard, a proliferation of tanning studios have popped up and tanning beds are available in many areas, not just in fitness suites and places like that, but in obscure places such as ice cream parlours and video shops. That makes them much more assessable, particularly in deprived areas, and several Members have talked about that already. Around six million people in the United Kingdom use sunbeds every year, and the Bill looks to provide protection and to ensure that those people understand the risks involved. Good legislation not only protects everybody and gives them information, it particularly seeks to protect the most vulnerable in society. We have heard already about younger people.

The industry is self-regulating at the moment, and as we know from other industries that are self-regulating, it can lead to difficulties. Problems can be experienced as there may not be adequate safety and guidance available for

customers in the areas where those services are offered. Mr Deeny referred to coin-operated beds, although I do not think that there are many of them in Northern Ireland. However, we have heard some real horror stories about coin-operated beds in GB, where there is no way of stopping the very young from using them or of ensuring that people do not use them for long periods. That, in particular, is very concerning. Perhaps coin-operated beds should be banned altogether in the UK.

As the Minister said, between 16% and 20% of the outlets that have tanning beds are registered with the Sunbed Association, so it is difficult to determine accurately how many locations there are in Northern Ireland. We have heard that there are 400 to 500 outlets, and it is difficult to know the standard of service that is being offered in those locations and the level of expertise of the individuals who are selling the services.

I listened to Members talk about the potential for licensing the industry, and that is something that should be looked at. That discussion will continue at Committee Stage. The Minister might argue and convince the Committee that it is a timing issue. Nevertheless, it could be looked at in the longer term so that it does not hold back this legislation.

Members have already said that the training that operators receive and the guidance and advice that they give to those who want to use sunbeds is often limited. We do not know the level of maintenance carried out on some of the beds or their level of cleanliness. All that could be made easier under a licensed system. We need to have regulations on the power and type of sunbeds and the duration of their use. There must also be warning signs about the use of sunbeds.

The lack of regulation in this area was highlighted earlier in the debate, and it has been highlighted by a number of health and consumer organisations. I think that they are united in the belief that action should be taken and that there should be government regulation because of the health risks associated with exposure to UV radiation. This is consistent with the World Health Organization's view that the power of the UV rays used in sunbeds is equivalent to the midday sun in the Mediterranean, which is a startling fact. In August 2009, the International Agency for Research on Cancer published a

report stating that melanoma has increased by 75% in sunbed users under the age of 30. That highlights the dangers for everyone who uses sunbeds and for younger people in particular who seek to obtain the type of tan described as a healthy glow.

11.30 am

Statistics point to the fact that 6% to 10% of 11- to 17-year-olds in the UK are able to gain access to sunbeds and have been using them. Other Members have said that sunbed users are generally females who live in socially deprived areas, which is very concerning. We have seen media reports of children as young as 14 or 15 going to reputable health clubs and accessing sunbeds with no questions asked. Indeed, I read a report that the Fitness First chain was offering its sunbed facilities to 15- and 16-year-olds. It even put posters up promoting the benefits of sunbed usage, suggesting that the vitamin D derived from sunbeds is good for the skin and will decrease cholesterol. At best, that is misleading. It is also highly irresponsible to have that sort of advertising in those premises, as it gives the impression that sunbeds are totally safe, which is wrong. Such companies play on the fact that sunbeds are sometimes used by the medical profession to deal with skin conditions such as psoriasis, and clause 11 of the Bill refers to the medical use of sunbeds. Earlier, my colleague Alex Easton mentioned his concern at the advertising of sunbeds, and clause 7 will prohibit information from being displayed that may mislead the public. It is important that health club facilities are not allowed to advertise the perceived benefits of sunbed use.

Members have argued that a special case should be made to ban sunbeds for users who are under 18 years old. That is consistent with what is happening elsewhere in the UK and with what has happened elsewhere in Europe and in many states of the USA. However, as the Chairperson of the Health Committee said, it is also important that users who are over 18 are aware of the risks and dangers associated with the use of sunbeds and can make informed decisions. Therefore, I welcome clauses 5 and 6, which will ensure that that information is available to adults who choose to use sunbeds.

I referred earlier to the need for staff to be adequately trained, and clause 9 addresses that issue. Furthermore, clause 8 will ensure

that sunbed users must wear protective eyewear when using sunbeds. That is the case in the rest of the UK, and Members will have heard the horror stories of serious damage being caused to eyes and skin as a result of such protection not being offered.

There should be a requirement that the equipment used in outlets is clean and well maintained. Perhaps that should be a role for councils. It would be useful if the Minister were to clarify how far councils could go in that respect. As enforcement will be carried out at council level, it will be important that they are given appropriate powers and resources to fully enforce the legislation.

Overall, the Bill is a positive step. I welcome it and look forward to it progressing through the House.

Mr McCallister: Like other Members I welcome the Bill. It is another strong example of the Minister's commitment to and passion for addressing health inequalities in Northern Ireland.

Other Members spoke about the effect of health inequalities on young people in areas of deprivation and poverty and how that imbalance must be tackled and addressed. As with many other matters such as drinking and smoking, the impact on young people is disproportionately bad. Therefore, it is vital that the Bill bans the use of sunbeds by people who are under the age of 18 and that that is welcomed by all sides of the House.

Excellent points were made about how to make the Bill as effective as possible, including the proposal to establish a register. It is important that the Bill goes through the House, is scrutinised by the Committee and passed by the Assembly to get the regulations and the register in place. That will provide protection to hundreds of people on the use of sunbeds. As Dr Deeny and Mr Ross said, although the use of coin-operated sunbeds may be limited in Northern Ireland, they could have a serious impact. That issue must be addressed.

The servicing and maintenance of sunbeds is a huge issue, and it is vital that they are fully functioning and operating to the required standard. I am concerned about the way in which privately owned sunbeds can be regulated under any system. It is difficult to legislate for events that occur in the privacy of someone's house.

There is an important public health message about the danger of sunbeds, and, fortunately, the Public Health Agency was established to deliver such messages. Skin cancer is still regarded as one of the more treatable forms of cancer, but, unfortunately, some dangers associated with sunbeds are not always obvious. A public health message must be sent out about the dangers of skin cancer and sunbeds in commercial and private settings. We must ensure that that message gets across to the public, and at least we now have the agency to do so.

There is much to welcome in the Bill, and I am delighted that it is progressing through the House. I fully support it.

Mr Buchanan: As the chairperson of the all-party Assembly group on cancer, which is concerned by the increase in the number of cases of skin cancer in Northern Ireland, I welcome the Second Stage of the Sunbeds Bill. Skin cancer is now the most common cancer in Northern Ireland, and, although the disease has several causes, sunbeds are a major culprit. Therefore, the Bill is timely.

A tanned look is regarded as a sign of health and vitality, and many people, especially young women, have come to regard a sunbed as vital to getting and keeping a tan. The dangers of sunbeds are well documented. They can significantly increase the risks of skin cancer, especially among people who are under the age of 30. The House would be failing in its duty if it were not to take action to regulate the sunbed industry and to protect the most vulnerable groups.

The responses to the Department's consultation and evidence elsewhere show that the public believe strongly that children and young people need to be protected from the dangers associated with sunbeds. That is why I welcome the Bill, which broadly follows similar legislation in Scotland, England and Wales. By prohibiting the sale and hire of sunbeds to people who are under the age of 18, we will go a long way to protecting young people. The Scottish legislation prohibits not only the sale and hire of sunbeds to people who are under the age of 18 but their use. I will be interested to hear the Minister's view on that.

Responsibility for enforcement of the Bill will rest with district councils. Will the Minister advise what additional costings that may place on councils? Will councils be adequately

resourced to undertake the task that lies before them? Will the Minister advise why the Department is not fully in favour of licensing for sunbeds? That needs to be examined, and, no doubt, the Committee will do so during Committee Stage.

It would be helpful if the proposed legislation could be augmented by a widespread awareness campaign warning all members of society not only of the dangers of sunbeds but the dangers of overexposure to the sun. We have just enjoyed one of the best weekends of sunshine for a long time, and, undoubtedly, many people took advantage of it and, perhaps, overdid it a little. However, I was alarmed to hear from radio interviews yesterday that many people do not feel the need to apply protection when they are out in the sun here, despite repeated warnings. We must continue to get a message out to people informing them of the dangers of overexposure to the sun as well as sunbeds.

The extent of the problem of skin cancer, as we heard from around the Floor, is so great and radical that action needs to be taken. The Bill, therefore, is a major step in the right direction. I commend the Minister for introducing the Bill, and I support it fully.

The Minister of Health, Social Services and Public Safety:

I am grateful to Members for letting me know their views, and there will be further opportunities to make their views known as the Bill moves to Committee Stage. Many of the points that were made today can be raised again in Committee. The main issue appears to be licensing. There is a simple reason why I am not opting for licensing at this time: enough time is not available in this mandate to come forward with licensing. However, I was anxious to come forward with steps that will make a difference. We will monitor the situation thereafter, and, if it becomes obvious that licences are necessary, licensing remains an option for us. We cannot do it in this Assembly's mandate. If I were to say that the issue is licensing, the Bill would not progress during the lifetime of this Assembly, because we do not have the time available.

Mr McDevitt raised the issue of residential use, and I hear and am sympathetic to his point. However, if someone were to buy a sunbed, take it home and allow it to be used by members of his or her family and family friends in the safety and comfort of their homes, it is difficult to see how any controls could be enforced. I would be

interested to hear any suggestions about how that could be regulated.

The introduction of the Bill was triggered by a report last year by the Committee on Medical Aspects of Radiation in the Environment. It allowed us to proceed, and Wales, England and Scotland are taking similar steps. Our proposals go further than those of the other countries, but I am happy to go further again, as necessary, when we determine that that is exactly where we want to go.

It was suggested that sunbeds be banned, but that would drive the industry underground. I am not clear about what Dr Deeny meant when he talked about licensing. He appeared to be talking about licensing sunbeds, but we, of course, are talking about licensing and regulating premises.

The Chairperson of the Committee for Health, Social Services and Public Safety: I take the Minister's point about banning sunbeds. Enormous difficulties and real health issues would arise if people used them in a black economy. Will the Minister and his officials explore the idea of introducing the need for licensing by means of subordinate legislation? I accept his point: his officials made it clear to the Committee that a window of opportunity has arisen to progress the Bill this year but there may not be time to introduce full-blown licensing provisions. Is it possible for the Bill to provide an enabling power to create subordinate legislation to enable licensing to be introduced at a later stage? If the Minister did that, the Committee would be more than happy to accept it. It would be a case of jam tomorrow, but it would mean that we would not have to introduce new primary legislation and get a slot for it. Dear knows when that could happen, because, as the Minister knows, he has a heavy legislative programme, with the Safeguarding Board Bill and, perhaps, legislation on adoption, among others. It may not be possible to bring in that primary legislation in the foreseeable future. Is there any way in which the Minister could consider the subordinate route?

11.45 am

The Minister of Health, Social Services and Public Safety: I am happy to take those points on board and to pursue the Member's point about an enabling power. If possible, we will use an enabling power. We have a common purpose: advancing a regulation and gaining control of

the issue. The main purpose of the Bill is to save lives by reducing cancer caused by sunbed use. That is my priority, and I am open to any reasonable, practical, workable suggestions. For example, Mr Easton suggested that advertising needs to be looked at and explored. Using an enabling power is a useful suggestion, and I will ensure that my officials take that up.

I look forward to the Committee's deliberations. Once again, I am grateful to everyone who has contributed to the debate on this important legislation.

Question put and agreed to.

Resolved:

That the Second Stage of the Sunbeds Bill [NIA 18/09] be agreed.

Employment Bill: Consideration Stage

Mr Speaker: I call on the Minister for Employment and Learning to move the Consideration Stage of the Employment Bill.

Moved. — [The Minister for Employment and Learning (Sir Reg Empey).]

Mr Speaker: Members will have a copy of the Marshalled List of amendments, which details the order for consideration. The amendments have been grouped for debate in my provisional grouping of amendments. There are two groups of amendments, and we will debate the amendments in each group in turn.

The first debate will be on amendment Nos 1, 2, 4 and 6, which deal with the payment of compensation for financial loss and payment in respect of training programmes as categorised. The second debate will be on amendment Nos 3 and 5, which deal with the appointment of members to the Labour Relations Agency and Construction Industry Training Board, by amending the way in which the recruitment process is conducted.

I remind Members who intend to speak that, during the debate on the two groups of amendments, they should address all the amendments in each group on which they wish to comment. Once the initial debate on each group is completed, any substantive amendments in the group will be moved formally as we go through the Bill, and the Question on each will be put without further debate.

The Question on clauses stand part will be taken at the appropriate points in the Bill. If that is clear, we shall proceed. No amendments have been tabled to clauses 1 to 5. I propose, therefore, by leave of the Assembly, to group those clauses for the Question on stand part.

Clauses 1 to 5 ordered to stand part of the Bill.

Mr Speaker: We now come to the first group of amendments for debate. With amendment No 1, it will be convenient to debate amendment Nos 2, 4 and 6. Amendment No 1 inserts a new clause making provisions for the payment of compensation for financial loss, and amendment No 6 changes the long title of the Bill. As a consequence, amendment Nos 2 and 4 change how payments for participation in employment and training programmes are managed and categorised. I call the Minister for Employment and Learning, Sir Reg Empey, to

move amendment No 1 and to address all the other amendments in the group.

New Clause

The Minister for Employment and Learning

(Sir Reg Empey): I beg to move amendment No 1: After clause 5 insert

“Compensation for financial loss

Compensation for financial loss

5A.—(1) *In Article 56 of the Employment Rights (Northern Ireland) Order 1996 (NI 16) (determination of complaints relating to deductions from wages or payments to employer)—*

(a) *the existing provision becomes paragraph (1), and*

(b) *after that provision insert—*

‘(2) Where a tribunal makes a declaration under paragraph (1), it may order the employer to pay to the worker (in addition to any amount ordered to be paid under that paragraph) such amount as the tribunal considers appropriate in all the circumstances to compensate the worker for any financial loss sustained by him which is attributable to the matter complained of.’

(2) In Article 198 of that Order (determination of questions relating to redundancy payments), at the end insert—

‘(5) Where a tribunal determines under paragraph (1) that an employee has a right to a redundancy payment, it may order the employer to pay to the employee such amount as the tribunal considers appropriate in all the circumstances to compensate the employee for any financial loss sustained by him which is attributable to the non-payment of the redundancy payment.’

(3) This section does not have effect in relation to proceedings on a complaint presented to the industrial tribunal before the commencement of this section.”

The following amendments stood on the Marshalled List:

No 2: In schedule 1, page 5, line 3, at end insert

“The Employment and Training Act (Northern Ireland) 1950 (c. 29)

. In section 1(1A)(d) for ‘the Department’ substitute ‘any person’.” — [The Minister for Employment and Learning (Sir Reg Empey).]

No 4: In schedule 1, page 5, line 3, at end insert

“The Employment and Training (Amendment) (Northern Ireland) Order 1988 (NI 10)

. In Article 4(1) for ‘the Department’, in the second place where it occurs, substitute ‘any person’.” — [The Minister for Employment and Learning (Sir Reg Empey).]

No 6: In the long title, after “Court;” insert

“to provide for compensation for financial loss in cases of unlawful underpayment or non-payment;”.
— *[The Minister for Employment and Learning (Sir Reg Empey).]*

The Minister for Employment and Learning:

Before I speak to the amendment, I will take the opportunity to thank the members of the Employment and Learning Committee for their detailed consideration of the Bill. I am grateful for the Committee’s constructive proposals, in particular regarding consultation rights, and I am glad to say that, with goodwill on all sides, we reached an agreed position.

The amendments that I propose reflect the detailed work carried out by the Committee, the Office of the Legislative Counsel and my officials in the Department. I thank everyone involved for their efforts. The amendments will result in more appropriate consultation with stakeholders, financial protections for those on training programmes and a simplification of the process for workers claiming compensation for unlawful deductions.

Amendment No 1 will insert a new clause entitled “Compensation for financial loss” into the Employment Bill. It will amend the Employment Rights (Northern Ireland) Order 1996 to empower industrial tribunals to order employers to compensate workers for the full financial loss that they have sustained as a result of unlawful deductions from wages, which include failure to pay the national minimum wage and non-payment of redundancy awards. The amendment will allow workers to bring a combined tribunal claim to cover breaches of the law in all those areas and claims for compensation for financial loss that arise from such breaches. At present, workers can obtain compensation for financial loss only via a separate claim to the civil courts. The clause will remove the need for claimants to make a separate claim. It is also designed to encourage

employers to make the correct payments in the first place.

Payments that an industrial tribunal may currently order the employer to pay or repay are limited to the amount that arises from the employer’s direct liability. That means that financial losses incurred by a claimant that are over and above the amount that is owed but can be attributed to the non-payment of unauthorised deductions can be pursued only through the civil courts. Such losses might include, for instance, charges that are incurred if a direct debit has failed or punitive interest on bank accounts that go into the red.

The amendment would allow a tribunal to award not only compensation to make good an unlawful non-payment or underpayment by an employer but an appropriate amount to compensate a claimant for any financial loss suffered as a result of the employer’s failure. The proposed changes contained in the clause will enable those who were wrongly not paid the national minimum wage to have consequential losses attributable to the underpayment included in the reward as well.

Amendment No 6 is a consequential amendment to the long title of the Bill to provide for the new clause entitled “Compensation for financial loss”. Amendment Nos 2 and 4 ensure that people who take part in departmental employment and training programmes and receive payments in connection with their participation will have those payments treated as a training allowance and not as employment income.

The amendments to the Employment Bill will amend the Employment and Training Act (Northern Ireland) 1950 and the Employment and Training (Amendment) (Northern Ireland) Order 1988. Those amendments will ensure that people who take part in departmental employment and training programmes and receive payments will have those payments treated as a training allowance and not as employment income. That will ensure that participants are not liable for tax and national insurance when they take part in such programmes.

At present, primary legislation, namely the 1950 Act and the 1988 Order, cover only payments that are made to participants by my Department and do not extend to other payments, for example, travel costs that are paid to participants by others, such as contracted providers. Therefore, the proposed amendments will delete the words

“the Department” and insert the words “any person” in the 1950 Act and the 1988 Order. Amendment No 2 makes the appropriate change to the 1950 Act and amendment No 4 changes the 1988 Order.

The Chairperson of the Committee for Employment and Learning (Mrs D Kelly):

I welcome the Consideration Stage of the Employment Bill. The Committee has indicated its satisfaction with the Department’s public consultation process and its engagement with the Committee both prior to and during the introduction of the Bill. The Committee is grateful to the Minister and his Department for their willingness to discuss issues with the Committee and to take its views on board. I thank Committee staff and stakeholders for their help and support.

As the Minister has indicated, the purpose of the Employment Bill is to make provision for the enforcement of legislation relating to employment agencies and the minimum wage. Additionally, it makes provision with respect to the membership of and representation before the Industrial Court and for issues that flow from those provisions.

The Employment Bill passed its First Stage on 22 June 2009. The Bill reached its Second Stage on 30 June 2009 and was referred to the Committee for consideration in accordance with Standing Order 33(1) on 1 July 2009. At its meeting on 16 September, the Committee agreed a draft motion to extend the Committee Stage of the Bill to 9 November 2009. The motion to extend was supported by the Assembly on 5 October 2009. At its meeting on 21 October 2009, the Committee agreed that its report on the Bill be printed.

In the pre-introduction phase of discussion, the Committee voiced considerable concern regarding proposals around the rights of trade unions to expel members who have membership of or affiliations to political parties or groups that hold views not in tune with those of the trade union. The Minister subsequently decided not to include the proposal in the Employment Bill as drafted. However, the Committee is aware that that issue must be resolved, as current law is now in contravention of a European Court of Human Rights ruling and will have to be amended at some point in the future. The Committee believes that the issue warrants considerable

debate on the Floor of the Assembly, and it will play a full part in that debate.

Other issues raised by the Committee related to the amendments to the Employment Bill proposed by the Minister. The Committee initially asked why changes were being proposed regarding the Construction Industry Training Board, when that body was subject to the outworkings of a review that recommended its restructuring and merger with the sector skills council for the construction industry, ConstructionSkills. However, the Committee has been satisfied by the Department’s reassurances that the legislation to restructure and merge the board is a considerable way off and the change is needed presently to bring the consultation process regarding appointments to CITB and the appointments themselves into line with current practice.

The Committee received correspondence from the Construction Employers Federation and the Northern Ireland Committee of the Irish Congress of Trade Unions on changes to the consultation regarding appointment to the boards of the Labour Relations Agency and the CITB and the process of appointment itself. The Committee urged the Minister and his officials to engage with stakeholders and seek compromise, and it facilitated that process. I am pleased to say that the necessary compromise was reached regarding the Labour Relations Agency, with further discussion on the CITB deferred.

Additionally, proposed amendments from the Minister of Agriculture and Rural Development that were considered by the Committee were subsequently deemed controversial, with the potential to slow down the passage of the Bill. Hence, they are not being brought forward today, and the Committee is content with that.

I will now turn to the group 1 amendments, which deal with financial arrangements. Amendment Nos 1, 2 and 4 are largely technical and amend existing legislation. The Committee had no issues with those amendments and is content to accept them. Amendment No 6 amends the long title of the Bill, and the Committee is content with that.

The Deputy Chairperson of the Committee for Employment and Learning (Mr Weir):

I see the Minister having to duck at this point. As Deputy Chairperson of the Committee, I commend the Bill and the amendments. It has also been a triumph of process, because there has been

an opportunity for the close co-operation and involvement of the Department, the Committee and stakeholders to be brought to proper fruition. As indicated by the Chairperson, that has come from the pre-consultation stage to the present position as regards amendments.

I note in passing the Chairperson's reference to what was initially covered in the Bill. That included rights of trade unions to expel members whose views, because of their political background, were not in tune with those of the trade unions. That provision was obviously dropped from the Bill, perhaps much to the relief of Declan O'Loan, who may otherwise have been facing its consequence today. That is a sign that there was a good working relationship and that sensible involvement has been put in place.

The Committee, having looked at the legislation, produced a very detailed report and worked well with the Department. In looking at where the Committee felt that there were gaps and inadequacies and in relation to the amendments, it is good to see that the issues raised during discussions were taken on board.

12.00 noon

The amendments enhance the overall thrust of the Bill, which is particularly relevant at a time of recession and given the career choices that people are making. We have entered a more flexible situation in which the likes of employment agencies will be playing a greater role in the employment of people across Northern Ireland. That role is likely to increase as time moves on. There is the short-term issue of the recession. During the recession, firms may well be looking for people to plug gaps on a short-term basis, and employment agencies will play a role in that. Furthermore, I am sure that the Minister would acknowledge that, for the vast majority of people, the days when someone started in a job at the age of 16 or 18 and remained in that job or profession until they turned 60 or 65 are behind us. We are in a much more flexible situation now. Consequently, the role of employment agencies will be greater, and the purpose of the Bill and the amendments becomes very important.

It is right that the proper protections are put in place for workers, in particular, and for the agencies themselves. There should not be anything in the Bill or the amendments for an employer or employment agency that is behaving in a correct fashion to fear. The legislation

is meant to cover the very small number of unscrupulous employers and those who act in a detrimental manner that is outside the law.

As the Minister and the Committee Chairperson indicated, three out of the four amendments in the first group are, essentially, technical amendments. Amendment No 1, which inserts new clause 5A, is something that any sensible person would welcome. If someone has suffered financially because of their employment in circumstances in which the employer or employment agency is clearly at fault, it is right that that person is compensated for their full financial loss. That is fulfilling part of the great tradition of British law, which looks to see that costs and recompense follow the event. Consequently, the clause is very much bringing the legislation into line and providing that degree of additional protection, and it is quite sensible to do that. In a situation in which someone is suffering loss and it is clearly someone else's fault, there can be a sense of grievance if there is not proper compensation for them and proper recovery of that loss. It is right that that provision is put in place.

Amendment No 1 and the consequential amendments are a sensible way forward. The amendments further improve what was already a good Bill. It is certainly a Bill that I welcome, and I am happy to support it today.

Ms Lo: I welcome the Bill, and, as other Members have done, I commend the Minister and the Department for their efforts in carrying out a very thorough consultation as well as meeting stakeholders to come to compromises and agreements.

The make-up of our workforce has changed so much in the past 15 years that it is timely that we have an up-to-date Bill. We have seen thousands of migrant workers coming into Northern Ireland to fill our skills and jobs gaps. Unfortunately, a lot of those workers may have been made redundant because of the recession. The amendment is very necessary at a time of recession to protect anybody who has been made redundant or migrant workers who have wrongful deductions made to their wages. I am sure that many MLAs have people coming to their offices to make complaints about poor treatment. Obviously, there are plenty of good employers. However, we have seen a huge increase of employment agencies in the

past few years, and it is important that those agencies comply with regulations and the law.

I particularly welcome that the trial system will be changed, meaning that individuals will be prosecuted in the Crown Court as opposed to the Magistrate's Court, with the result that penalties may, therefore, be increased. Hopefully, that will stop the illegal operations of rogue agencies.

The Minister for Employment and Learning: I thank the Members who participated in the Consideration Stage. The amendments prove that legislation can be improved when a Department and Committee work together. That is, of course, the whole purpose of the legislative process. Whenever a Department suggests proposals and a Minister introduces legislation, it is good that they have a well-informed sounding board in the form of a Committee that can work with stakeholders and take the time to test some of the propositions in that forum. That process shows up weaknesses in proposed legislation from time to time. Such work has, therefore, improved the technical aspects of this Bill, as well as the long-term objectives that we are seeking to achieve. As has been said, it is clear that a few issues caused a bit of concern among some of the stakeholders, and we tried to address those systematically as we went along. I think that we have succeeded, in large measure, in achieving that.

The Chairperson of the Committee mentioned the European dimension to the legislation. Obviously, we have run into section 75 issues in Northern Ireland, and those must be paid attention to. However, those issues may be addressed subsequently if the opportunity arises to link the legislation into Westminster legislation.

Mr Weir's points about the recession were absolutely right. Circumstances have changed, and the pattern of employment that people expect no longer exists. Some people will have to be upskilled and retrained many times, but I think that we all accept that. Anno Lo pointed out that there has been a big increase in the number of agencies. Although the sector is made up, by and large, of people who conduct their business properly, some people have not conducted themselves appropriately and have tried to exploit others. However, that is another issue, and I suspect that it will not be the last. Indeed, the House has made several attempts

over the past few years to try to address some of those issues. However, vigilance will be required in the years ahead.

If the economy picks up, and I hope that it will do so soon, there will be more opportunities for more people to go into business. All sectors have the good, the bad and the ugly. Our job is not to penalise those who are doing a good job and running a good business. Rather, our job is to protect individuals from exploitation and to ensure that the labour market operates as efficiently and effectively as possible. That is in the long-term interest of the economy. The Bill is not designed to overburden people who are trying to do business. However, people have been exploited, and it is our task to ensure that that does not happen.

I believe that the amendments on compensation for financial loss make worthwhile improvements. If people suffer as a result of being underpaid, it is only appropriate that they should receive adequate compensation. We wish to ensure that people who have suffered losses unjustly are compensated and that people who take part in departmental programmes do not suffer detriment because of their participation in them. That is why wanted to ensure that allowances are paid and that they are treated as training allowances and not as income. I think that most Members will welcome that.

Question, That amendment No 1 be made, put and agreed to.

New clause ordered to stand part of the Bill.

Clauses 6 to 8 ordered to stand part of the Bill.

Schedule 1 (Minor and consequential amendments)

Amendment No 2 made: In page 5, line 3, at end insert

"The Employment and Training Act (Northern Ireland) 1950 (c. 29)

. In section 1(1A)(d) for 'the Department' substitute 'any person'." — [The Minister for Employment and Learning (Sir Reg Empey).]

Mr Speaker: We come now to the second group of amendments. With amendment No 3, it will be convenient to debate amendment No 5. These amendments amend the process for appointing members to the Labour Relations Agency and the Construction Industry Training Board.

The Minister for Employment and Learning: I beg to move amendment No 3: In page 5, line 3, at end insert

"The Industrial Training (Northern Ireland) Order 1984 (NI 9)

.—(1) In Schedule 2 in paragraph 2(2) for head (b) substitute—

'(b) an equal number of persons appearing to the Department to be representative—

(i) of employers engaging in the industry; and

(ii) of employees in the industry;'

(2) In Schedule 2 after paragraph 2(2) insert—

'(2A) The Minister shall consult—

(a) such organisations representative of employers as appear to the Minister to be appropriate about the arrangements for making an appointment under sub-paragraph (2)(b)(i);

(b) such organisations representative of employees as appear to the Minister to be appropriate about the arrangements for making an appointment under sub-paragraph (2)(b)(ii).'"

The following amendment stood on the Marshalled List:

No 5: In page 5, line 11, at end insert

"(3) In Schedule 4 for paragraph 2 substitute—

'2.—(1) The Agency shall consist of the following persons appointed by the Minister—

(a) a chairman; and

(b) 9 other members of whom—

(i) 3 shall be persons appearing to the Minister to be representative of employers;

(ii) 3 shall be persons appearing to the Minister to be representative of employees; and

(iii) 3 shall be such other persons as appear to the Minister to be appropriate.

(2) The Minister shall consult—

(a) such organisations representative of employers as appear to the Minister to be appropriate about the arrangements for making an appointment under sub-paragraph (1)(b)(i);

(b) such organisations representative of employees as appear to the Minister to be appropriate about the arrangements for making an appointment under sub-paragraph (1)(b)(ii).'" — [The Minister for Employment and Learning (Sir Reg Empey).]

The Minister for Employment and Learning:

Amendment No 3 relates to consultation rights with CITB ConstructionSkills Northern Ireland. Amendment No 5 relates to similar consultation rights in relation to public appointments to the Labour Relations Agency. These amendments will clarify provisions in the Industrial Training (Northern Ireland) Order 1984 and the Industrial Relations (Northern Ireland) Order 1992 in relation to the requirements to consult organisations representative of employers and employees when making appointments to the boards of public bodies, namely the Labour Relations Agency and CITB ConstructionSkills Northern Ireland.

Last year, it became clear that there was some ambiguity around what form that consultation should take. It is important that that consultation does not compromise my responsibilities under the ministerial code or the code of practice that was published by the Commissioner for Public Appointments for Northern Ireland. Therefore, I wish to clarify that consultation will take place on the arrangements for public appointments only, such as the essential criteria that candidates must satisfy or the ways in which the Department raises awareness of vacancies.

My officials have discussed these amendments at length with the Committee for Employment and Learning and interested parties, in particular, the Northern Ireland Committee of the Irish Congress of Trade Unions. Those discussions were designed to ensure that the views of key stakeholders are taken into account appropriately during the process of appointing members to those two important boards. I understand that stakeholders are content with amendment Nos 3 and 5.

The Chairperson of the Committee for Employment and Learning:

The Committee had some concerns with amendment No 3, which details appointments to the Construction Industry Training Board, with regard to changes being made prior to the completion of the reorganisation of that body and its merger with ConstructionSkills. The Committee questioned the rationale of making changes to CITB before details on the merger were brought to the Committee. The Department indicated that the legislation regarding the restructuring of the CITB and its merger with ConstructionSkills will take some time and that it is moving to use the Bill to regularise appointments to CITB.

The Committee accepted the Department's reasoning for that move.

Concerns were raised by the Construction Employers Federation and the Northern Ireland Committee of the Irish Congress of Trade Unions around changes to consultation regarding appointments and appointment to the board of CITB. The Committee encouraged the Department to talk to those key stakeholders and to reach a compromise. However, the Department has indicated that any changes to the appointment process will be discussed as part of the merger process. The Committee accepted that and is, therefore, content with amendment No 3.

When looking at public appointments, the Minister should look at where there is a shortfall, among young people and women in particular, in relation to the criteria and essential skills, which must be set in a way that does not disadvantage sections of our community.

The Committee received concerns from stakeholders about amendment No 5, which details appointments to the Labour Relations Agency, similar to those voiced regarding amendment No 3. The Committee urged the Department to discuss the issues with the important stakeholders, and a compromise was reached. The Northern Ireland Committee of the Irish Congress of Trade Unions and employer organisations' representatives will sit on the interview panels for appointments to the board of the agency.

That compromise will also apply to appointments to the Industrial Court. The Committee is delighted to have facilitated that compromise and is content with the amendment, as indicated in the Bill report.

12.15 pm

The Deputy Chairperson of the Committee for Employment and Learning:

I support both amendments, which are the result of constructive dialogue between the Committee, the Department and a couple of key stakeholders. Through the amendments, we have managed to tease out a situation that everyone can, broadly speaking, buy into.

I am not sure whether the Chairperson's comment about public appointments was a late bid for a place on one of the boards. She said there was a shortfall among women and young

people. She would qualify as a member of at least one of those groups, although I am not so sure about the second one.

The amendments bring a degree of clarity and certainty to the situation, but allow a degree of flexibility in the appointment process. There is a realisation, particularly with the reorganisation of the CITB, that there will be a need for a certain amount of work to be done before the new formats can fully be brought to fruition. It is important that there is flexibility, and the amendments give the certainty of consultation while allowing an opportunity for flexibility in the outcomes. That also ensures that, if there is a need for interim positions, that will be covered.

Amendment No 5 addresses appointments to the board of the Labour Relations Agency. Again, the stakeholders seem to have been brought on board in the formulation of that amendment. The amendment brings appointments to the agency's board much closer to the criteria used for public appointments. That provides a degree of flexibility in the composition of the board and the breakdown of its nine members, which makes sense. I support amendment Nos 3 and 5.

Ms S Ramsey: Go raibh maith agat, a Cheann Comhairle. I want to say a few words about the Bill. The Minister and the Chairperson of the Committee have outlined the purpose of the Employment Bill. Members' comments have shown that questions were raised during the Bill's passage. Throughout the process, there was goodwill and good work from the Committee, the Department and the stakeholders. Collectively, we were able to work on the Bill.

I want to place on record my thanks to the Committee staff for their help, support and guidance to the Committee throughout the Bill's passage. We are quite keen to criticise when it is appropriate, but one of the key points to place on record is that the Minister and his officials have been quite open and honest, and have shown a willingness to work in proper partnership with the Committee and the stakeholders from the beginning of the Bill's passage. We should highlight that.

The Bill is not controversial, and we are not criticising each other in the debate owing to the partnership approach that was adopted. That shows that we are taking collective responsibility and that we are, possibly, being adults and are looking at the Bill from a different

perspective. I also place on record my thanks to the stakeholders. Again, the Bill has shown that outside stakeholders can play a positive part in the process and make a big difference. Involving those stakeholders shows that we are being relevant to the people outside and are listening to them.

A number of concerns have been raised by the stakeholders, especially the trade unions. From previous discussions, we know that when we get more information and facts, we are able to see the outworkings. In this case, the concerns were about the Construction Industry Training Board, and we were given reassurances. The Minister and his officials should be commended for their genuine open-door policy. When I was Chairperson of the Committee, the Minister said that he was willing to listen to and work in partnership with the Committee. He did listen to the stakeholders.

Amendment No 5 shows a willingness by the Minister and his officials to listen to concerns from stakeholders and the unions. Concerns are not necessarily criticisms but, if they are not heard, they can become criticisms.

Again, a clear message was sent out that the Department, officials, Committee and stakeholders could move forward, and a compromise was reached. Genuine partnership and everyone's willingness to get round a table and deal with the matter before it became an issue produced a positive outcome. I support the Bill and the amendments.

Mr McClarty: I will speak on the group 2 amendments, which are designed to clarify the nature of the consultation that the Department is required to undertake when making appointments to the Construction Industry Training Board and the Labour Relations Agency.

It is vital that all public appointments be made according to the highest standards of integrity. For that reason, the ministerial code requires Ministers to act at all times within the confines of the seven principles of public life. There is no mechanism to test the ministerial code. We simply have to trust a Minister who is accused of breaking the code and hope that an investigation started by the same Minister is independent and can be trusted. It is refreshing, therefore, for a Minister to come to the House, state that something may compromise his responsibilities under the ministerial code and lay before Members his idea of how to fix the problem.

Amendment Nos 3 and 5 resolve the problem. They remove the possibility of those two boards being consulted on the basis of named individuals. They require the Minister to consult representatives of employers and employees on structural elements of the appointments process at a much earlier stage. That is a much more satisfactory way to deal with public appointments, in that it provides a further guarantee that the best person for the job will be appointed, without any handshakes or tacit understandings. It is a good way to solidify the principle that the best person should get the job.

I congratulate the Minister on excluding amendments relating to the Agricultural Wages Board. That board represents nothing more than an unnecessary bureaucratic burden on the agriculture industry, and I welcome the fact that the Minister stood firm. I congratulate the Minister on the Bill, which has received broad support in the House and among stakeholders. I thank the Committee staff for all their help and guidance in bringing us to Consideration Stage.

The Minister for Employment and Learning: The lesson to be learned is that the Department and the Committee seem to be getting too lovey-dovey. The system does not work for every Department and every Committee, but it is, nevertheless, something in which I believe, and the evidence from today is that the system works.

Committees and Departments do not have to be continuously at war. They are there to help each other. Both exist to improve the quality of the legislation, improve the development of policy and to scrutinise and hold to account, as and when required. Over the past few years, they have demonstrated that they are perfectly capable of doing so.

I will resist the temptation to get involved in the argument about who is suitable for appointment. At this stage, I will quit when I am ahead. I am content with the amendments.

Question, That Amendment No 3 be made, put and agreed to.

Mr Speaker: Amendment No 4 has been debated and is consequential to amendment No 2, which has already been made.

Amendment No 4 made: In schedule 1, page 5, line 3, at end insert

"The Employment and Training (Amendment) (Northern Ireland) Order 1988 (NI 10)

. In Article 4(1) for 'the Department', in the second place where it occurs, substitute 'any person'." —
[The Minister for Employment and Learning (Sir Reg Empey).]

Amendment No 5 made: In page 5, line 11, at end insert

"(3) In Schedule 4 for paragraph 2 substitute—

'2.—(1) The Agency shall consist of the following persons appointed by the Minister—

(a) a chairman; and

(b) 9 other members of whom—

(i) 3 shall be persons appearing to the Minister to be representative of employers;

(ii) 3 shall be persons appearing to the Minister to be representative of employees; and

(iii) 3 shall be such other persons as appear to the Minister to be appropriate.

(2) The Minister shall consult—

(a) such organisations representative of employers as appear to the Minister to be appropriate about the arrangements for making an appointment under sub-paragraph (1)(b)(i);

(b) such organisations representative of employees as appear to the Minister to be appropriate about the arrangements for making an appointment under sub-paragraph (1)(b)(ii).'" —
[The Minister for Employment and Learning (Sir Reg Empey).]

Schedule 1, as amended, agreed to.

Schedule 2 agreed to.

Long title

Mr Speaker: I remind Members that amendment No 6 is consequential to amendment No 1, which has already been made.

Amendment No 6 made: After "Court;" insert

"to provide for compensation for financial loss in cases of unlawful underpayment or non-payment;" —
[The Minister for Employment and Learning (Sir Reg Empey).]

Long title, as amended, agreed to.

Mr Speaker: That concludes the Consideration Stage of the Employment Bill. The Bill stands referred to the Speaker.

The Business Committee has agreed to meet immediately on the lunchtime suspension. I propose, therefore, by leave of the Assembly, to suspend the sitting until 2.00 pm, when the next item of business will be the Final Stage of the Forestry Bill.

The sitting was suspended at 12.27 pm.

On resuming (Mr Deputy Speaker [Mr Molloy] in the Chair) —

2.00 pm

Executive Committee Business

Forestry Bill: Final Stage

The Minister of Agriculture and Rural Development (Ms Gildernew): I beg to move

That the Forestry Bill [NIA 11/08] do now pass.

Go raibh míle maith agat, a LeasCheann Comhairle. I am delighted that the Forestry Bill has reached its Final Stage. I firmly believe that it is a good and modern piece of legislation that has been developed in the spirit of co-operation. It is not easy to get it exactly right for everyone, but we have a responsibility to strike the best balance possible.

It is more than 50 years since the last Forestry Act and, who knows, perhaps this Bill will have to last for the same length of time. That is why I wanted the Bill to be subject to intense scrutiny by the Committee for Agriculture and Rural Development and stakeholders. I am glad that that is exactly what happened. With the help of the Committee for Agriculture and Rural Development and the wide range of stakeholders who contributed to the development of the Bill, I believe that we have struck the right balance and that the Bill was developed in the spirit of co-operation.

The Forestry Bill will retain powers to deal with day-to-day forestry matters and to protect trees from damage by wild animals and from fire risk from vegetation on adjoining land. There will still be powers to make by-laws to ensure safe and responsible enjoyment of the public forest estate.

The original visions and principles of the Bill remain intact: sustainable management of all our forests that support the timber industry; expansion of forest cover in the North of Ireland; protection of public and private woodland from damage; provision of the necessary powers to enable the full potential of forests to deliver social, economic and environmental benefits to be realised; and new provisions to enable the

commercial opportunities that are provided by forests to be optimised.

I formally thank the Chairperson, Deputy Chairperson and members of the Committee for their extensive consideration of the Bill. I acknowledge the volume of work that the Committee has done on the Bill and the publication of its comprehensive report. Its constructive and detailed work has brought the Bill to where it is today.

The Committee suggested a number of important amendments, which have provided multifaceted forestry legislation that is capable of supporting a modern and forward-looking strategy. The Bill will give the powers to deliver a wide and integrated spectrum of social, recreational, environmental and economic benefit. Traditional timber production, with its important role in providing employment in the primary and ancillary sectors, will continue. However, our forests will also offer the potential to be utilised for a wide range of creative initiatives, which we will help to realise by engaging with partners across the public, private and community sectors.

The Bill is an example of how a Minister, Department and Committee, working together on legislation, can achieve a positive outcome and produce a robust and significant piece of legislation. I look forward to continuing productive work with the Committee during its consideration of two other Bills, on the welfare of animals and dog control, which I hope to introduce to the Assembly next year.

I also pay tribute to the wide spectrum of stakeholders for working with me and my officials on the Bill, and for their constructive comments and advice. Their contribution of time and effort has assisted greatly in developing this multifaceted piece of primary legislation. Their advice and contributions in developing legislation such as the Forestry Bill is absolutely crucial to ensure that the vital role that forestry has to play in mitigating climate change and the vision of doubling forest cover in the North of Ireland over the next 50 years will be supported by the powers in the Bill. We also wish to preserve our environmental heritage as a legacy for generations to come. The Bill will also promote sustainable forestry.

Finally, 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 Bill Office, who have given much support and advice along the way. I also thank the Committee Clerk and his staff for their support and commitment during the process, and my departmental officials, including the chief executive of the Forest Service and his colleagues, who have worked very hard on the Bill to achieve such a good outcome.

The Deputy Chairperson of the Committee for Agriculture and Rural Development (Mr Elliott):

I thank the Minister for securing the Bill's passage thus far and apologise on behalf of the Chairperson of the Committee for Agriculture and Rural Development, who is participating in duties in another place. No one can ever say that the Committee for Agriculture and Rural Development is not divided. We are specifically divided today in that a number of Committee members are in this place, and a number are in another place. Perhaps a number of them should be in another place again, but I do not want to complicate matters.

From the outset, the Committee was at one with the Department of Agriculture and Rural Development in recognising the fact that Northern Ireland's existing forestry legislation is out of date. We differed, however, on the thrust of the proposed Bill as presented to the Assembly. The Committee was of the view that the proposed Bill was retrospective, narrow and not forward thinking. The Committee firmly believed that an opportunity existed for dynamic new forestry legislation that would truly exploit the vast potential of the forestry estate in Northern Ireland and provide the framework to help to realise that potential. The Committee recognises the benefits of forests and woodlands to the local economy, recreation, tourism, the environment and rural and urban local communities.

The Committee took evidence from a wide range of stakeholders who held a variety of interests in the forestry sector. We used that evidence to propose a number of significant amendments, including those relating to the Department's duty on forestry; the compulsory acquisition of land; the development of a woodland inventory; the control of animals; the land adjacent to forests; and the fees for felling licences. I am pleased to say that the Department and the Forest Service were broadly, although not entirely, receptive to the Committee's amendments. That approach has resulted in effective, strategic and forward-looking

legislation. The Committee hopes that such an approach will be taken to the forthcoming legislation to which the Minister referred.

I welcome the Forest Service's commitment to producing delivery plans that will translate the duties placed on it into actions on the ground. Those delivery plans will allow for a strategic approach to the use of forests. They will also ensure that the role of forests in wider land management, such as flood management, species conservation, water quality improvement and mitigation of climate change, is communicated to local communities, stakeholders and Departments so that the value of woodland and forests can be included in proactive decision-making and planning. The plans will be subject to the scrutiny of the Committee, which will have the opportunity to undertake its statutory obligations on policy development.

Another politician and supporter of agriculture, J Sterling Morton, the founder of Arbor Day in the United States, once said:

"The cultivation of trees is the cultivation of the good, the beautiful, and the ennobling in man."

The Committee looks forward to the Department delivering on the Programme for Government target for the significant expansion of woodland in Northern Ireland, particularly in the private sector. With the amendments that were sought by the Committee and agreed by the Minister and the Department, we have dynamic and strategic legislation that will allow the Department and the Forest Service to move forward in the development of woodland across Northern Ireland for the benefit of the entire community. The legislation will truly stand the test of time.

The Forest Service in Northern Ireland was once held up as an example of innovative forest management. The Committee looks forward to our forests and woodland being utilised and developed in an innovative, sustainable and proactive way.

As Deputy Chairperson of the Committee for Agriculture and Rural Development, I thank Committee members, the departmental Bill team and its supporting officials, those who gave evidence to the Committee and the Committee's support team for their time and effort in getting us to the stage that we are at today. The Committee for Agriculture and Rural

Development commends the Forestry Bill to the House and recommends that it be passed.

Mr Irwin: I welcome the opportunity to comment on the Bill as it nears the end of its legislative journey. As I have said in previous debates on the issue, Northern Ireland's forests are a much-valued part of the landscape and heritage of the Province. The many parks and plantings provide a great source of amenity space for thousands of people each year. Our tourist industry also benefits greatly from the various accessible and well-known forest parks in the Province.

In creating this legislation, the Department wishes to update and to respond to changes that have taken place since the last piece of forestry legislation was introduced over 50 years ago. It is important that the devolved Administration is seen to respond to changing requirements and to legislate for such changes in the interests, in this case, of our woodland resources. The Bill is a reflection of that and, over time, it will ensure an overall improvement of the condition of our forests to the betterment of everyone.

As the Bill shows, our forest industry is more than just a reserve of timber. As the importance of leisure and amenity space grows, so does public use of forest parks. Likewise, as environmental issues gain prominence, the importance of maintaining forests and increasing tree cover grows. As I have said in previous debates about amenity space, a whole lot more could be done to expand and improve the current amenity facilities in forest parks, particularly with regard to the camping and caravanning fraternities.

In a local context, my council, Armagh District Council, has been proactive and undertook to improve facilities such as Clare Glen, a relatively small woodland area, and, as a result, has received about 1,200 bookings in the past year alone for it. That proves to me that with the right kind of facilities and management, the potential for improving more established sites is clear.

I am pleased that the Agriculture Committee played a full part in the legislative process and as a member of that Committee, I was encouraged to see that a full range of stakeholders was consulted. It is impossible to meet the exact requirements of all the interested bodies, but the Bill satisfies the concerns of the majority of stakeholders. There are nine forest parks in Northern Ireland that

require substantial maintenance, monitoring and management. As there are more than 100 other sites with varying levels of amenities, the need for up-to-date legislation is obvious. The Forest Service is responsible for more than 76,000 hectares, which is a considerable undertaking.

A section of the Bill refers to the traditional function of the development of afforestation, but forest cover in Northern Ireland is currently around 6%. I have previously raised some concerns in the Assembly about how the Department can increase the percentage of forest cover, given the complex nature of our small landmass and our ever-increasing need for productive farmland. It will be a complex task, as the area of suitable land available and population density are factors in setting targets for increasing woodland cover. In the case of Northern Ireland, given the spread of rural dwellings and the small in size but large in number distribution of our farm holdings, the scope for large-scale afforestation is reduced in comparison with some other countries. However, that is a challenge that the Department has to face.

The Minister is on record as saying that the legislation will effectively support:

"a modern and forward-looking strategy. It will give the powers to deliver a wide and integrated spectrum of social, recreational, environmental and economic benefits." [Official Report, Vol 51, No 2, p62, col 2].

I hope that, following Royal Assent, the Department will begin quickly to deliver on the commitments given and we will see change where change is due, so that our forest reserves are improved and managed for the future.

2.15 pm

Mr W Clarke: Go raibh maith agat, a LeasCheann Comhairle. I thank everybody as well. Everybody is in thankful mode, so I will join in.

When the Bill is enacted, forests will have to be multifunctional. They will need to be relevant to all our lives. More people must be able to use them recreationally, and to earn a living from them, forests will need to be developed to provide for energy needs. As the Minister said, when granted Royal Assent, the Bill will become the first Forestry Act in over 50 years.

The legislation will deliver forestry management that is fit for purpose in an ever-changing world. The Bill has been the piece of legislation that

I have most enjoyed being involved in, which shows the sad life that I lead. What made it so interesting was the fact that it covered so many sectors and aspects of life. The range of stakeholders was diverse, and I thoroughly enjoyed working on it.

Forestry for rural development is, I suppose, what the Committee for Agriculture and Rural Development is all about. There is a great opportunity for rural dwellers to make an income from forestry through recreation, tourism or renewable energy projects. There is also a big opportunity for communities to benefit economically from tourism projects close to large tourism towns. In addition, there are a great number of opportunities to develop tourism in areas where it is not utilised.

There are environmental and conservational aspects to the Forestry Bill. It is a marvellous piece of work that, as the Minister said, is the result of people working closely to produce a Bill that is fit for purpose.

As was mentioned during Committee Stage, we must remain mindful that all stakeholders need to get round the table regularly over the years, as we try to develop the strategies in the Bill. It is OK to have the Bill and its strategies, but we must implement them. We need to keep updating those strategies and moving them forward to ensure that everybody benefits. I repeat that I see great opportunities for renewable energy and for general economic regeneration, particularly in recreation and tourism.

I am conscious that I have to get back to a Committee meeting. However, in finishing, I will touch on some parochial politics. Will the Minister update Members on the mountain biking proposals for Castlewella and Rostrevor in south Down? Will she also give the time frame for delivering the high ropes project in Tollymore, which has been granted planning permission?

This is about devolution. It is about us shaping our society, regardless of whether we come from a unionist, nationalist or other perspective. We are coming together and showing a bit of maturity. For too long, we have seen politicians not getting a lot of heavy pressure. However, the Bill is something on which we have all worked together for the benefit of the people and for the North of Ireland. I commend everybody involved in that process. This sort of co-operation, with people getting on and doing business, is not

seen on television screens. Negativity is usually seen. I am glad to have played my part in the Bill.

Mr P J Bradley: I thank the Minister for introducing the Final Stage of the Forestry Bill. On behalf of the SDLP, I also thank members and officials of the Committee and all who contributed to the Bill. It may be considered too late in the day, but I wish to raise two points. As Willie Clarke pointed out, it is important to have ongoing negotiations and to look at the Bill as it develops, after its enactment.

Part 4 of the Bill covers the public right of access to, and by-laws for, forestry land. Clause 30(1) bestows the statutory right of pedestrian access to all forestry land, which I welcome. I also note that such access must be for recreational purposes. Not having been a member of the Committee for Agriculture and Rural Development at the time, I was absent for a considerable amount of the Committee's debates on the Forestry Bill. Therefore, I am not aware of everything that was discussed in Committee. Will the Minister inform me of her Department's definition of "recreation" as referred to in the Bill? Is there a list defining which activities are considered to be lawful and those that are considered to be unlawful? I pose the question simply because one person's definition of recreation may differ from those of others or from that of the Department of Agriculture and Rural Development. I am thinking of the likes of badger-baiting, snaring and shooting, which may go on in forests.

My second question relates to the appeals process. If an appellant makes a successful appeal, regardless of the issue, can the Minister overturn the decision? That has happened in the single farm payment process, and it causes me some concern.

I support the comments of the Minister and the Members who spoke before me, and, despite a few reservations, I welcome the Bill.

Dr Farry: The Alliance Party is happy to join with others in giving its support to this Final Stage. We also pay tribute to the work of the Department and the Committee in finalising the details of the Bill. We recognise that the Bill is a major achievement in that it is the first major piece of forestry legislation in this jurisdiction for 57 years.

However, this is a day that is tinged with a certain degree of sadness. Members will, no

doubt, know very well Patrick Cregg from the Woodland Trust, who has campaigned for new legislation in Northern Ireland for many years, and he has lobbied the Department and the Committee on the matter. His wife recently passed away and was buried this morning. I am sure that Members will wish to reflect on that, on Patrick's contribution as part of the Woodland Trust and on the work of the Royal Society for the Protection of Birds in pushing for this legislation.

We have today legislation that reflects a new era. We have moved away from simply viewing forests as a natural resource for commercial exploitation towards a new way of looking at them. We should also recognise the economic aspects of timber and that forests mean much more to society through, for example, environmental heritage, the conservation of fauna and flora, leisure and recreation and the tourist potential that arises from that. At the same time, we should recognise that forests make our contribution towards tackling climate change more effective.

The Bill is very good. It is not quite perfect, but it is probably about 95%, 96% or 97% of the way. A few areas could have been slightly tighter than is the case, and we tried to tease out those issues through amendments. Sadly, those amendments did not find favour, but that is the nature of the democratic process. No doubt, however, when future policymakers come to look at this issue, some aspects of the debates that we have had in the Chamber over the past number of months may serve as a useful starting point.

There is an ongoing challenge for the Department in ensuring that we meet our targets for increasing forestry cover in Northern Ireland. It is worth stressing that our cover is still much less than that elsewhere in these islands, never mind elsewhere in Europe. The landscape here is, generally speaking, treeless, and if we compare that with the landscape in the eastern United States, where canopies of trees surround most small towns and villages, the contrast is very stark and points to a different way of doing things. However, there are challenging targets. It is important that we measure how we are getting along and that all concerned make the best efforts to ensure that we get to where we want to go. Generally speaking, we are very happy with the legislation, and we are happy to support its Final Stage.

Mr Doherty: Go raibh maith agat, a LeasCheann Comhairle. Originally, I did not intend to speak here today, but I felt absolutely compelled by the speech of the Deputy Chairperson of the Committee for Agriculture and Rural Development, Tom Elliott, to say a few words.

I endorse everything that the Minister said about the way in which we collectively approached the Bill. I also endorse 99% of what the Committee's Deputy Chairperson, Tom Elliott, said. The 1% is because, despite the best efforts of the Deputy Chairperson and our fellow Committee member Jim Shannon to get me to go to Westminster for the Queen's Speech, I had a clear choice: I could either have gone to Westminster to hear the Queen speaking today or I could have stayed here to hear the speech of the queen of agriculture and rural development. *[Laughter.]* The choice for me was quite simple: I chose the latter.

Mr Savage: In Northern Ireland, forestry is a big industry, and, interestingly, the Forest Service is one of the biggest landowners. Importantly, the legislation will bring the forestry industry into the twenty-first century. Since initial discussions on the Bill began in the Agriculture Committee, I have pushed the idea of opening up forests for leisure pursuits, such as horse-riding, with the proviso — it is a big proviso — that rules and regulations are adhered to. Those using forests must observe the code of conduct. People have various ideas about how to spend their leisure time, and opening up our forests will be one way to help them to alleviate stress and utilise that time. The Bill affords us an opportunity to bring the Forest Service into the twenty-first century, and it can only do good for the community.

The Minister of Agriculture and Rural Development:

Go raibh maith agat, a LeasCheann Comhairle. First, I thank Members for their contributions to the debate, which has been encouraging because it shows, without doubt, the level of lively and passionate interest in our woodlands. We all recognise that sustainable forestry is a compelling imperative.

I am satisfied that the Bill strikes the right balance, and that feeling was reflected in the comments of the Deputy Chairperson and other Members. The Bill will present an appropriate range of powers to enable us to take forward our various forestry objectives, including the protection of forests, both public and private; the expansion of forest cover; the continued

support for the vital role played by the timber industry; the realisation of the full potential of forests to deliver social, recreational, economic and environmental benefits; and the optimisation of the commercial opportunities that forests provide.

Members raised a number of issues, but they recognise that the Bill will result in multifaceted forestry legislation that is capable of supporting a modern and forward-looking strategy. It will give powers to deliver a wide and integrated spectrum of social, recreational, economic and environmental benefits. In addition, the Bill encompasses the important role that traditional timber production plays in providing rural employment in the primary and ancillary sector. That role will continue. Furthermore, our forests offer the potential to be utilised for a wide range of creative initiatives, which we will help to realise by engaging with partners across the public, private and community sectors.

Willie Clarke referred to the role of forests in mitigating climate change, and the Bill outlines a clear duty on my Department to promote forest expansion and sustainable forestry. The Bill refers specifically to developing forests for:

“the mitigation of, or adaptation to, climate change.”

That will be achieved principally through our programme to double forest cover, which will be supported by grants and incentives. We will also encourage the growing of energy crops, such as short rotation coppice, which absorb carbon, and we will plant trees that can adapt to a changing climate.

Many Members, including Stephen Farry, spoke about expanding forest cover, and we recognise that we have challenging targets. We plan to double forest cover — from 6% to 12% — over a 50-year period, and that must be achieved primarily through the afforestation of privately owned agricultural land, which will be supported by funds made available under the rural development programme. In our strategy, we acknowledged that landowners' commitment to farming means that, at first, forests will expand slowly. The Programme for Government target reflects the fact that there will be a slow initial expansion of woodland. However, after that, our targets will need to increase if we are to achieve our long-term aim.

We will encourage a wide range of forest types, which will improve the environment, enhance the landscape and support rural development and the production of renewable energy. Additional support is available to encourage new woodland in areas that have the potential to offer public access and value for informal recreation.

2.30 pm

Forest Service's recently published strategy to develop the recreational and social use of our forests is taking forward specific proposals to identify partnership or opportunities with private and public sector organisations, including local councils, to improve the quality and range of recreation provision that is available in our forests. We expect that to result in improved facilities and the creation of new recreation opportunities, such as treetop adventure activities.

Willie Clarke asked about the Go Ape proposals for Tollymore Forest Park. The planning issues have been dealt with, and we are negotiating terms of lease with the operating partner for the installation. Those negotiations are aimed at securing opportunities for subsequent development on other sites following the installation at the Tollymore site, which, I hope, will be in place for the summer season, since we missed the Easter deadline. We have been working closely with the councils in the south Down area to resolve issues over leasing arrangements for mountain-biking facilities, and I am confident that we can move those issues forward quickly to secure the necessary funding. People accept that the more activities we have in our forests, the more attractive they will be as recreational venues for new and existing visitors, and they will contribute to the tourism agenda for the North.

I am not sure where Mr P J Bradley goes for recreation, but badger-baiting is not part of forest recreation. I am sure that he recognises that there is no legal definition of recreation in the Bill, but everyone is fairly clear about the type of recreation involved, which will include mountain-biking, orienteering etc.

There is great potential for our forests to contribute to tourism, particularly in rural areas where the tourism product might be lesser than in our towns. It has been estimated that our forests receive over 2 million visits annually, with the resulting benefits to the local economy. Forest Service has been liaising closely with the Tourist Board and other stakeholders to

consider how the tourist potential of our key forest sites can be maximised. Forest Service is also working with the Strategic Investment Board to identify further potential for commercial and recreational development in forests, and I will ensure that that work continues. We have been considering our forestry grants, which will continue to be made available through the rural development programme to assist the expansion of woodland and to encourage the sustainable management of existing woods.

Today's debate has been good. It is great to see the conclusion of the Forestry Bill and to know that another piece of legislation has been taken care of. As I said in my opening remarks, there are two other pieces of legislation coming up, and I hope that they can be dealt with with the same partnership approach that we have adopted to date. I recognise the Committee's work in scrutinising the Bills. We have had a good working relationship, and I look forward to that continuing. I am confident that the powers in the Forestry Bill will address my Department's contemporary and evolving commercial, environmental and social objectives for forestry and will allow us to obtain better value from the forest estate.

Question put and agreed to.

Resolved:

That the Forestry Bill [NIA 11/08] do now pass.

Private Members' Business

Preschool Places

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 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 D Bradley: I beg to move

That this Assembly acknowledges the grave disappointment and financial hardship faced by many parents who have been unable to secure preschool places for their children; recognises the disparity between the number of applications and the number of preschool places; and calls on the Minister of Education and the Executive to examine urgently the number and distribution of nursery school places and to bring forward proposals to ensure that each child receives a preschool place in the year immediately before starting school.

Go raibh maith agat, a LeasCheann Comhairle. Caithfidh mé a rá go bhfuil áthas orm páirt a ghlacadh sa díospóireacht thábhachtach seo faoin réamhoideachas. I am pleased to move the motion on preschool places. The shortage of places that led to the motion being tabled was addressed, in the interim, by the Minister's provision of £1.3 million last week. That provision is welcome, but it does not make today's debate any less relevant. Many issues relating to preschool education must be addressed. Despite attention having been drawn to those issues on more than one occasion and in several important reports, that has not yet happened.

The Minister will, undoubtedly, tell the House that those issues will be addressed in the draft early years strategy for nought to six-year olds. We have been waiting for that strategy for the past six years, but it has still not been published, and, unsurprisingly, people are beginning to wonder whether it ever will be. Yesterday, the Minister told the House that the draft strategy would be released shortly. We have heard that story time and again, but we have still not seen it.

Last week, the Minister alleviated the recent shortage of 1,200 preschool places. That shortage cannot be put down to a mere blip in the statistics. Rather, it suggests that the Minister's planning is out of sync with the

population trends. For some time, the Minister has been telling the House that the school-going population is falling and that schools will have to close. Now we learn, however, that she misjudged the number of preschool places by 1,200. How much faith can we have in the predictions of a Department that is so far out in its planning? The hole has been plugged for this year, but one wonders what next year and future years hold in store. Do the Minister and her Department know?

There is almost a year-on-year problem with matching the number, demand and distribution of preschool places. That must be addressed once and for all, so that all children in their immediate preschool year obtain the place to which they are entitled. The Department has made that promise, and I look forward to hearing how the Minister intends to address the problem.

I would also like to hear what actions the Minister is taking to address the issues raised by the ETI and Audit Office reports on preschool education. The reports detail, for example, the disparity between accommodation and access to resources and describe how such disparity adversely affects the effectiveness of provision. In that respect, provision is best in the statutory nurseries, but lessens through nursery class to the voluntary and community sector. Regardless of what the Minister may say, the quality of accommodation strongly influences the quality of provision. The problem requires urgent attention.

The capacity for effective self-evaluation and self-improvement, which is also strongest in the statutory sector but lessens through the other sectors, must also increase. Time and again, the Minister has told the House that, in accordance with her policy, Every School a Good School, reflection, self-evaluation and self-improvement are key elements in raising standards. That is one of the Minister's key themes. That is another area of preschool education that must be urgently addressed if we are to bring about the improvement in standards which the Minister says is a priority in her policy and which, according to some reports, is required in some areas of the sector.

The Education and Training Inspectorate report highlights the need for an improvement in the specialist advice and support available to staff. Once again, that is particularly relevant to the voluntary and community sectors and, indeed, the private sector. The statutory sector has

easy access to a range of Curriculum Advisory and Support Service (CASS) support, from curriculum support to support with psychological services. The voluntary, community and private sectors do not have the same ease of access, and I hope that when the nought-to-six strategy is published that issue will be a priority.

Previously, the House debated the need for a transformation fund to ensure that qualifications are equalised across the preschool sector. A professional development framework should be developed to equalise qualifications. To maximise the benefit of preschool education to our children, we need the most highly qualified workforce possible. The better qualified the workforce, the greater the benefit to children, the more they will derive from the experience of preschool education and the longer the positive effect of that experience throughout their lives. There is no good reason why staff in community and voluntary preschools should not have opportunities to develop professionally their qualifications on a par with those in other parts of the sector.

The Audit Office report highlights the unequal funding levels, which, it says, contribute to unnecessary and unhelpful qualitative differences and perceptions of status between providers and limit the potential benefits to children. The report says that a more flexible approach is needed through the creation of further viable voluntary and private preschool centres. Much remains to be done in special educational needs; there is a need for more resources, training and backup, especially in the voluntary and private sectors but also in a third of the statutory sector.

The inspectorate reports identify issues of collaboration between education, health and social security agencies. I expect that that theme will be taken up in the nought-to-six strategy. Better communication and co-operation is needed between the statutory sector and the voluntary, community and private sectors. Co-operation and communication between those sectors needs to be improved. As I said, the voluntary, community and private sectors have issues around qualifications, funding, accommodation, support and the provision of advice. The statutory sector often feels taken for granted and, sometimes, even ignored when it comes to formal or informal consultations, as it does not have the professional, full-time

advocacy support on which the voluntary and community sectors can draw.

There is much to be gained from better communication and co-operation between the statutory and voluntary sectors. Each has its strengths, and each could benefit from a greater sharing of experience. That could be achieved through a standing committee or by joint conferences. The Department should ensure that all sectors are heard and listened to during formal or informal consultations.

Tá súil agam go n-éistfidh an tAire leis an méid atá le rá agam anseo inniu agus go dtabharfaidh sí freagra ar na pointí tábhachtacha atá ardaithe agam.

I hope that the Minister has heard the important points that I have raised and that she will address them and indicate how the nought-to-six strategy will respond to them.

2.45 pm

The Chairperson of the Committee for Education

(Mr Storey): I rise as the Chairperson of the Committee for Education to inform the House of some of the information on preschool education that the Committee has received over the past year or so. It is the Committee's intention to scrutinise the funding of preschool education as part of its scrutiny of the Department's early years nought-to-six strategy. However, as the proposer of the motion has informed the House, we wait, we wait and we wait. To date, we have no date in relation to the publication of the nought-to-six strategy. It is regrettable that we have been waiting for six years on a nought-to-six strategy, but I will come back to that in a moment or two, when I will speak in my capacity as a Member.

The Department's preschool education expansion programme has received almost £58 million since 1998, and it has approximately 21,000 funded places with, we are told, over 90% availability of places for children in their final preschool year. There are 14,000 places in nursery schools or in nursery classes in primary schools and approximately 6,600 funded places in voluntary and private preschool education centres. To complicate things further, there are an additional 600 places in reception classes and groups.

Recently, the Committee asked the Department for information on the unavailability of nursery

provision in certain areas, with an analysis across the education and library boards of the effects of social disadvantage, the age-related admissions criteria and the incidence of places being oversubscribed or undersubscribed and places filled by children who are not old enough to enter primary schools the following September. I note the comments in the Minister's press release from last Thursday, when she announced an extra £1.3 million for 2010-11. She said that the extra money was for:

"an unprecedented shortage of around 1,200 pre-school places."

I am interested to know what proportion of the £1.3 million is expected to go to nursery classes and schools as opposed to voluntary, private preschool centres and how many places will be created in each sector. Perhaps the Minister will inform the House of those figures. Will she also give the House a definitive date for the publication of the draft early years nought-to-six strategy?

Although preschool education is a non-compulsory phase of education, it has important potential benefits. The Committee will be interested to ensure that quality preschool education is provided with the limited resources available. I look forward to reporting back to the House on that on another occasion.

I will speak now as a Member and not as the Chairperson of the Education Committee. It is suspicious and unhelpful that the Education Minister has made a decision to make an announcement that is clearly divorced from the policy that we have been awaiting for the past six years. If, as the Minister tries to tell us, legislates for and lectures others on, there has to be equality and equity in how sectors are treated, then, surely, serious questions are being asked, particularly in the statutory sector. What provision is being made? It is a sector that does not have teaching principal time release and feels that it is being treated unfairly. However, the Minister makes an announcement which in no way delineates or explains how that £1.3 million is going to be given out. Therefore, I ask the Minister to give the House, for the first time, answers to our questions. I know that she will have her script from which she will not deviate and will sit and sign ministerial papers and talk to her colleagues during the debate, but we would like her to give answers on the issue, because many parents have been

contacting our constituency offices about the unavailability of places.

The proposer of the motion referred to the ETI report. We still have no idea what the Department will do with regard to that report. How will the Department respond to it? How will it deal with the issues?

Mr Deputy Speaker: Will the Member draw his remarks to a close?

The Chairperson of the Committee for Education: We want answers, not the usual rhetoric that we have come to expect from the Minister.

Mr O'Dowd: Go raibh maith agat, a LeasCheann Comhairle. I will start by congratulating the Minister on securing, in these difficult financial times, £1.3 million for preschool places. Other Ministers who come into the Chamber tell us what they cannot and will not do. However, Members from the opposite Benches and Members to my left, physically rather than politically —

The Chairperson of the Committee for Education: Declan O'Loan would not say that.

Mr O'Dowd: I do not want to get into the North Antrim stuff.

Members from the opposite Benches and Members to my left, physically rather than politically, continually lambaste the Education Minister, claiming that she has no answers. However, she has 1.3 million answers to this one, and she has provided, in these very difficult circumstances, a much-needed resource to the community.

Dominic Bradley said that we do not know what is going to happen next year. I agree with him: no one knows what the budgetary constraints will be next year, and no one knows the exact number of applications for preschool places until those applications come in. However, it is clear that preschool places are very popular with parents. They are a useful and beneficial educational resource, and we should encourage the funding of those places and extra resources for those places into the future.

The Chairperson of the Committee for Education: Does the Member agree that there is a contradiction if he is advocating the funding of private places in the nursery sector, given his party's view on the funding of another sector,

namely prep schools, which, according to him, are private education? What is the difference?

Mr Deputy Speaker: The Member has an extra minute to speak.

Mr O'Dowd: Even with the extra minute, I am not sure whether the Member who asked the question could fully rationalise what the question is about. You cannot equate preschool places with prep school places, where parents are asked to spend up to £3,000 to fund their children and, in some of the private school places that he referred to, parents are asked to make a contribution of £20 a week. That is some difference, so the equation that the Member is making does not work. Or perhaps the Member is suggesting that we should stop funding community groups that provide preschool places. If that is what the Member is suggesting, he should come out and say it. Personally, I do not think that that is the way forward, because I believe that the community and voluntary sector offers a valuable contribution to education through the provision of preschool places.

I will move on to the Member's final remarks, when he was speaking as a Member rather than as Chairperson. He said that he has no answers to any questions, but surely that is the role of the Education Committee, of which the Member is Chairperson. If the Chairperson of the Education Committee does not know what questions to ask, is that the fault of the Department of Education, the fault of the Minister, or the fault of the Member? I suggest that it is the fault of the Member.

The Chairperson of the Committee for Education: As Chairperson of the Education Committee, I will give the Member all the questions that have been asked and all the answers that we are still awaiting. For six years, we have been waiting for a nought-to-six strategy. Why? It is a simple question, which needs a simple answer. The Minister cannot even give it to us today.

Mr O'Dowd: I thank the Member for his intervention. I know that time passes slowly sometimes in politics, but I have only been here for three years, since May 2007. We welcome the hope that the early years strategy will be published. However, as I have said before to the Member in relation to policy decisions, I do not want just any decisions or any answer; I want the right decision and the right answer. I want the right strategy for early years education

because, as Mr Bradley said, we want to ensure that whatever is planned for the future allows for a secure and robust education system, which starts with early years education and allows us to educate our future workforce. That is what this debate is about.

Finally, I welcome the fact that money has been invested. I hope that there will be continued funding of this system, and I think that some of the Departments, parties and their Ministers could learn something. Instead of coming to the Chamber telling us what they cannot do, perhaps sometime they will tell us what they can do.

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 continue after Question Time, when the next Member to speak will be Mr Basil McCrea.

The debate stood suspended.

3.00 pm

Mr Deputy Speaker: I inform Members that the question for urgent oral answer that was scheduled for 3.30 pm has been withdrawn.

Oral Answers to Questions

Justice

Prison Officers: Cultural Diversity Training

1. **Mr McElduff** asked the Minister of Justice to outline the nature and extent of any cultural diversity training provided for prison officers. (AQO 1299/10)

The Minister of Justice (Mr Ford): Enhancing diversity is a key aim in taking forward the development of the Prison Service. The service has a comprehensive diversity strategy, which has won plaudits. The service has adopted a comprehensive approach to meeting its cultural diversity training needs. All prison officers have received equality and diversity awareness training, and a more detailed diversity training package is being rolled out to all staff. In addition, all training programmes for prison officers include cultural and diversity aspects, and have a core focus on respect.

The training complements and supports the diversity strategy *Make a Difference*, which was launched in 2008. The package sets diversity within the prison context and explores the need for staff to recognise and respect difference. It explains how individuals can instinctively act in a manner that reflects prejudices and an inherent ability to stereotype. It encourages staff to lead by example by setting the appropriate standard of behaviour and encouraging others to show due consideration and respect. It considers how language can impact on individuals.

The training also provides examples of how to approach those issues sensitively. The themes have been mainstreamed into the wider training programme, helping staff to explore the impact of cultural and diversity issues and approaches in their routine activities and to learn to adopt the approach that is appropriate for the specific circumstances. The Prison Service recognises

the historical imbalance in the composition of its workforce and there is some way to go to create an organisation that fully reflects the community that it serves. However, the steps that have been taken aim to ensure that, in the interim, existing staff address the needs of inmates and visitors as individuals and with respect for their background.

Mr McElduff: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his answer and for detailing the type of training that all prison staff should be aware of and involved in. Is there a level of resistance in the Prison Officers' Association to such cultural diversity training? I am mindful of my party colleague's visit to Maghaberry prison last week. Will the Minister update the Assembly on the worrying situation inside Maghaberry prison at this time, where some prisoners are accusing prison officers of not respecting their human rights?

The Minister of Justice: I thank the Member for his supplementary question, though I fear the second part of it goes a bit beyond where he started. The diversity training is a mandatory part of the training of all prison officers, and is being rolled out as a corporate training priority and is, therefore, compulsory. It is a permanent module in all new entrant training courses in which entrants are required to demonstrate their competence through a written assessment, and it is included in the induction for all newly promoted staff.

I suspect that there are many aspects of training in the public sector and in private industry that attract a degree of resistance in different ways at different times, but the Prison Service management is entirely committed to ensuring that that diversity training is carried through. So far, nearly 1,000 staff, including many managers, have had specific diversity training. The plan is to continue to roll it out progressively.

The current issues in the prison about how individuals are being dealt with by prison officers demonstrate a throwback to the potential difficulties that could arise if we resumed the circumstances from 20 or 30 years ago. I believe that the Prison Service management, with some support from all elements, whether from prisoners or from prison staff, is showing that those difficulties can be overcome.

Mr G Robinson: Does the Minister believe that the training represents value for money, and will he outline how he sees it benefiting society?

The Minister of Justice: I certainly believe that all training of prison officers to ensure that they deal in an appropriate way in respecting the backgrounds and cultures of all prisoners is absolutely essential if we are to progress towards a more normal society and build a shared future in which each individual can be respected. We cannot suggest that certain aspects of training do not represent value for money if they are seeking to build the different kind of society that we so urgently need.

Mr McDevitt: Given the obvious necessity for diversity training in the Prison Service, does the Minister believe that his time would be better spent developing radical proposals to address the obvious and serious lack of community balance in the make-up of the staff of the Prison Service?

The Minister of Justice: The Member raises an interesting point. However, in a week when we are hearing about financial opportunities, we need to recognise that there will not be a Patten-style reform of the Prison Service. There was an extensive redundancy programme with the closure of the Maze prison and a run-down of the staff numbers required. Indeed, 40% of prison staff left at that time. There are limited opportunities for recruitment because of that. At this stage, I believe that it is appropriate to ensure that all staff are trained appropriately in issues such as diversity, which I have just spoken about, and to recognise that, as we seek to recruit the rather smaller numbers in future, we will see that groups are fully represented as they apply. There has been some progress to date in ensuring that there are applications from under-represented groups.

Crime: Reporting

2. **Mr Bresland** asked the Minister of Justice what action he is taking to encourage the public to report crime. (AQO 1300/10)

The Minister of Justice: I thank the Member for his question. The most recent survey on the experience of crime highlights a range of reasons why the public do not report crime. To address that, there needs to be a concerted approach by all levels in the criminal justice system, working together with the wider community, to encourage the public to report crime. Therefore, at regional level, I welcome the initiative in the 2010-13 policing plan to increase the proportion of crimes reported to the police to 50% by March 2011. My Department is committed to working

in partnership with the Police Service and the Policing Board to achieve that target. In addition, through the funding of Crimestoppers, my Department ensures that a mechanism is in place that allows the public to pass on information in confidence. My Department also supports a range of initiatives to address particular areas of under-reporting of crime by encouraging victims in those groupings to come forward.

At local level, communities need to play their part. They have a vital role to play in the reporting of all crimes. Devolution of policing and justice allows all parts of the community to engage with the police to report crime and suspicious activity as we work towards building safer communities for everyone.

Mr Bresland: I thank the Minister for his answer. He has partly answered my supplementary question. There were dissident republican attacks in Strabane over the weekend. Does the Minister agree that it is the duty of all citizens to report crime, co-operate fully with the police and encourage anyone with any knowledge of those attacks to do the same?

The Minister of Justice: I do not think that the Member will be surprised to hear me say that I encourage anyone who has knowledge of any crime to ensure that they co-operate in the best way possible with the Police Service and ensure that the community as a whole acts to make Northern Ireland a safer place, regardless of the kind of crime that has occurred.

Mr Beggs: Does the Minister agree that the lack of appropriate responses to repeat offending discourages members of the public from responding to criminal incidents and from reporting crime? How is he contacting the various limbs of the criminal justice system so that each looks carefully at the issue so that public confidence is maintained, accurate records are obtained, and issues of a repeat offending nature that are of concern to the public are dealt with?

The Minister of Justice: I thank the Member for that question. Repeat offending is a serious issue in society. Indeed, the need for a comprehensive cross-cutting approach to reducing offending is included in the Hillsborough Castle Agreement, and reducing repeat offending is a large part of that. Issues have shown that there is a need to ensure that the justice system operates more speedily, that the various agencies co-operate and that, in

particular, there is appropriate use of community penalties, including probation at an early stage. There is clear evidence that such measures can reduce repeat offending if applied appropriately and speedily. First, we need to ensure that we stop people entering the criminal justice process, and, secondly, we need to remove people at an early stage before they become what are generally regarded as hardened criminals.

Mr D Bradley: Go raibh maith agat, a LeasCheann Comhairle. What support can the Minister offer to vulnerable witnesses to encourage them to come forward, especially those who are under threat from paramilitary organisations?

The Minister of Justice: Supporting victims and other witnesses to ensure that they give full evidence is a major issue. Particular methods are used for witnesses to the most serious crimes. However, it is important to ensure that a culture of lawfulness is built up and that the assumption among the community, as a whole, is that we will all work together to reduce crime and to assist the criminal justice agencies.

In light of the arrangements that we have here, given that justice powers have been devolved, it is also important to ensure that we develop a system that means that people have the confidence to work together. That will not be easy, and in the case of particular crimes, it will be quite difficult for some time. However, maximum effort must be expended to ensure that the community works together.

Security

3. **Mr McNarry** asked the Minister of Justice for his assessment of the current security situation. (AQO 1301/10)

The Minister of Justice: The level of threat remains severe. The Chief Constable has responded with a targeted increase in activity in recent weeks, and he continues to ensure that increasing numbers of officers are deployed to front line duties. I take this opportunity to thank the public for their co-operation with, and support for, the police over recent weeks. The Chief Constable and I recognise the inconvenience that is sometimes caused to the community. The threat to our community comes from groups that oppose the democratic arrangements here and that seek to undermine the political progress that people have demonstrated, over and over

again, that they want. Those groups do not have public support. They cannot win elections, and they do not even try to. Instead, their objective is to make everyone a loser by attacking communities such as those in Newtownhamilton.

Members will be aware that garda officers arrested two men on Saturday as part of an ongoing investigation into dissident activity. One of the men appeared in court in Dublin today after being charged with explosives offences in Dundalk. I will, therefore, not speak about the detail of that case. However, it is an excellent example of the Garda Síochána and the PSNI working well together. Yesterday, I spoke to the Irish Justice Minister, Dermot Ahern, and I asked him to pass on my congratulations to the Garda Commissioner for the good work that is being done on the southern side of the border. Clear signs exist that the fullest co-operation is taking place between the two police services on the ground. I trust that the entire House will welcome that.

Mr McNarry: I thank the Minister for his answer. I note the tone of his reply and his use of the word “severe” to describe the security threat. Would the Minister support the Chief Constable in calling for counterterrorist police officers for Great Britain or a limited Army presence?

The Minister of Justice: That would be a decision for the Chief Constable to make on the basis of his assessment. After assessing the present situation, he moved police officers from back-office duties to front line duties. He is, therefore, capable of dealing with the present risk. As part of our efforts to ensure the best possible community policing service in Northern Ireland, that position should be supported. If the Chief Constable requires additional resources, such as financial support, he has the right, through the Policing Board, to seek them. However, at the moment, no assessment has been made of the necessity to involve military support.

Dr Farry: Although the Justice Department can provide resources to support the police in pursuing those who are intent on inflicting damage on our society, what actions is the Minister taking to persuade his Executive colleagues of the need to support other policies that the Assembly can take forward to try to win the hearts and minds of the people who are being led astray and into terrorism by evil forces in society?

The Minister of Justice: I thank my colleague for his usual perceptive question. Real issues exist that cannot be dealt with solely by the agencies responsible to the Department of Justice. There is a real need to ensure that the Executive take a joined-up approach to the issue, that a variety of different agencies, such as community safety partnerships, co-operate locally, and that Members in this Building concentrate on building a shared future to increase people's confidence, to build safer communities across every part of Northern Ireland and to ensure that, together, we deal with the threats that we face.

3.15 pm

Lord Morrow: The official record will show that, on the previous occasion on which the Minister was here, I asked precisely the same question as Mr McNarry has just asked.

Mr McNarry: Did you get the same answer?

Lord Morrow: The official record will show whether I got the same answer. However, I accept that the security situation changes daily.

Mr McNarry asked the Minister whether he would support the Chief Constable in calling for whatever measures he deemed necessary. I noted that the Minister studiously avoided answering that question. Therefore, I put it to him again: can the Chief Constable depend entirely on the Minister's support for any measures that he deems necessary to combat the dissident threat?

The Minister of Justice: In my initial comments, I thought that I said that the question of the resources required is entirely a matter for the Chief Constable. During my previous appearance, in responding to the Chairperson of the Committee for Justice, I made it clear that I would support any reasonable request put forward by the Chief Constable, as long as he argues his case, to put in place the necessary measures required to deal with the threat. That cannot be extended to include what the Member thinks may be required. However, I assure him that I have already supported requests from the Chief Constable, and, when there is a good, cogent, well-argued case for additional resources to support the policing effort, I will continue to do so.

Mr McCartney: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin.

Does the Minister agree that, at the point of transfer, and ever since, the Chief Constable has stated publicly that he has more than adequate resources to deal with all aspects of policing as it pertains to the North?

The Minister of Justice: The prospect of coming between the Chairperson and Deputy Chairperson of the Justice Committee is a dangerous one. However, I agree with the way in which Mr McCartney phrased the question. Lord Morrow phrased his question somewhat differently.

The Chief Constable told me that he has adequate manpower. However, he said that he has sought additional resources for equipment, such as IT, and, at times, for overtime payments. However, that is not the same as his saying that he requires a significant change to the way in which the security situation is managed. The Chief Constable has not sought anything beyond the normal resources that any police service might seek in any part of the country.

Inspire Women's Project

4. **Mr B McCrea** asked the Minister of Justice what progress has been made in relation to female offending as a result of the Inspire Women's Project. (AQO 1302/10)

The Minister of Justice: The Inspire Women's Project is a pilot service that was established to develop and deliver a new and enhanced range of women-specific services. It contributes directly to reducing women's offending through targeting community-based interventions. The project addresses the complex and multiple needs of that group of women by helping them to re-establish themselves in the community and by assisting in the reintegration of women who are leaving custody. Since starting in late 2008, the project's average caseload of 150 has comprised women from the greater Belfast area. The project has delivered a range of gender-specific programmes.

A key feature of the Inspire Women's Project is its strong connection with local community-based women's groups. Its staff work in close partnership with those groups to link women offenders, many of whom have broken relationships with family and community, with local support and resources.

Although much has been achieved over the past 18 months, and my visit to the project

was truly inspiring, it remains a pilot project. An evaluation is scheduled to be completed later this year, and, therefore, it is too early to assess the project's impact on women's offending.

Mr B McCrea: Perhaps that was a less sensitive political hot potato than the previous question. Given the Minister's background in social work, I am interested in his personal observations about the Inspire Women's Project and whether he thinks that anything further could be done to change offending behaviour among women. That would make Northern Ireland a much safer place to live.

The Minister of Justice: I am not sure whether I should be flattered by that description.

The Member referred to making Northern Ireland safer. We must recognise that the circumstances of women's offending tend to be different from the circumstances of men's offending. The problems associated with female offending are frequently complex and involve poverty, homelessness, mental illness, abuse, domestic violence and addictions. There is no doubt that those problems are many of the motivators for women's involvement in crime. Similarly, the age profile of women offenders tends to be different from that of male offenders.

To reduce women's offending and reoffending and to create the safer society that the Member referred to, we need to develop appropriate support mechanisms to address those multiple needs outside the custodial sanction where possible.

Naturally, as one who previously made his living as a social worker, I was inspired — to repeat the pun — by the work of fellow social workers in the Probation Service to prevent their clients from re-engaging in crime and to assist in the resettlement, in a small number of cases, of women who leave Ash House in Hydebank Wood Prison. I was inspired by the project. It is early days to make a formal assessment, but I was deeply impressed by what I saw on my visit.

Mrs M Bradley: Does the Minister have evidence to suggest that women are more likely than men to get custodial sentences? Does he have any concerns about that issue?

The Minister of Justice: There is only one answer that I can give to that question: I will write to the Member.

Mr Bell: Will the Minister join me in welcoming the work on young women offenders by the youth conferencing scheme and by the Youth Justice Agency through community-based services, such as the Towers project in my constituency of Strangford? The Towers project not only ensures that a direct apology is made to the victim, but it makes sure that reparations to victims are agreed. That has a proven track record of success in reducing reoffending by women.

The Minister of Justice: This afternoon's Question Time is almost becoming a social workers' outing.

The Member knows that I would support any initiative that has a measure of restorative justice along with various aspects of reparations being made in a way that encourages offenders to engage with their victims, where the victims are willing for that to happen. Such initiatives tend to have a fairly good effect on reducing reoffending, particularly for younger people who might otherwise be in the early stages of a criminal career.

The important issue is that we learn the lessons of projects and do slightly different things in Northern Ireland so that we can have best practice in reducing crime overall.

Electronic Tagging

5. **Ms Ní Chuilín** asked the Minister of Justice how many people have been electronically tagged as part of their bail conditions over the last year. (AQO 1303/10)

The Minister of Justice: The courts imposed 550 electronic monitoring orders as a condition of bail between 1 April 2009 and 31 March of this year: 449 adults and 101 juveniles.

A curfew with an electronic monitoring requirement can be imposed by the courts as a condition of bail, community sentence or post-custody licence. Electronic tagging is used to monitor an individual's compliance with the curfew and has been available to the courts since 1 April 2009.

Ms Ní Chuilín: I thank the Minister for his response. The figures are alarming. First, has there been an increase in the past year? Secondly, do the Minister and his Department have any plans, through the community safety partnerships vis-à-vis district policing partnerships, to work with communities so that they, too, know the bail conditions of people

who are tagged? Tagging does not always work, and people need to know the bail conditions of those who are tagged so that they can give any relevant information to the PSNI.

The Minister of Justice: I thank the Member for her questions. The real issues are the opportunities that electronic tagging provides. It is not a sort of GPS system that provides satellite tracking; it is merely a system that enables the monitoring of curfews in cases where people are confined to their homes at particular times of the day as part of their bail requirements. We need to be careful that we do not expect electronic tagging to do more than it can. However, there is no doubt that where individuals have agreed to be tagged, it has played a useful role in monitoring curfews. How we deal with other potential breaches of bail conditions is beyond the ability of an electronic tag.

Mr Dallat: The Minister told us that 515 people have been tagged. How many of those 515 have broken the conditions of their tagging, and what future steps might the Minister be able to take using new technology to provide more safety for the community?

The Minister of Justice: Just to clarify: it may be the way that I speak, but I said that there were 550 orders in the first year, not 515. The issue of breaches of curfews does not necessarily relate solely to the equipment. Indeed, the issue of breaches of bail conditions generally may well involve rather more than just a specific curfew requirement or an indication that a tag is responding in a particular way. Therefore, it is not possible at this point to separate out the question of curfew breaches from other breaches of bail conditions.

Mr Deputy Speaker: Question 6 has been withdrawn.

Criminal Justice

7. **Mr Savage** asked the Minister of Justice what action he has taken, or intends to take, to reduce avoidable delays in the criminal justice system. (AQO 1305/10)

The Minister of Justice: Speeding up justice by tackling avoidable delays in the criminal justice system is one of my key priorities. I have already met the Criminal Justice Board, which is driving a new programme of work on delays, and I asked for that work to be accelerated. The new programme will focus on case preparation, case

management, youth cases and governance. I have asked for an urgent report on the plans to eradicate unnecessary delays and thereby deliver a better service, especially to victims.

Mr Savage: I am aware that the Minister is committed to tackling avoidable delays in the system. Will he provide an update on the number of requests for further information between the Public Prosecution Service (PPS) and the PSNI? What has been done to reduce the number of requests?

The Minister of Justice: It is not my role to know the precise detail of how those numbers operate. What we are determined to do through the work of the Criminal Justice Board is to see that the interface between the Police Service and the Public Prosecution Service is smooth, so that additional information is required less and less, and the best possible service is provided in the papers that are provided by the Police Service to the PPS.

There may also be the opportunity to increase discretion within the Police Service on minor crimes, to avoid clogging up the entire process with relatively minor issues. However, that has to be decided in greater detail later. The important issue is that all parts of the criminal justice system learn that they have to operate together to provide the speediest possible justice for the benefit of victims, for the benefit of witnesses and, ultimately, for the benefit of criminals, too.

Mrs D Kelly: I always believed that people were innocent until proven guilty. Has the Minister had any meetings with Criminal Justice Inspection, or will he seek its views, given its expert analysis of the avoidable delays in the system?

The Minister of Justice: I, too, tend to believe that people are innocent until proven guilty. I am not quite sure what the point of that was.

I have met Dr Michael Maguire, the Chief Inspector of Criminal Justice. I discussed with him in general terms his work programme, which includes references to issues such as the speed of justice and co-ordination between other agencies. There is a clear opportunity to use the skills and expertise that the inspectorate has put into some of its work for the Criminal Justice Board to take forward the process of speeding up the justice system.

Mr McCarthy: Does the Minister recognise that avoidable delays occur particularly among young people?

The Minister of Justice: Yes. It is absolutely clear that where young people are involved in criminal activity and face considerable time before they reach the courts or a youth conferencing arrangement, there can be major problems in their potentially getting further involved in crime. In some cases, those who are immature do not connect the eventual outcome with the crime that they committed.

It is vital that, for young people in particular, the criminal justice system is speeded up as quickly as possible, and that work stream is being worked on.

Mr Deputy Speaker: I remind Members that the question for urgent oral answer has been withdrawn.

3.30 pm

Private Members' Business

Preschool Places

Debate resumed on motion:

That this Assembly acknowledges the grave disappointment and financial hardship faced by many parents who have been unable to secure preschool places for their children; recognises the disparity between the number of applications and the number of preschool places; and calls on the Minister of Education and the Executive to examine urgently the number and distribution of nursery school places and to bring forward proposals to ensure that each child receives a preschool place in the year immediately before starting school. — [Mr D Bradley.]

Mr B McCrea: It is always difficult to rejoin the debate after Question Time. For Members' benefit, I will explain that an analysis of effective preschool provision was carried out in some detail in a longitudinal study that started in 1998. The survey found that benefits from preschool education run all the way through to Key Stage 1; formal training tends to benefit cognitive development better, whereas playschools tend to be best for social development; it makes no difference whether provision is full-time or part-time because both are equally effective; and children with disadvantage gain most from settings that involve other children with mixed abilities and from mixed backgrounds. Other Members pointed out that the quality of staff training, and the quality of staff, leads to a marked improvement in outcomes for children. The study is quite comprehensive in that regard.

In an exchange with Mr O'Dowd, I heard the Chairperson of the Committee for Education talk about who can do what, who has done the most, and so on. However, we must deal with the fact that some 1,200 preschool places are vacant. We do not know whether the £1.3 million that the Minister found will satisfy that demand. Parents feel a gross sense of injustice when they discover that they cannot get their children into a nursery school within an appropriate distance. A constituent of mine failed to get her child into one of four nursery schools by a distance of 800 m. The distance criterion is an issue. Perversely, that constituent is a primary-school teacher, and if she had wanted to put

her child into the school in which she taught in Newtownards, it would have been possible. The result is a most unfair postcode lottery that disadvantages people in a ridiculous way.

When Mr O'Dowd spoke triumphantly about finding £1.3 million, he ignored the fact that we do not have our nought-to-six strategy, which would have informed all our discussions. I will put that in perspective: a child who was born six years ago would by now have left the cohort that the nought-to-six strategy would have covered. We managed to go through that entire period without developing a proper strategy.

There is a tendency in these debates, when we have all been given excellent briefings, to regurgitate other Members' contributions and say that someone ought to do something. I want to ask the Minister a number of specific questions that, perhaps, she will address, because the populace are anxious to hear the answers. Will the money that she has found reduce completely the overhang of 1,200 places? How many people will be unable to find a place? Would she consider it appropriate for her Department to amend its current policy of funding 90% of places to funding 98% of places? The development of a long-term policy should ensure that all people, in all reasonable cases, should have access to preschool or nursery school places for their children.

I understand that the Department's policy is that a place is available for a child within the education and library board area in which he or she lives, even though that place may be 30 miles away. It is ridiculous that young children are expected to travel such a distance. Perhaps the Department would consider the introduction of an access criterion of, perhaps, five miles. Will the Minister give an undertaking in that regard?

I am aware that time is against my developing these themes, but there is an issue around resolving the different types of preschool education that we have. Maybe we have to look at reception classes or at the age at which compulsory education starts. However, if we are going to do so, we must address the issues properly. We must have proper, fully funded preschool education in the way that Finland has. I am trying to indicate that we on this side of the House are willing to engage with the Minister provided that she engages with us. It is high time that she did so.

Mr Lunn: I support the motion, but I also acknowledge the announcement made by the Minister on 20 May about an extra £1.3 million of funding. I cannot help but observe that, as usual, the Minister appears to be damned if she does and damned if she does not. To me, that announcement was good news, but other Members think otherwise.

Will the Minister explain how we have moved from having surplus places to having a shortfall of 1,200 places? I appreciate that the estimation of demand is not an exact science, but demographic trends and birth rates can be accurately assessed. There are clear indications of the reduction in the birth rate trend being reversed, with implications for preschool and primary school provision.

Our system is supposed to guarantee a preschool place for all children whose parents request one. It is largely the case that places are offered, but this year the system has been under strain. I could give details of several cases in my area in which children were offered places a long distance away. For example, one Dunmurry resident was offered a place in Dromara, which is 20 miles away, and a Lisburn resident was advised to take a place in west Belfast, which is not so far away but which was probably not what that person was looking for.

Again, I recognise the Minister's action in funding extra places in private sector nursery units this year. I hope that she will clarify that position, because my understanding of her announcement is that the money is going to the private sector to provide more places. It seems that parents will be largely satisfied between now and the start of term in September.

The Public Accounts Committee (PAC) recently expressed concern about the practice of allowing underage children to take up surplus places funded by the Department. I believe that around £10 million has been spent on funding those places. Surely it is important to ensure that children of the correct age and qualification are not disadvantaged by that apparent loophole. I have heard anecdotally of underage children being accepted before normal demand has been satisfied.

There should be a clearer link between the information available at a local level and preschool provision within a locality. We could draw on information held by local councils and health professionals that might help to alleviate

bottlenecks in the future. Offers to children in their penultimate preschool year should be considered only when all those in their final preschool year have been placed. I suggest that no two-year-old should be placed until at least 30 June.

I note the Department's view, which was confirmed in the written answer to a question tabled by Naomi Long on 12 January 2010, that all nursery providers give priority to children in their final preschool year, regardless of the preference that they have stated, and that those children should be given preference over underage children who may have ranked the unit as their first preference. That is fine for individual units, but it may mean that a more area-based approach is required and that all children in the area who are in their final preschool year should have priority. It should not be too difficult to establish co-operation among nursery units in a given area. That would have eased the problems in the Lisburn area and in other areas this year. That said, I feel that this year's problems will be sorted out with the help of the voluntary sector and the Minister's extra funding. Nonetheless, I support the expression of concern as stated in the motion.

Mr Hilditch: I apologise for dipping in and out of the debate. Once again, the Committee for Social Development is sitting this afternoon to discuss a number of issues.

Like most Members, I have been contacted, through my constituency office, by several parents whose sons and daughters have been unable to secure nursery school placements in their area because of the criteria being set by the boards.

I do not want to get into more figures, because all sorts of mileages have been mentioned. However, the North Eastern Education and Library Board advised one lady from Newtownabbey, whose daughter was refused entry to her local nursery schools at Whitehouse Primary School and King's Park Primary School, to contact Carnlough Community Nursery, Harryville Nursery in Ballymena or a nursery school in Ballycastle to see whether they had places available. That was absolutely ludicrous, because it would be totally impractical for that lady to send her daughter to any of those nurseries. Ballycastle is 50 miles away from Newtownabbey, so that would have meant a daily 100-mile round trip without public transport.

The decisions on this matter are along the same lines as the recent decisions on health cuts, which have been taken without consideration of how people will get to certain places. It is unreasonable that children who live down the road from that lady have been accepted into local nurseries, and sometimes it is down to the fact that parents are on benefits and so on.

Due to a rise in the birth rate, we now have an unprecedented nursery-place shortage of around 1,200. However, the news that the Minister has released £1.3 million for private and voluntary nursery-school placements is welcome. That will no doubt help to meet the shortage, perhaps totally so in some cases, and ensure that, where possible, every child will be placed for the forthcoming school year. However, like the National Association of Head Teachers, I am concerned that the funding does not cover the state sector as such and that it will not include the provision of any new places in nursery schools and nursery units.

Children who attend nursery school benefit in so many different ways. The preschool experience enhances the social development of all children, and disadvantaged children gain so much more when they are with children from different social backgrounds. Children with little or no preschool experience show poorer cognitive, social and behavioural outcomes at entry to school and at the end of year one than those who attended preschool.

If high quality preschool education provision has such a positive effect on children's intellectual and social development, why is every child not entitled to a funded nursery school placement? I urge the Minister to provide that basic opportunity for every child. It is totally unacceptable and unfair that all children do not get the same funding to help them to start their educational lives. If we do not provide funded nursery places for all children, we will probably undermine the benefits of taxpayers' investments in later stages of the formal schools system.

We appreciate the success in increasing the supply of preschool education over an 11-year period, and it is well noted that uptake has increased from 44% to 90%. However, there are geographical gaps in supply and demand. Parental choice contributes to the amount of places that are available, and there are some nurseries to which parents just do not want

to send their children. Indeed, parental choice has led to some of the popular state nurseries being oversubscribed by up to 30 places, so why does the Minister not pour the £1.3 million into accommodating that sector? Those are issues that hinder our children's development, and they need to be addressed.

Every child has the right to develop through educational and social activity and to learn through play in the preschool environment so that they can progress into primary 1. I appeal to the Minister for her and the Department to ensure that every child is well equipped to meet the needs of primary school foundation stage and years one and two by the time that they leave preschool. I look forward to her response. I support the motion.

Mr Moutray: I speak today as a voice for the many people in my constituency who have received disappointing news about nursery provision for their child or children in recent weeks. In the Upper Bann constituency, and particularly in Lurgan and Portadown, I have been inundated with complaints from parents on this very emotive and important issue.

I have spoken to people who are rightly angry, annoyed and deeply concerned about the matter. Those parents want answers to many questions. Why was this allowed to happen? Why is there not equality for all children across the board? Why should their children be discriminated against? Why were they signposted to preschool places in locations that are 20, 30 or even 40 miles away from where they live? Why can additional provision not be provided by statutory bodies? Why has there been, and why is there, no long-term strategy for nursery provision? I call on the Minister to answer those questions, because it is a most unfortunate and undesirable situation for any community to be in.

3.45 pm

All Members are aware that births and deaths are registered, and I want to know why that information was not used in the forward planning for nursery provision. I have only to look at the figures for Craigavon to see clearly that there is a shortfall in the region of 200 places for children who are in the target age group and another 150 for younger children. That is clearly the case in other areas.

It goes without saying that nursery provision is a pivotal part of our society. It affords children a good start in education, and it is proven by many research reports that nursery education adds value to the lives of the young children who avail themselves of it. Additionally, it provides a safe and secure service for parents and families who ultimately want the best education and the best possible start for their children. Furthermore, it assists parents who work to avail themselves of such a service to aid their family, home and working life.

It grieves me that this situation has spiralled out of control. Often, Members from all sides of the House talk about delivering for constituents, young and old. Surely the Department needs to be proactive in delivering for the youngest constituents. Preschool provision is a key element in the future of all our children. It will mould them and prepare them for their primary and secondary education, and in many instances it is a criterion for obtaining a place in primary 1. Therefore, I call on the Minister to address this matter not in an ad hoc way, as she has done recently, but in a long-term way.

Furthermore, I am concerned lest the lack of provision escalates to the primary 1 class spaces in the following admission years. It is logical that, if there is a shortage of nursery provision, there will be a shortage in the primary 1 provision. That needs to be addressed.

I acknowledge the Minister's most recent announcement, but I am concerned about the distribution of that financial boost and the fact that none of the money will go towards statutory bodies. I have no issue with private organisations availing themselves of the funding, but equality is required among private and statutory providers. I am aware of one school in my constituency that could readily take an extra nursery class, and it would have it within weeks, were the Minister prepared to accede to the request.

There needs to be a clear link with statistics on current birth rates so that we do not find ourselves in this situation again. Reasonable suggestions should be put to parents should their first choice be unavailable, they should not be offered nursery provision that is some 30 or 40 miles away. I support the motion.

Mr Beggs: I, too, support the motion. I reflect on the fact that, over the past decade, access to preschool education has greatly improved.

However, it is important that we complete the job and ensure that there is better planning and that all children have access to early years education in their immediate preschool year.

I am disappointed with the explanation that the failure in provision is due to unprecedented demand. Like other Members, I have been contacted by constituents who have not been successful in any of their four applications. One family applied to a nursery school that was 200 yards from their front door, in what is deemed an area of need, yet the application was unsuccessful. Interestingly, that family's details came into the hand of someone in the private sector, and the family was offered a place at £25 a week, which it cannot afford. Therefore, children in disadvantaged communities are not getting places in their immediate preschool year.

I welcome the Minister's announcement last week of an extra £1.3 million for additional places. However, where is the joined-up government in this? Why can we not predict roughly the number of places required in each ward? In the Northern Ireland Neighbourhood Information Service (NINIS) section of the Northern Ireland Statistics and Research Agency (NISRA) website, one can see how many children were born in 2008. I am sure that the Department of Education has the statistics showing how many children are in their immediate preschool year in each area. It should not take a great deal of work to decide whether additional places are needed.

I agree with the Members who said that we need to alter the procedural criteria to ensure that children who are in their immediate preschool year are given priority at that vital time. I ask the Minister to look into that issue.

The Public Accounts Committee's recent report drew attention to the fact that to have mixed age groups, in which two-year-olds might sit in with children in their preschool year, is not the best model. The disparity in the children's abilities makes that a difficult situation for any organisation to manage. It also limits the educational opportunities for all the children, whether they be younger or older. That issue definitely needs to be addressed.

I agree with the proposer of the motion and other Members, who questioned the different funding levels. Why do voluntary or private sector playgroups receive less funding for children than those in the nursery sector?

Will the Minister explain the reason for that inequality? Why are children who cannot get a place in a nursery school not given a similar level of funding so that they can receive a similar or higher quality of education elsewhere? I cannot accept any reasoning for that, but I look forward to an explanation.

Recommendation 2 of the PAC's 'Report on The Pre-School Education Expansion Programme' indicated that there is a need for "age-appropriate" training, which relates to the issue of two-year-olds being among older children.

Another issue identified was that different models are being used. We have reception classes, nursery classes and playgroups, and, I dare say, a degree of funding is also going into Sure Start. Joined-up thinking is needed. We need to work out which is the most appropriate model and where the funding should go, rather than continue with the current scattergun approach. I suggest that there is a particular need to address what will most benefit children and, in some cases, their parents.

The PAC also recently recommended that, to improve overall standards of literacy and numeracy, the Department needs to bring forward the publication of its nought-to-six early years strategy. The Minister has been in post for three years. She has only about one year left. When will we see the strategy? We need to see it. Early intervention is the key to reversing the cycle of deprivation.

I draw the Minister's attention to the issue of post-primary schoolchildren who have less than 85% school attendance. Those early years are vital if that statistic is to be corrected. A reply to my question for written answer 972/10 revealed that, in some parts of my constituency, 40% of children have school attendance rates of less than 85%.

Mr Deputy Speaker: Bring your remarks to a close.

Mr Beggs: In more affluent areas, that figure is 4%. Minister, if we want children to benefit, we must ensure that they are at school and that we address the reasons for their absence.

Mrs M Bradley: My colleague Dominic Bradley laid out the basis for my party's concerns about preschool places. Although the SDLP welcomes the Minister's decision to provide additional funding of up to £1.3 million to meet the

shortage of preschool places, it is obvious that the motion has put pressure on the Department to address the crisis.

Figures show that the total number of nursery places available for 2010-11 is 5,850 but that 7,047 applications have been received for the same period. Those figures simply do not add up. I and, I am sure, many others in the House have been contacted by numerous parents who have been turned down for not only their first choice of preschool for their child but for all of their choices. Some parents have even been offered places at nursery schools miles from their home address, which will not only be a great inconvenience but will involve spending additional money that many families do not have in the current economic climate.

I welcome the Minister's funding announcement for my constituency in Derry. I hope that it will address the city's lack of appropriate preschool nursery places. However, parents in Derry will be interested most in what that funding will mean on the ground for our children. The Minister must act promptly to allay the anxieties of parents who remain in the dark about their child's future. Parents also need to hear just how the funding will be distributed so that they know whether their children will benefit from it.

In my area of Shantallow, there were 145 applications for 102 available preschool places. Consequently, 43 children have been turned down for a funded nursery school place. Now that the Minister has provided additional funding, she must do everything possible to support parents and children by ensuring that early years provision is accessible, close and realistic.

The crisis in preschool places also raises the issue of the early years strategy. During previous debates in the House, we were told about a strategy for children aged nought to six. We were told that it would be the blueprint for a way forward and would provide preschool education to each and every child. However, we have yet to see that strategy. Earlier this year, I tabled a question about the publication of that document. I was told that it would be published in the early spring. However, it is now only five weeks until recess, and there has been no mention of when it will happen.

To ensure that parents do not face the same problem next year of a disparity between the number of applications and the number of preschool places, I call on the Minister to

give a definite date for the publication of the early years strategy. I also ask her examine the funding of existing schools and consider whether some of that should be given to preschools. Given the situation, they could be extremely helpful. The Minister is bound to know that — she is the Minister of Education.

Lord Browne: I support the motion. It is no secret that my East Belfast constituency has suffered from a lack of nursery provision for many years. Last year alone, of the 34% of children who were unable to find a place in the area, 41% did not find a place anywhere. Others who found places were forced to travel to places as far away as Ardoyne and Newtownabbey.

The only solution that the Department has offered is the promise of a review. Indeed, it appears that the Minister's solution to every problem in the education system is to hold endless reviews, while continuing to do as she pleases in the meantime. She must appreciate that the problem is far too large and widespread to be dealt with by a simple review.

The Minister has failed to provide an adequate level of preschool cover. She has failed to predict the demand for preschool places, and she has failed to invest wisely for the future. Last year, there were around 800 places for 1,200 applicants in my constituency, which is a shortfall of 400. When I asked the Minister to estimate the number of applications for this year, she informed me that her Department expected to receive 896. I admit that I have no particular skill or qualification in the study of demographics and population shifts, but even I realised that a drop of 25% in one year was extremely unlikely. However, the Department of Education based its projections on those figures and organised the provision accordingly.

In the event, applications fell by only 7% this year. Therefore, because of the Minister's actions, one in six children from my constituency is without a preschool place. The Minister knows as well as anyone that early years learning is essential to a child's educational development. She knows that the system is failing. As the number of preschool places falls far below the level of demand, the children of parents who cannot afford to pay lose out. Under the current scheme, working class children suffer the most.

Mr Beggs: Is the Member aware that 38% of the children of primary school age in the Woodstock

ward of his constituency have a school attendance rate of less than 85%? Would places in preschool playgroups improve their social skills and opportunities at school?

Mr Deputy Speaker: The Member has an extra minute in which to speak.

Lord Browne: I thank the Member for that fact. The attendance issue must be addressed. The provision of more places at an earlier age may help to combat that problem. Only by taking appropriate measures will we be able to improve attendance figures.

The Minister informed a preschool group in a working class area of east Belfast that its funding for this year had been withdrawn. She told that charity that there was not enough money and that it did not have enough children to justify the funding. At the same time, she spent £88,000 on temporary accommodation for a new Irish-medium preschool, with a capacity of just 26, which is being created in west Belfast.

The Department should be working to ensure that preschool places are available to all, so that no children are left behind. Many parents cannot escape the conclusion that the Minister's priorities lie elsewhere. She would rather devote her time to crushing dissent about academic selection and working on her pet project, Irish-medium schools, than spend time working to improve children's prospects in life.

4.00 pm

Mr Bell: It is important to understand why we are we focusing on this topic and giving it the attention that it deserves. It is because the research is clear: young people who are given a preschool place will, as Lord Browne said, do better socially and, as the Member for East Antrim said, develop a positive attitude and be motivated to attend school and to achieve when they are there. I say that not just because our manifesto stated that we would front-load services towards early years; it goes beyond that. The entire research base shows that providing young people with those opportunities guarantees greater success later.

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

I declare an interest as a governor of Donaghadee Primary School. In that capacity, I constantly have to field difficult questions about children who have been turned away. When we get down

to criterion 4(c) and beyond, we have to tell young people that the decision about whether they can attend depends on their date of birth and that, because they were born two weeks after another child, the other child gets the place. That is the difficulty that I and other governors face. The children who are turned away will not get a second chance. A preschool place is not an optional extra, and that is why failure to offer one is not an option.

Where was the planning? Did we not know that those children were in the system? Did they appear suddenly? No, we knew for years that they were coming through. Minister, is it not the case that, when you fail to plan, in reality, you plan to fail? In the case of early years education, you planned to fail. Children are being failed, and they will not get a second opportunity to make up for that lost time.

Is the Minister listening? Has she listened to the teachers' unions? Had she listened to Mr Arbuthnot, who had a distinguished career as the principal of Priory Integrated College and whom I know well, and had she kept the South Eastern Education and Library Board as opposed to paying her commissioners £500 a day, she would have heard Mr Arbuthnot saying through the board that opportunities exist in the state sector to establish curriculum-based nursery/preschool placements in primary schools. Such placements have a proven track record of success. Why are the likes of Donaghadee Primary School turning children away? We will not be able to access the £1.3 million — I welcome it — that has been made available. If the money was there, why was it not made available earlier, and why were parents put through the trauma that they have experienced? Why are we not listening to the teachers' unions? Why are we not listening to principals, who are telling us that the state sector has a proven track record of success? Is that not something that we would want to build on, rather than ignore?

My concluding point has been well made already. Where is the early years strategy? What strategy is the Minister working towards? I remember my father telling me that you are better to aim at something and miss it than to aim at nothing and hit it. Without a strategy, is it a case of the Minister aiming at nothing and hitting it? I do not know which of the Minister's priorities were more important to plan for than the children in the early years sector who are being turned away from preschool education and

are not getting a second chance. I fail to see, as would any rational observer, what the more stringent priorities were that had to come before the children. I encourage the Minister to look again at the state sector. Do not let bias or poor judgement cloud —

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

Mr Bell: Where there is a proven track record of success, the Minister should build on it.

The Minister of Education (Ms Ruane): Go raibh maith agat, a LeasCheann Comhairle. Tá áthas orm an deis seo a fháil chun díospóireacht a dhéanamh le Comhaltaí ar shaincheist na n-áiteanna réamhscoile do pháistí don scoilbhliain atá le teacht. Tuigim go maith an tábhacht a bhaineann le luathbhlianta an pháiste agus leis na tairbhí a dhéanann oideachas réamhscoile d'ardchaighdeán.

Before I go into the details on preschool education, I will deal with some of the questions that were raised. The recent Public Accounts Committee document 'Report on The Pre-School Education Expansion Programme' was very positive. The issues that were identified in that report, along with those in the chief inspector's report, will be addressed in the early years strategy. Those include raising standards and issues that relate to equality and workforce development.

There was much talk today of the early years strategy. Suffice it to say that I approved the strategy for consultation on 24 April and it will go out for consultation. A letter is on its way to the Committee, and I will be doing an official launch. I very much look forward to hearing all the wonderful ideas that Members may have, because we heard from a lot of Solomons earlier.

Although preschool is not a compulsory phase of education, I welcome the fact that parents recognise and want that beneficial experience for their children. I am aware that the coming school year appears to have an unprecedented shortage of preschool places in certain areas. Therefore, from the outset, I acknowledge the concerns of parents and their children, and I assure them that my officials and I are making every effort to resolve the situation as quickly as possible. My officials have, therefore, been working closely with the preschool education and advisory groups (PEAGs) over the past few weeks to confirm the current number of unplaced children so that we can decide how

best to respond to the demand that has arisen. I confirm that around 1,200 children in their final preschool year are known to be unplaced at this stage of the preschool admissions arrangements for the coming school year. On the basis of the cost of funding a preschool place in the private and voluntary sector, which is essentially the mechanism that we use to respond to variations in demand, the total cost of placing those children amounts to approximately £1.3 million.

Fortunately, I am not a cynical person. If I were, I would be forgiven for thinking that some people in the SDLP, the UUP and the DUP are disappointed that we have found resources during difficult times for that very important issue. Indeed, members of the SDLP who were in previous ministerial positions and who lamented on the issue have issued press releases. They had the opportunity to back this with funding, but they did not. They never sought a meeting with me on the issue. Instead, they run to the press with negative press releases. With respect to everybody, please stop playing politics with preschool children. Apart from Members in my party, Trevor Lunn was one of the few people who acknowledged that it was good that we have found £1.3 million in these difficult times.

I am delighted to hear the concern for the working-class communities. However, that concern goes out the window when all the evidence shows that selection disadvantages working-class children. I am also pleased to hear that the DUP is listening to the teachers' union. That is good. I hope that it listens to all the teachers' unions, as every single one of them, without exception, supports an end to selection and wants more equality in education.

In recognition of the importance of preschool education, I have announced my intention to make additional provision of up to £1.3 million for the PEAGs to meet the shortfall in places and to ensure that, where possible, every child will be placed for the 2010-11 school year. That brings the number of funded preschool places available to 22,559, with 14,202 places in the statutory sector and sufficient funding for 8,357 places in the voluntary or private sector. For those who are good at maths and for those who appear to believe that the statutory sector has been discriminated against, that equates to 63% in the statutory sector and 37% in the voluntary or private sector. That means that approximately

two out of every three existing funded preschool places are in the statutory nursery sector. I have also just approved an additional unit in a statutory nursery in the Portadown area, which brings the total number of statutory nurseries approved since May 2007 to 12 and represents 312 additional statutory nursery places. It is a pity that none of the Members from Portadown raised that issue. In addition, I have approved two development proposals from statutory nursery settings to change from part-time to full-time provision, in line with parental demand.

The policy for preschool provision currently relates to a preschool place:

"for every child whose parents wish it."

That reflects its non-compulsory nature. In planning for the overall demand, the Department is aware, through the household omnibus survey, that around 10% of parents do not want a preschool place for their child. The remaining 90% of children — more in recent years — have availed themselves of the opportunity of preschool education in all settings, including Irish-medium. Therefore, we are victims of our own success and should celebrate that success.

One Member — it may have been Roy Beggs — mentioned increasing the Department's percentages. Prior to the introduction of the preschool education expansion programme in 1997, only 45% of children received a funded preschool education place in statutory nurseries and reception classes. By 2009-2010, 97% of the cohort of three- to four-year-olds had been allocated a preschool place. Let us give credit where credit is due, because that is significant growth in a relatively short period. That rate of expansion could only have taken place through a partnership approach, recognising and utilising the existing provision that had developed in the voluntary and private sectors in the North of Ireland, alongside the substantial expansion of the statutory nursery sector. Indeed, more than 100 new nursery schools and units have been created under the pre-school education expansion programme.

The management of preschool places is a complex process, and it seeks to achieve the best possible match between places and children. Although my Department retains policy and budgetary responsibility for the programme, planning and implementation at local level is the responsibility of the PEAGs in each education and library board. You all have members on

education and library boards, and I will be very interested to examine the minutes of those board meetings to see what work has been done on preschools and the questions that were asked.

Mr Bell: Will the Minister give way?

The Minister of Education: No, I will not. Those groups undertake an annual review of local provision, taking into account factors such as demographic changes and the relocation or closure of settings to ensure that the allocation of places to voluntary or private sector providers continues to meet the needs of each area. The processing of applications and the offering of preschool places in nursery schools, nursery units in primary schools and voluntary and private preschool settings in receipt of funded places are the responsibility of individual providers in conjunction with the PEAGs.

Although all sectors that deliver preschool education are valued equally, the availability of a place is not sufficient on its own. The Department is committed to ensuring that provision is of the highest quality possible. The system in place also needs to be flexible, whereby parents can choose whether their child would be best placed in a full-time or part-time afternoon or morning preschool session, dependent on the child's stage of development and on whether the parents are working.

Although the level of provision overall within the pre-school education expansion programme may be sufficient, it may not exactly match demographic demand at any given time, and there may be a number of reasons for that. The application system is flexible, with parents asked to list a choice of settings in order of preference. In some cases, parents may not be offered a place for their child because they have failed to take full advantage of the preschool application process. For example, they may not have listed the maximum possible four choices, or they may have restricted themselves in their choice of provider. At the end of the annual admissions process, the preschool education advisory groups advise my Department on anticipated areas of pressure and consider how they can be managed.

4.15 pm

Cé gur cuireadh na socruithe um iontráil réamhscoile don bhliain 2010-2011 i gcrích ar 30 Aibreán, tá an próiseas iontrála réamhscoile fós ar siúl.

Although the preschool admissions arrangements for the 2010-11 school year were completed on 30 April, the preschool admissions process is still ongoing. The education and library boards are currently reallocating places between providers in the voluntary and private sectors to facilitate, as far as possible, children in their final preschool year who have been unable to access a funded preschool place. The additional funding that I have made available will enable the education and library boards to extend the number of places that are available.

I am aware that there may also be opportunities to offer increased statutory provision, and I do not exclude the possibility of proposals for further development in that area being approved. However, time is short, and it appears that the private and voluntary sector is best placed to respond in the short timescale that is available. That would also offer flexibility if that should prove to be a temporary increase. Preschool education is a genuine partnership between the statutory sector and the voluntary and private sectors. My Department, together with the education and library boards, will of course look at all avenues to address the unprecedented demand for places.

I will now talk about the budget, because, when Members get into a frenzy, they forget how much we are spending on preschool education. I originally set an allocation of over £11 million to the education and library boards to secure preschool places in the private and voluntary sectors. That figure includes an additional £300,000 to maintain the increased number of funded places provided in the 2009-2010 school year. That is over and above the funding for the statutory nursery sector. We are spending approximately £48 million on the statutory preschool sector. I have now announced that I will make a further provision of up to £1.3 million available to the sector. If I have done the maths correctly, which I did without a calculator, that is a total of £60.3 million. That is a substantial amount of money by anyone's standards. Of course we want more money, and perhaps the parties opposite will talk to their various Ministers and to the Finance Minister so that I can have more money for preschool places. I look forward to getting more resources so that people walk the walk instead of just talking the talk.

I have made clear the importance that I attach to the sector. However, the identification of additional resources has not been easy in the current economic climate. My priority has been to protect front line services and to ensure that the needs of the people who are most disadvantaged continue to be to the forefront. I look forward to the Members opposite supporting the establishment of the ESA, because they will be aware of the wastage of resources on administration and bureaucracy. If Members are serious about preschool education, they will move forward quickly on the establishment of the ESA so that there are not quangos and a waste of resources on bureaucracy.

I have endeavoured to clarify some of the factors that need to be taken into account in managing the complex process of allocating preschool places. I pay tribute to my officials, who have worked hard on that. I recognise the difficulties that have been faced this year, and I hope that the additional funding that I have made available will address the shortfall in places. The preschool year is an important time for children, and I am committed to ensuring that a quality preschool place is available for every child whose parents want it, whether they attend preschool through the medium of English or Irish, in their immediate preschool year.

Mr McDevitt: It is only fair to acknowledge the Minister's announcement that we are to see, at very long last, after six years, the nought-to-six strategy. It has taken as many years for the strategy to emerge as it will cover in a young person's life, but better late than never. Let us hope that, although it has been long in its gestation, it is capable of meeting, in every sense, the expectations of Members on all sides of the House. The one thing that we have failed to do collectively as a region for many years is to put young children at the heart of policymaking.

Before I go into the specifics of the debate, it is worth noting that, although much of the motion deals with the current crisis in the allocation of nursery spaces, it also makes a specific call on the Minister. The last couple of lines of the motion asks the Minister to:

"bring forward proposals to ensure that each child receives a preschool place in the year immediately before starting school."

The Chairperson of the Committee for

Education: Does the Member accept that PEAGs

were established to ensure that this crisis would not occur? The Minister alluded to that but, as usual, did not expand on it. However, we have ended up in a situation in which we have a crisis and a shortfall, and the Minister thinks that the problem will go away just by throwing money at it. Where were the PEAGs? What advice did they give to the Minister?

Mr McDevitt: That is part of the point of the motion. We need a more interventionist Minister in the areas where she needs to be doing her job and a less interventionist Minister in the areas where it is, to use teenager parlance, a no-brainer to get on with doing what needs to be done in other areas of education.

I would have been much happier if, during the 13-odd minutes that the Minister took to respond to the debate, she had been able to provide us with the leadership that is so absent on this issue and with the specific details of the proposals that she intends to bring forward to address the shortfall. None of us will begrudge a £60 million investment in preschool learning, and none of us will question the commitment of many public servants in this region and the House to that investment, but we will wonder why we had 13 minutes of celebration of a direct rule decision that was made in 1997. It may be a decision that is to our liking and that we feel able to support, but it is one towards which the Minister generally seems reluctant to be in any way favourable. It is normally the case that the Minister comes to the House and makes speeches about the hideousness of British Government decisions. I digress slightly, but the most interesting reference that I ever heard was a reference to an Education Act that provided so many who sit on these Benches with the single greatest opportunity in life. When Members get into that level of politics, they begin to lose the run of themselves and the point of their being here in the first place.

The debate was dominated by one side. It was not a sectarian side; it was a pro-motion side. Mr O'Dowd did his best in three minutes of the six that were available to him to speak up for the issues at the heart of his side of the argument. Mr O'Dowd is a good debater, and we all enjoy the cut and thrust of his argument from time to time, but I think that most of us will have had sympathy for the situation in which he found himself today whereby Sinn Féin was not able to produce a second Member to speak when it had ample opportunity to do so.

Mr O'Dowd: The reason why Sinn Féin did not supply a second Member to speak today is that she was at the Health Committee discussing health issues. She is the Deputy Chairperson of the Health Committee. It took me only three minutes to announce that the Minister had put £1.3 million into the system. If your own Minister would learn how to do that sort of work, it would take only three minutes to do that as well.

Mr McDevitt: I thank Mr O'Dowd for his intervention; it has been one of the easier ones to rebut. I acknowledge the excellent work of the Deputy Chairperson of the Health Committee, a lady we know to have many talents. I have to say that your Benches are well filled, Mr O'Dowd. You are in the second largest party in the Assembly, and the fact that you are relying on Mrs O'Neill to save you and your colleagues from having to justify or defend this argument says a lot about yourselves, as does the fact that you were not able to make more than about three and a half minutes of cohesive argument.

In opening the debate, Dominic Bradley talked about the social need and justice issues at the core of nursery provision. That theme was repeated often on all sides of the House. At the heart of the matter are fundamental issues of equality that are not addressed in the current policy framework and are not reflected in the way that the Department or the Minister respond to it.

Mr Storey talked about the need for leadership, which is a theme that emerges again and again. Basil McCrea asked about the nought-to-six strategy, and I am sure that he will be happy to hear that the strategy is on its way to the Committee. He also asked a specific question about shortfalls, and, to be fair to the Minister, she did as much as she could to address that question. However, there is an underlying issue in that we seem to rely on the voluntary and private sector to buffer demographic shifts. If memory serves me right, there is a 60:40 breakdown in funding between units that are in the statutory sector and those that are not. It is a big buffer and is potentially expensive. That brings us back to the final element of the motion, which is a call for specific strategic proposals to manage the situation. In an intervention, a point was made about occasionally taking the advice of PEAGs.

Mr Lunn was as constructive as ever and repeated the questions about the breakdown between private and public provision. Mr Hilditch

asked specific questions about his constituency. A theme that emerged throughout the debate was young parents often facing their first real encounter with education, at a time when they are most stressed out about the decisions that they need to make on behalf of the young people whose lives have been entrusted to them. Those parents are confused and uncertain; I hear that from my constituents.

Roy Beggs raised an important issue, which is the link between early years provision and a child's potential later in life. If we intervene early, we know that we stand a much better chance of being able to protect children from being at risk in the future.

I hope that the early years strategy is riddled with commitments to invest in the very first years of a child's life. I also hope that, for the first time in many years, we change the culture of this region from being simply about investment in excellence to actually investing in children. I am sure that all sides of the House will support that notion.

Mrs Bradley raised any number of constituency issues, as well as playing the numbers game. The two ladies who seemed to be in the mood to play the numbers game today were Mrs Bradley and the Minister. Lord Browne talked about the experience in East Belfast and the class divide there, as did Jonathan Bell.

We probably all feel that it has been a useful debate. We will be genuinely happy to hear from the Minister that an early years nought-to-six strategy exists and that it is on its way to the Committee for Education.

I will finish by making a simple appeal. Whatever debate takes place about the early years strategy cannot become a debate about the issue that the Minister raised in the three minutes and 20 seconds of her contribution, which was one simple point of policy clouding out the bigger debate. Let us have a debate about the wrong that we need to address, which is the state's neglect of the needs of young children. If we neglect those young children, we sow the seeds of future problems, which will cost us so much to address.

Question put and agreed to.

Resolved:

That this Assembly acknowledges the grave disappointment and financial hardship faced by many parents who have been unable to secure

preschool places for their children; recognises the disparity between the number of applications and the number of preschool places; and calls on the Minister of Education and the Executive to examine urgently the number and distribution of nursery school places and to bring forward proposals to ensure that each child receives a preschool place in the year immediately before starting school.

4.30 pm

Motion made:

That the Assembly do now adjourn. — [Mr Deputy Speaker.]

Adjournment

Urban Renewal Area Status: Upper Long Streets

Mr Deputy Speaker: I remind Members that the proposer of the Adjournment topic will have 15 minutes in which to speak. All other Members will have approximately seven minutes.

Ms Ní Chuilín: Go raibh maith agat, a LeasCheann Comhairle. I thank the Business Committee for selecting the Adjournment topic, and I apologise on behalf of my colleague Gerry Kelly, who is out of the country. I also want to use the opportunity to welcome the Minister to his post. I wish him well.

I welcome the recent decision to approve urban renewal status for the upper long streets, Parkside and the Glen, and the full redevelopment of the area. The campaign has been no fewer than 11 years — almost 12 — in the making. For that reason, I pay tribute to the residents and, indeed, to the wider community for their tenacity and persistence in ensuring that their areas are redeveloped in the way that they deserve. I also pay tribute to the democratically elected residents' groups who, despite the despondence and hopelessness that prevailed, held annual general meetings to set out their programmes of work.

Although I have not worked with the residents' groups for the full 11 years — I have not even been an elected representative for that long — I was disappointed at the way in which the decision was made, simply because my party colleagues worked with them. I was disappointed at the way in which the former Minister announced her decision. I heard about her decision on the radio. I want to ensure, however, that my disappointment is not conveyed to the staff in the Department for Social Development (DSD) who worked with my party, other parties and the elected residents' groups. However, that pinch to an otherwise good news story was unfortunate.

The Adjournment topic was debated on 31 March 2009, which was some 13 months ago.

The then Minister for Social Development, Margaret Ritchie, stated:

"I have asked for those plans to be resubmitted before the end of April [2009], and I want to announce the way forward shortly afterwards. In fact, I have been told that proposals will be with me next week." — [Official Report, Bound Volume 39, p380, col 2].

Thirteen months later, here we are.

The issue was raised on practically every doorstep, particularly in the upper long streets before the most recent election. It became obvious to me and to other parties who canvassed in those areas that all political parties and residents must have the same information, as opposed to the drip feed of information that we have received to date. I appeal to the Minister to rectify that wrong and to start off on the right foot by engaging with all residents' groups in those areas.

I have questions for the Minister, which I hope that he will answer when he is on his feet, although I do not expect that he will be able to answer all of them. I accept and appreciate that he is new to the post. However, I expect answers to some of my questions. Will he tell me when proper consultation and engagement with residents will begin? The consultation that residents' groups secured with the Housing Executive some years ago is due to commence on Wednesday 26 May 2010. It will take the form of a door-to-door survey, which, now that the announcement has been made, will involve residents in setting out the way forward.

I have been asked when the process to redevelop Girdwood will begin. It has always been the understanding, rightly or wrongly, that the site would be used for what is known as "decanting". Now that an urban renewal area has been declared, will homes be purchased? What is the time frame for the commencement and completion of those schemes?

I appreciate that, during various debates, Assembly Members have spoken genuinely on the effects of the economic downturn, particularly on the construction industry. Members who are on the Committee for Employment and Learning and the Committee for Enterprise, Trade and Investment have discussed the lack of apprenticeships. I regard the renewal of urban areas, particularly north Belfast, which still suffers extremely

high levels of deprivation, as an opportunity. Not only is it an opportunity to kick-start the construction industry in those areas, but it enables young people who are not in education, employment or training to aspire to be part of that redevelopment. I would like to hear the Minister's thoughts and comments on that.

I would also like to ask how and when the procurement process started, how it was announced, and whether there will be social clauses built into the contracts. I appreciate that I have probably asked more questions here today; but that is what these debates are for. They are questions that I have been asked on the doorsteps and that I have raised through private notice questions and engagements and meetings with the Department.

Residents are concerned that more often than not — I know that it is not the intention of Ministers or Departments — officials describe consultation as putting an advertisement in a public paper and if people respond well and good: they have "consulted". However, since people have campaigned courageously for almost 12 years to have houses that are more than 100 years old made fit for purpose through newbuilds and redevelopment, it is important to scotch rumours that only certain types of houses will be built and that there will be apartment blocks. That was never the understanding at any of the meetings that I attended with the Housing Executive and the Department.

There was to be a housing mix. In my understanding that meant homes that are suitable for people with disabilities or perhaps redeveloping existing flats; there could be a one-bedroom or two-bedroom ground-floor flat beside a three- or four-bedroom family home. At no stage were apartment blocks mentioned. We know that money is scarce and that there will be pressure on housing schemes, but we cannot assume that the bulk of newbuilds will be apartments. People in my constituency know the Department's solution for providing family homes in north Belfast — apartments. That has to end.

I know that the Minister, even before he took up his post, has been acutely aware of the housing situation in north and west Belfast, and perhaps even in Derry city — three of the areas most in need. North Belfast tops the list. It was with great sadness and disappointment that I learned that his colleague Margaret Ritchie

had removed the ring-fencing of funding for the social housing development programme.

Need in north Belfast has not lessened, despite the intervention of human rights and residents' groups; even those who can afford to buy have had to go as far as Glenavy and Crumlin for affordable housing. It causes displacement.

The redevelopment scheme for the upper long streets, the Parkside and Glen areas is an opportunity; it should be a new beginning for us all. We can enter into meaningful dialogue and engagement in the consultation; however, it is crucial that elected representatives and the representatives of residents' groups, some of which represent more than 100 people, be meaningfully involved in the process.

I want to talk about the need to deliver on equality and objective need and about how that will be delivered through the scheme. I mentioned the construction industry and the number of apprenticeships and the fact that high unemployment figures have not gone down. The NISRA report testifies to that. North Belfast suffers proportionately higher levels of homelessness, people in housing need and housing stress. In some cases three families — and, in my area, sometimes four — live under one roof. That is totally unacceptable.

There are opportunity sites at Girdwood and, perhaps, in other places where the Department has land that can be transferred for social housing. We need to try to provide more clarity and detail, particularly when we are talking about decanting families for those homes. I am aware that a significant number of people have bought their homes, but the majority of people living in those streets have not. I am aware that there are huge levels of dereliction. Absentee homeowners are leaving houses in those streets "stepped up". While the residents have put up with that situation on the basis and in the hope that those streets would be redeveloped, we need to look at that as part of the immediate way forward. The people who own those houses need to take responsibility.

The Minister has only to contact pest control at Belfast City Council to have it confirmed that the pest problems in that area are unlike those in any other area of Belfast. I am not waxing lyrical or gilding the lily. The problem has been openly publicised in many local papers. Belfast City Council has done its best to try to find out who the homeowners are. Those responsible for

developing the north Belfast housing strategy, such as Sharon Beattie, have also been very helpful.

I repeat that key to the matter is the involvement of residents, their families and the community in the redevelopment. People see the redevelopment as a massive opportunity for the area. When people see an area being redeveloped, it helps them emotionally and psychologically. It gives the area a lift. The situation will be the complete opposite to the one that we are in now. The fabric of the community that the residents have held together despite everything has to be commended. However, unless there is clarification about the very welcome decision, the sparkle of a very good news story, which is almost a week old, will dissipate. It is important to spell out the detail on procurement. For example, how has this happened? In what way were the residents involved? Will social contracts be built into it? When the contracts are awarded, what will be the process for ongoing consultation and engagement?

I will finish by welcoming the Minister to his post. I look forward to having a good working relationship with him. I consider that to be essential. I see him smirking, but I am being genuine in what I say. We do not have all the answers despite our experience — none of us do — but the residents' experience is priceless. I appeal to the Minister and the Department to engage with the residents on the way forward as soon as possible. The residents are the people who have solely defended and cultivated support for development in the area for a long time. They are the people who have taken it in the neck for other residents. They are the people who, despite all the negativity and, at times, hopelessness, have been inspiring and have insisted that the Department and representatives, such as me, deliver on the promises that we make on the doorstep from one election to the next.

Mr McDevitt: First, I apologise on behalf of Alban Maginness, who would very much like to be here to speak in the debate. As colleagues will know, he is away with the Committee for Enterprise, Trade and Investment in his capacity as Chair.

I welcome the investment. As Ms Ní Chuilín said, it is an important and big news day for people who have been living in a part of the city that, I am sure we all agree, has suffered

more than most, not just from the legacy of the conflict but from the real effect of urban decay and the degradation of public housing.

I grew up in a council house. Thankfully, it was not a council house that was in need of much work. Without question, in communities where we rely on the state or a public authority to put a roof over our heads, the sense of dignity that that roof provides is even more acute, and we are always all the more aware of it. It gives us a sense of pride in who we are. It gives a sense of purpose to our lives and the opportunity to dream that life can, of course, be better and stronger.

I have been in the long streets on several occasions over the past 15 or 16 years. I have to confess that that was generally at election time, as I do not represent that part of the city. One could not help but be struck by the poor condition of the housing, the inadequacy of its state and the fact that action needed to be taken.

4.45 pm

It has been 13 months since the issue was first brought to the House. However, in light of the debate that we had only a few moments ago about how long it has taken to produce some of the strategies around here, I am sure that Members will accept that, by that standard, 13 months is not bad going. What is important is that we are beginning a conversation today that will, I hope, involve the residents and lead to the transformation of that part of the city. The work that is soon to commence will benefit not only the long streets and the New Lodge area, but the Parkside area, parts of Fortwilliam Parade and, importantly, Queen Victoria Gardens.

I do not want to take up more time talking about a part of the city for which I have no mandate to speak. However, I wish to acknowledge the work of Margaret Ritchie. Throughout her tenure as Minister, she was able to get the maximum amount of public benefit from the budget that was available to her. I am sure that, in succeeding her, Minister Attwood will want to continue to wring every last drop of value out of whatever budget he is handed and, more importantly, to bring dignity to so many thousand people who rely on the agencies of the state to be able to fulfil their right to housing. He will also want to ensure that the long streets do not remain a place of despair or concern but become somewhere where communities can be reborn, not looking back in anger but looking forward, through the eyes of their children and through

the shared services that I am sure we will see some day soon in Girdwood, to the potential of communities that are less divided, less strewn and more able to fully realise their potential.

Mr Lunn: I, too, thank the Minister for following up on his predecessor's recent announcement about funding for new housing in the long streets and the Glen and Parkside areas. I obviously do not represent North Belfast. However, I confess to having some happy memories of it, because I went to school there. I will not go into any particular reason, but Upper Meadow Street is very close to my heart. I do not need to come from north Belfast to know that there is a chronic shortage of social housing there.

The Housing Executive has said that in February, 2,147 people were on the waiting list for housing in that area and 1,427 people were in housing distress. In a society as comparatively wealthy as ours, living in substandard housing should not be regarded as acceptable. It certainly should not be regarded as acceptable for anybody to be forced to bring up their family in someone else's home, perhaps sleeping on a settee for months or years. Stories such as that are all too prevalent in north Belfast. At the moment, my wife and I are waiting for market conditions to improve so that we can sell our house and move to a smaller one, but just a few miles away, three families are living under one roof. That is absolutely appalling.

We are talking about almost the most deprived areas in Northern Ireland. The recently updated multiple deprivation index shows that the census area that covers the long streets is the fifteenth most deprived of 890 areas, which puts it in the top 2%. Water Works 3, which covers the Glen and Parkside areas, is a bit better. It is the seventy-third most deprived area, but that still puts it in the top 10% of the poorest communities. That is even before we take into account the legacy of the Troubles in an area that still lives with deep community divisions. There are interfaces in the long streets and Parkside. The interface in Parkside has been a major barrier to urban renewal and has contributed greatly to dereliction.

There is an irrefutable body of evidence that substandard housing has particularly detrimental consequences on young people growing up. Adolescents living in overcrowded or substandard homes are unlikely even to have a quiet space

to do their homework properly. As a result, there must be a correlation between that sort of housing and poor education performance. Similarly, the correlation between substandard housing and involvement in crime and antisocial behaviour is probably not unrelated.

We all agree that there is a necessity for further investment, added to what has already been announced. However, as the proposer of the motion said, the real challenge is making that investment work.

The Members who spoke previously mentioned how important it is that consultation is done properly. However, I wonder whether consultation is really the right word in this context. In shaping communities, we need genuine participation from the people who will live in them. The current houses on the long streets have stood for around 150 years, and the decisions made now may determine how that community functions for the next 150 years. We are talking about making radical changes to the density of housing and the layout of streets, and about apartments versus terraces. The result, whatever it is, will be fine, as long as it genuinely represents what the community wants and not what the planners want.

Democracy is not just about people making speeches in Chambers such as this one. It is about ordinary people having real control over their lives. We need to get it right in the New Lodge, the Limestone Road and everywhere else in that area, not just for those schemes but so that, in the future, we get it right everywhere in Northern Ireland.

Thank you, Mr Deputy Speaker, for the opportunity to speak in this debate.

The Minister for Social Development

(Mr Attwood): Looking around the Chamber, I am inclined to start by saying: "Speaking to a packed House". However, that would obviously be slightly inaccurate.

I often quote a favourite phrase of mine, which is appropriate when it comes to the success of the residents involved in this campaign, who were aided and abetted by various political parties and by the previous Minister for Social Development. That quote is:

"numberless diverse acts of courage and belief . . . can sweep down the mightiest walls of oppression and resistance."

Whether it is an international, national, or, as in this case, local campaign, that is an accurate expression of what people can successfully do when they are relentless, persistent and face up to resistance from wherever it may come.

Despite what Members may have said about Margaret Ritchie during the debate, through the 11 or 12 years of the campaign, no Minister with the responsibility for housing, in the lifetime of this Assembly or during the years of direct rule, was able to get this decision over the line. Whatever comments may be made in the Chamber or elsewhere, nothing can take away from that reality.

I thank the Members who contributed to the debate and will try to deal with some of the points that they raised. I welcome this opportunity to clarify some of the issues and, importantly, to repeat the very good news that my predecessor, Margaret Ritchie, announced last week. The scale of her diverse contributions and steely leadership is clear to me at the end of what is only my second day in post. I will come back to Members if there are any matters that I am unable to touch on in the time that I have remaining.

Some years ago, the Northern Ireland Executive identified that the upper long streets and the Glen and Parkside areas of north Belfast should be the focus of significant redevelopment activity, such was the poor condition of many homes in those areas. However, although there was agreement that intervention was necessary, no consensus was reached as to what that intervention should be.

We heard today how long it has taken to bring that intervention forward. I say at the outset that there is no doubt that it has taken too long for that work to be completed. Equally, however, let no one claim or hint that Margaret Ritchie is in any way responsible for that. There was a suggestion that, in 2009, she gave indications that the matter would be addressed within weeks. In my view, it would have been folly for the then Minister for Social Development to make announcements that she was unable to deliver on thereafter.

There have been examples of Ministers who have made announcements and, years later, we have regretted at our leisure how those announcements were made and how decisions were taken when a policy, strategy and implementation plan was not in place to take

them forward. Therefore, although the matter has been delayed since 2009, the Minister was entirely right to make a final and full decision only when its immediate and full consequences had been fully acknowledged. I will deal with that matter further shortly.

Plans for redevelopment had been in the pipeline for many years before Margaret Ritchie came into office. Many plans have been developed and discussed with the local community, but none had ever been formally taken through to approval. When Margaret Ritchie visited each of the areas, she was able to see the scale of the problem at first hand. The homes — inner-city terraced houses, some of which were over 100 years old — had reached the end of their lifespan. Some of them had been refurbished several years previously to extend their long lives. In reality, further refurbishment was not a realistic proposition, despite a few suggestions to the contrary. In that respect, the earlier consultation with the community was useful. The results that were announced last week show that we have carefully listened to what the community said.

However, there is another issue to address, which we debated in the Chamber some time ago: the impact of redevelopment on the north Belfast housing waiting list. As Ms Ní Chuilín indicated, that waiting list already has tremendous pressures on it. That is why DSD and Margaret Ritchie needed to develop a complementary solution to the housing problem in the long streets, the Glen and the Parkside. It was not credible, possible nor desirable to simply address the issue of unfit housing in isolation to the needs of those residents who would be displaced as a result of the redevelopment activity. It is not a full solution to solve one problem only to give birth to a new one. That was the perspective of DSD and Margaret Ritchie on this matter.

Therefore, back in February, when my predecessor announced plans to develop social housing at the Girdwood site, she made it clear that that would help to accommodate, if necessary, residents displaced by regeneration activity in neighbouring parts of north Belfast. Plans to develop 200 social homes at the Girdwood site will certainly help to rehouse residents who are displaced by regeneration activity. Clearing that obstacle and creating certainty about the future to that degree allowed DSD and Margaret Ritchie to focus on the final efforts to agree the

scale of redevelopment that was announced last week. Her announcement has ended speculation and allowed residents to look forward to what will happen with some clarity. The announcement created a certainty that work would begin and allowed Margaret, in her last days as Minister, to honour her promise to stand up for residents. Let us recognise that we now have an approved set of plans that can take things forward.

Despite the very challenging economic climate and the pressures already on the housing budget, with the prospect of further savings having to be found, last week's announcement represents a long-term commitment from my Department to the people of the Parkside, the Glen and the long streets. To confirm that commitment, some £7 million of funding has been ring-fenced in the current financial year to allow work to start in each area right away, although work will, obviously, have to be phased over several years.

That represents the start of a process that will transform housing in the affected areas. Alongside our plans for Queen Victoria Gardens — another redevelopment area in north Belfast — last week's announcement represents an investment of £38 million in the area. That investment will see 276 mostly small and unfit homes demolished and replaced by 147 modern homes, which will largely accommodate families —

Mr P Maskey: Will the Minister give way?

The Minister for Social Development: I will in a second. Those homes will largely be for family accommodation and will be built to modern standards in environmental performance and sustainability.

Mr P Maskey: I thank the Minister for giving way. I was born and reared in the long streets, and I am very proud to have lived there. Did I hear the Minister say that the expenditure would start right away? I am not sure whether I picked up what he said correctly.

The Minister for Social Development: I can confirm that I said that work would start right away. It will start right away in a number of ways. That leads me to address the issues that were raised by Ms Ní Chuilín, who asked when proper consultation will begin. My Department is already preparing information leaflets to be distributed door to door so that people in the neighbourhood know what is going to happen.

I agree with Ms Ní Chuilín that the consultation exercise must not consist of box-ticking.

There must be actual participation, because too often in this jurisdiction, the outworking of a consultation is about ticking boxes and is not about the full and proper participation of residents and other communities in decision-making.

5.00 pm

I also confirm to Ms Ní Chuilín that I intend to bring a paper to the Executive shortly to create further certainty about how we will take forward the Girdwood proposals. It is my intention that there will be decanting on to Girdwood from the properties that will be demolished. However, whatever does or does not happen with Girdwood, decanting will be made available in north Belfast for the residents who will be affected by that demolition.

Ms Ní Chuilín also raised the issue of procurement, and the housing association that is appointed to develop that work will take that forward. I want to make it very clear, however, that one of my interests as Minister for Social Development is to mainstream and embed social clauses much more deeply in my own Department's procurement policies. If I can prevail on other Ministers to do likewise with Government contracts, I will do so. Much good work can be done in that area. I apologise that I will not be able to address all the matters that Ms Ní Chuilín and other Members raised, but I undertake to commit to write to Members in the very near future.

The Housing Executive will now start a conversation with each community with the aim of agreeing an implementation plan to take that work forward. That dialogue can begin at once. Just as the community had its rightful say in what we would deliver, it will now have its rightful say in how it will be delivered. Whatever the ungracious remarks that one Member made about Margaret Ritchie, in my view, the grace and dignity that she brought to social development and housing is a much more substantial and significant message.

Adjourned at 5.02 pm.

Northern Ireland Assembly

Tuesday 1 June 2010

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

Members observed two minutes' silence.

Assembly Business

Committee Membership

Mr Speaker: I have been notified by the nominating officer of the SDLP, Ms Margaret Ritchie, that Mr Declan O'Loan has been replaced as Chairperson of the Committee on Standards and Privileges and as Deputy Chairperson of the Committee for Culture, Arts and Leisure with effect from 28 May 2010. Ms Ritchie has nominated Mr Pat Ramsey as Chairperson of the Committee on Standards and Privileges and Mr P J Bradley as Deputy Chairperson of the Committee for Culture, Arts and Leisure. Mr Pat Ramsey and Mr P J Bradley have accepted the appointments. I am satisfied that the correspondence meets the requirements of Standing Orders, and I therefore confirm that Mr Pat Ramsey is Chairperson of the Committee on Standards and Privileges and that Mr P J Bradley is Deputy Chairperson of the Committee for Culture, Arts and Leisure with effect from Friday 28 May 2010.

Matters of the Day

Gaza: Attack on Flotilla

Mr Speaker: Mr Raymond McCartney has sought leave to make a statement on a matter that fulfils the criteria set out in Standing Order 24. I will call Mr McCartney to speak for up to three minutes on the subject; I will then call representatives of each of the other parties, as agreed with the Whips. Those Members will each have up to three minutes in which to speak on the matter. There will be no opportunities for interventions, questions or for a vote on the matter. I will not take any points of order until the item of business is concluded. If that is clear, we will proceed.

Mr McCartney: Go raibh maith agat, a Cheann Comhairle. Ba mhaith liom ar dtús thar ceann Shinn Féin ár gcomhbhrón a dhéanamh le teaghlaigh na ndaoine sin a maraíodh agus a gortaíodh inné.

I express Sinn Féin's sympathy to those murdered and injured by Israeli paratroopers on the freedom flotilla yesterday and our solidarity with the Irish people being held in custody by the Israeli Government. We condemn the assault on the flotilla, which was bringing humanitarian aid to the people of Gaza. We echo the call from the United Nations to have a prompt and impartial inquiry. In those circumstances, and because of the Israeli record, the inquiry must have an international dimension to underwrite and guarantee its impartiality. Now is the time for immediate action, and the United Nations should take the lead in that. I also echo the call made by my party colleague Aengus Ó Snodaigh for the expulsion of the Israeli ambassador from Dublin.

The modus operandi and location of the attack by the Israelis in international waters shows a total disregard of all acceptable standards of

international rule of law and for any diplomatic or humanitarian efforts to break the siege imposed on the people of Gaza. Since the total destruction of Gaza through bombing last year, the infrastructure, including hospitals, schools and homes, has not been rebuilt. Indeed, the Israelis have imposed such sanctions on the people of Gaza that not a single consignment of the necessary building materials for the restructure and reconstruction of Gaza has been allowed in.

That is the context in which human rights and peace activists and people of international repute have taken to land, convoys and, in the latest attempt, to the seas to make the beleaguered people of Gaza understand that they have international support to ensure that the conditions that they live under will finally be broken. That is the context in which the Israelis stormed the ships in international waters. That is why many people are standing in protest right across the world and why many countries are calling their Israeli ambassadors to their Governments to ensure that, for once, Israel will start to listen to international opinion. That is why we welcome the intervention of the United Nations. We wish that it was stronger, but we accept that there is a need for an impartial inquiry and that that inquiry should have an international dimension.

I hope that everyone in the House will understand the humanitarian aspects of the issue and that the Assembly sends a strong message that Israel's record on the violation of rights of the Palestinian people, when held up to scrutiny, is a matter of disrepute.

Mr Bell: I reinforce my party's solidarity with the state of Israel. That state has been under systematic terrorist attack since its conception. The Member opposite does not realise the shame that some Israeli children have to go to schools that are three minutes away from an air raid shelter because they will have to dash into those shelters on several occasions through the day.

I am disappointed that the House did not make a statement about the Katyusha rockets that were used to murder Jewish Israeli children. There was no statement in the House, no message of support and no condemnation of Hamas, who wish to drive the Jews into the sea. Nothing was mentioned in the House about the attack and murder of innocent Israeli children on their way to school. There was no statement and

no condemnation from this House: the hypocrisy is rank.

Sadly, the circumstances are that members of Hamas still believe it is correct to drive the Jews into the sea. There still exists the Nazi mentality to slaughter all Jews and take away the state of Israel. That will never happen. There are those who are determined to inflict pain and injury on the innocents of Israel. Israel provided a way forward whereby any humanitarian could enter the country, as could aid. That aid would be searched, dealt with appropriately from there and delivered. However, those circumstances had to be avoided. Why? The reality, whether we wish to face up to it or not, is that there are those who are still determined to smuggle guns, bombs, Katyusha rockets and everything else to attack the state of Israel, to murder Israeli schoolchildren and to attempt to destroy a sovereign state.

The people who are criticising Israel for humanitarian issues are the same people who were quite happy to take a single mother of 10 children and strip, torture, murder and leave her lying at the side of a road. Those people are telling us about humanitarian aid, but, with respect —

Mr O'Dowd: On a point of order, Mr Speaker.

Mr Speaker: I know that the Member wishes to raise a point of order. However, it is absolutely clear that points of order cannot be taken during the debate. I remind the whole House to try, as far as possible, to stick to the original debate.

Mr Bell: The way forward is to follow the guidelines that were set down for the provision of humanitarian aid. With respect, we will not take lectures on humanitarian support from those who have been prepared to shoot off-duty police officers as well as those off sick or on disability pensions. Israel will not be driven into the sea. Attempting to destroy the state of Israel is like pushing water up a hill. If the international guidelines are followed, humanitarian aid can come in. As a Christian, I deprecate any loss of life, but I wish to make it absolutely clear that the state of Israel has a right to defend itself against attack and will do so.

Mr Speaker: The Member's time is up.

Mr Kennedy: I join with other Members in expressing regret at yesterday's loss of life. On behalf of the Ulster Unionist Party, I welcome

the United Nations' call for an impartial inquiry. However, the shape that such an inquiry will take remains to be seen. Yesterday's incident highlights the underlying need to find a solution to the complex issues at stake in the Middle East. The American Administration and other Governments, including the British Government, are keen to see progress on that and long-term security for the Israeli state and some kind of acceptable state for the Palestinian people.

Given our experience of terrorism and how it was dealt with in Northern Ireland, I think that a section of the unionist population have more than a sneaking regard for the manner in which the Israeli Government defends Israel and puts its security considerations above all others. However, international obligations must be met and accepted. All of us regret yesterday's loss of life.

Mr McDevitt: SDLP representatives have stood up against violence, be it from state or paramilitary sources, for 40 years. It is a matter of regret for us that we must do that not once but twice today. We must stand up against the use of violence, irrespective of which side it is from.

We should all stand in solidarity with the ordinary civilians who live in fear on both sides of the border between Palestine and Israel, with those who live in fear of attack from Hamas or the Israel Defense Forces, and with those who live under permanent arrest and are prisoners in their own land. We must remember that we are discussing this tragedy this morning because Irish and British men and women are now prisoners and are at the fate of the Israeli state, which has a questionable record of human rights, after being seized in international waters that were outside the boundaries of that state.

I would like a twofold message to be sent from this region this morning. First, it is dangerous and improper to try to superimpose our own conflict on someone else's. Each conflict has a circumstance that we need to understand, and we should never assume that we understand it totally. The second message that we need to send out today is that, as difficult, awkward, painful and long as it may be, a security response is never a solution to a human crisis.

10.45 am

We say that not from experience but in the desperate hope that, in the weeks and months ahead, there will be a UN investigation and that

it will have credibility and standing. We hope that the people of both Israel and Palestine will be able to sit down around a table to find harmony in their discord, find negotiated settlement, respect each other's right to exist and each other's borders and come and visit us in peace some day.

Dr Farry: The Alliance Party is happy to stand in solidarity with others in condemning the loss of life in this incident. It is important to recognise that it is a breach of international law. The international community does not recognise Israel's control over Gaza or the West Bank. The clear view of the international community, as first expressed in UN Security Council Resolution 242, is that those have been occupied territories since 1967. Any blockade of Gaza is, therefore, a breach of international law. Even if a blockade were legal, the loss of life is a clear indication of a disproportionate use of force. Everyone around the world needs to reflect on that.

Bearing in mind that the Israeli-Palestinian question has been one of the most polarising issues for the international community and, indeed, as we have seen this morning, the House, the fact that, so far, there has been a unity of purpose from the UN Security Council is telling as regards the balance of right and wrong in this case. That said, in the wider context, it is important that we acknowledge that the situation is far from black and white. There are flaws on both sides, and wrongs have been committed on both sides. There is an appalling humanitarian situation in Gaza, in particular, but also in the West Bank. We must also acknowledge that there have been ongoing attacks from Hamas against the Israeli population including civilians, which have led to Israel feeling the need to make an overly security-focused response.

I respect Israel's right to exist as a state and recognise that Israel feels very isolated and alone internationally. However, it is important that we help Israel to acknowledge that the only sustainable way forward lies in negotiating a two-state solution with the Palestinian people. We must also put pressure on the Palestinians to formally recognise Israel's right to exist as a state. We hope that, through a negotiated peace that follows the lessons of Northern Ireland, we will see peace in the Middle East.

Ms Purvis: I join colleagues in extending sympathy to all the innocent civilians who have been killed in recent days. Given the divisive and exclusive peace process that we have come through and, indeed, continue to come through, it is important that the House does not take sides in what is clearly a very complex and difficult situation. Instead, we must support both sides of the conflict in the Middle East in trying to come to a peaceful solution for all the people.

Mr Bobby Moffett

Mr Speaker: Mr Alban Maginness has sought leave to make a statement on a matter that fulfils the criteria set out in Standing Order 24. I will call Mr Alban Maginness to speak for up to three minutes on the subject. I will then call representatives of each of the other political parties, as agreed with the Whips. Those Members will also have three minutes to speak. There will be no opportunity for interventions, questions or a vote, and I will not take any points of order until the item of business has been concluded.

Mr A Maginness: I rise to speak about the death of Mr Moffett on the Shankill Road. His murder was an act of terrible violence, perpetrated in public in a manner that, sadly, bears all the hallmarks of a paramilitary organisation. I hope that all Members condemn that murder. All reasonable people should do so, and I hope that lessons are learnt from that terrible reminder of our ghastly past.

Questions arise because it has been suggested, or alleged, that Mr Moffett was a member of the UVF. It has also been suggested that his murder was carried out by the UVF or by people associated with it. If that is the case, serious questions must be put to the UVF: is it still a paramilitary organisation actively involved in violence? Or is it no longer extant as a paramilitary organisation and was the murder carried out by elements that purport to represent that organisation? I hope that, in due course, the Minister of Justice will make a report to the House and that he can outline clearly and in detail the circumstances of the murder and answer some of the questions that I have just posed, because it is necessary that those questions be answered to give the public confidence.

The people of the greater Shankill Road area have worked hard to redevelop their community, not just physically, but also —

Mr Speaker: The Member's time is up.

Mr A Maginness: Let me conclude by saying that one supports that work and hopes that true peace will reign on the Shankill Road and that its people will be able to continue the rebuilding process.

Mr Dodds: I join with all who expressed sympathy to the family of Bobby Moffett, who

was callously and brutally gunned down, in broad daylight, on the Shankill Road on Friday afternoon. It was an appalling and heinous crime, carried out in full view of passers-by and shoppers.

I spoke to people on the Shankill Road on Friday and yesterday in the greater Shankill area at a big event at which many hundreds of people were present. There is a sense of deep shock, horror and tension at that killing. People believed that they had seen the last of such events, and I earnestly trust and hope that people will co-operate with the police and security forces to bring those responsible for that terrible crime to justice.

The killers have no support or cover whatsoever from people in the Shankill area. People there do not want to see that kind of event and they want to see justice done. As the mother of Bobby Moffett said so eloquently, she wants no retaliation and justice done. Let us all join in ensuring that justice is done.

Wider questions have been raised. There is a lot of speculation and rumour. It is vital that the truth be brought out. No stone should be left unturned in the pursuit of truth and justice, and I urge the police to come forward and tell the public what is known about the weapons involved. They should be quite open, as should all the other authorities, about what lies behind the attack, who was involved and all the rest of it. Such facts must be exposed to the light of public opinion and truth.

My main plea to the House is made on behalf of the overwhelming number of people whom I and my colleagues represent on the Shankill Road, and it is for no further acts of violence or retaliation, for people to remain calm, for justice to be done and for those who carried out the act to be brought before the courts to be tried and convicted. Everybody should play their part in achieving that.

Mr P Maskey: Go raibh maith agat, a Cheann Comhairle. It is important that I start by extending my party's sympathy to the entire Moffett family. I commend the bravery of individuals close to the scene on Friday afternoon who chased away the attackers and the courage of the medics who tried to save Mr Moffett's life in the moments before his death.

The shooting shocked us all. I first heard of Mr Moffett's death in a phone call from a journalist

on Friday afternoon. We thought that such incidents were a thing of the past and that the future could be much more positive for areas such as the Shankill Road and other parts of west Belfast. I do not want to speculate on who murdered Bobby Moffett or why he was killed. That is something for the PSNI to establish in its investigation, and I echo Nigel Dodds's call for information and statements. That needs to happen as soon as possible.

The murderers were not thinking of the Shankill Road or its community, and they could all too easily start a feud, which, experience has shown us, often starts with the killing of one person. I certainly do not want to see that happen in that part of Belfast. It is important that we all work hard and collectively to ensure that that does not happen. However, over many years under direct rule Ministers, communities in the Shankill Road and other parts of west Belfast have not received investment. That is the reason for some of the problems in areas such as the Shankill.

The office of the West Belfast MP, Gerry Adams, worked closely with a number of community organisations in the Shankill. My own office has worked on successful joint initiatives. We must all work collectively to ensure greater investment in areas of most need and of deprivation and to highlight issues of concern there.

My party offers its sympathies to the entire Moffett family. We hope that they get over their grief, although it will take a long time. There is also a wider picture for the Shankill Road. We hope that the community there gets over the killing as well and add our call to those for no retaliation.

Mr Cobain: I begin by taking the opportunity, on behalf of the Ulster Unionist Party, to unreservedly condemn the murder of Bobby Moffett last week and to extend our sympathy to Mrs Moffett and her family. I also take the opportunity to say that anyone who has any information about the murder should give that information to the police.

As my colleague Mr Dodds has said, people on the Shankill are saddened and shocked by the brutality of Bobby Moffett's murder.

The Shankill has seen many atrocities over the years, and the one last week ranks among them.

11.00 am

There are wider questions, which my colleague Alban Maginness raised, but those are for the future. As politicians, we are all working together to try to bring incidents like that to an end. The killing of Bobby Moffett serves no purpose. That community has gone through enormous traumas over the past number of years because of internal strife. We thought we had seen the last of that, but clearly not.

Anyone who has any information whatsoever needs to turn that over to the proper authorities so that the people who are responsible for the callous murder last week are brought to justice.

Dr Farry: The Alliance Party joins others in condemning the killing of Bobby Moffett. Clearly, it was a very brutal murder in broad daylight, and it shocked the community. Indeed, it is a killing that creates fear in the community and raises questions about the potential implications of what it all means. It is important that there is not a rush to judgement about what happened and that we remain open-minded regarding motives for the killing. It is also important that people co-operate with the police to ensure that the killers are brought to justice.

I recognise the enormous leaps forward that have been made by loyalist organisations in recent years, particularly in recent months, in relation to the clear renunciation of violence and the decommissioning acts that have occurred. It is also important that we recognise and clearly state that our understanding and expectation of a ceasefire is that it is all-embracing in respect of the end of violence. There certainly can be no quarter or allowance given for any notion of so-called internal housekeeping or for feuds to occur under the radar. In the past, mixed signals were given — quite wrongly — by some of our leaders, and it is only in more recent years that a more clear and unambiguous message has been given about ending all forms of violence. That message needs to be restated today and stressed further.

We have to have a clear understanding of the rule of law in Northern Ireland. There cannot be any situation in which some killings are regarded as aberrations to be swept under the carpet. Every killing raises questions about how we respond as a society. Over coming days, it is important that loyalist representatives reassure the wider community of their continued commitment to ensuring that there is no return

to violence and that they are fully on the path towards working in a manner consistent with democratic and human rights principles for a better society, not just for their communities but for all of us in Northern Ireland.

Ms Purvis: On behalf of the Progressive Unionist Party, I express my condemnation of the horrific killing of Bobby Moffett on the Shankill Road last Friday. I extend my sympathy to the Moffett family for what they are going through currently and to the people of the Shankill and the greater Shankill who witnessed the event last Friday. I trust that they will receive the help and support that they need.

Those responsible for the horrific murder of Bobby Moffett last Friday are not interested in democracy or politics delivering for the people of Northern Ireland. Well, the vast majority of the people of the Shankill and the vast majority of our community are interested, and we, in this Chamber, are responsible for making politics work. I appeal to the public to assist the police in bringing those responsible to justice.

If media speculation about who is responsible is found to be correct, there are potentially serious consequences for the peace process; therefore I further ask that the Minister of Justice give his assessment to the House as soon as possible.

Ministerial Statement

Planning Policy Statement 21: Sustainable Development in the Countryside

Mr Speaker: I have received notice from the Minister of the Environment that he wishes to make a statement.

The Minister of the Environment (Mr Poots): Mr Speaker, with your permission I shall make a statement that I am issuing Planning Policy Statement 21 (PPS 21) on sustainable development in the countryside, which was agreed by the Executive on 27 May 2010. In addition, I am withdrawing draft PPS 21 and its accompanying ministerial statement, which were issued on 25 November 2008 by the previous Minister of the Environment. The publication of PPS 21 ends uncertainty about development in the countryside and provides the planning policy context for deciding planning applications in rural areas. Furthermore, the planning policy will be accorded substantial weight in the determination of any relevant planning application received after 16 March 2006.

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

PPS 21 has been refined, improved and clarified. In finalising it, the Executive subcommittee on the review of rural planning policy considered the response to the public consultation on draft PPS 21 and the report of the independent working group on non-farming rural dwellers. The subcommittee also took account of what the Planning Service learned from implementing draft PPS 21 and of decisions made by the Planning Appeals Commission.

In organising the public consultation, my officials went to great lengths to ensure that as many people as possible had the chance to learn about and comment on draft PPS 21. In support of the consultation, my Department organised 16 information days across Northern Ireland, which attracted more than 2,500 people, including rural dwellers, farmers, developers and public representatives. My officials spoke to most of those people individually. They also made representations to district councils, non-governmental organisations, the Housing Council, the Royal Society of Ulster Architects, the Royal Town Planning Institute, rural network groups and the Ulster Farmers' Union.

We received 320 responses to the consultation, more than half of which were from private individuals. Almost everyone who responded to the consultation generally supported the draft PPS 21 policies, and we have carried all those policies forward into the final version, strengthening them as necessary to take account of points that were raised.

Draft PPS 21 provided for grouped development outside settlement limits; grouped development in dispersed rural communities; groups of affordable or social housing; and infilling gaps in ribbons of development. By defining a ribbon as a minimum of three rather than six buildings, which has been the practice to date, the final version of PPS 21 introduces further opportunities.

More significantly, I won Executive support for the new policy to provide for the rounding-off or consolidation of development clusters, namely, existing clusters of at least four buildings that have developed around focal points, such as a church or at a crossroads. It makes good sense to allow new dwellings to be built at those clusters as long as they round off and consolidate the existing cluster and do not intrude into the surrounding countryside.

With respect to dwellings on farms, consultation respondents told us that it may not always be possible or practicable to build a new dwelling in close proximity to existing farm buildings. Therefore, I revised the policy to allow for an alternative site to be used where it can be demonstrated that there are health and safety issues or that the applicant has genuine plans for business expansion.

Since respondents asked us to provide definitions and clarifications, the final version of PPS 21 defines terms such as "curtilage", "active farm" and "a substantial and built-up frontage". The policy makes it clear that non-listed vernacular buildings should be retained if they make a:

"contribution to the heritage, appearance or character of the locality".

In addition, PPS 21 makes it explicit that a building that is retained as part of a replacement development will not be eligible for replacement again. Such amendments will make PPS 21 easier to use and should help applicants to make better applications. Furthermore, it will help planners to make better and faster decisions.

As with any new policy, senior management will advise staff to ensure a consistent approach across divisions.

I will turn now to the issue of non-farming rural dwellers. During the review of rural planning policy, some stakeholders suggested that residence or employment in an area or even family connections should entitle people to planning permission for dwellings. Others called for a test to identify people who really needed to live in the countryside. The Executive subcommittee considered those ideas carefully, and I can appreciate why some favoured such an approach. However, policies that rely on kinship or residency are unlikely to constitute proper discharge of the equality and good relations obligations under section 75 of the Northern Ireland Act 1998. They may also be contrary to European law. Difficulties in deriving lawful and objective criteria for such policies mean they are unlikely to constitute proper planning considerations. However, in view of the interest in the issue of non-farming rural dwellers, it was recognised that more work needed to be done. The Executive therefore agreed that an independent working group, with clear terms of reference, should be set up to bring forward options. In doing that, the group was required to take account of domestic and European legislation; relevant policy across the United Kingdom and the Republic of Ireland; and the outcome of the consultation on draft PPS 21.

The group comprised experts from the fields of planning, the environment, rural development and the law, and it was chaired by Jim Mackinnon, the chief planner for the Scottish Government. Work began in February 2009, and in September Mr Mackinnon presented conclusions to the Executive subcommittee on the review of rural planning policy. The group's report was then published on the Planning Service's website.

The independent working group reached a number of conclusions. I am not going to list them all, but I will draw some of them to Members' attention. The group concluded that:

"Planning policy should not create a special category for the non-farming rural dweller. Planning decisions for single houses should not be determined on the basis of kinship, connection or occupation".

That reflects our approach to PPS 21. Almost all of its policies are relevant to non-farming rural dwellers. Those include policies that allow for the reuse or replacement of existing

buildings; for new development in dispersed rural communities and in ribbons or clusters of development; and for social or affordable housing. All of those can benefit the entire community.

That does not mean that there is nothing more to be done: quite the reverse. The independent working group encouraged us to look beyond PPS 21 to the wider planning framework and to consider rural development. It said:

"The RDS, while recognising the diversity of rural Northern Ireland, needs to support and manage positive change through a planning framework that recognises the local dimension ... The aspirations of local communities need to be at the heart of any future approach and should be an important consideration in preparing development plans".

The local dimension will be strengthened when we devolve development plan and development management functions to local councils. Those crucial areas of decision-making will then be under local democratic control, exercised within a planning framework set out in the regional development strategy and planning policy statements.

The Minister for Regional Development is already reviewing the regional development strategy. He has agreed that the revised version will recognise the diversity of rural areas. That will allow planning authorities to take rural diversity and local circumstances into account in drawing up their development plans.

With regard to rural development, the Minister of Agriculture and Rural Development is leading the formulation of an Executive rural White Paper, which aims to identify measures that the Executive can take to address the needs of rural communities and to help ensure the sustainability of rural areas.

All of that has moved us forward. However, there is more to be done. That is why I have invited the Ministers on the Executive subcommittee to continue to work with me on the issue of non-farming rural dwellers. We will bring forward an addendum to PPS 21 to further address the issue. It is not an easy subject, and we will not produce the addendum in a month or even in six months. We will think carefully, and we will be transparent in our work. Our policy proposals will be subject to public consultation and to debate in the House.

When Sammy Wilson published draft PPS 21, he said that, because of the complex issues involved, it would be reviewed two years after it was published in final form. I am happy to reiterate that commitment. I have already asked the Planning Service to monitor the number of rural applications and subsequent approvals and refusals to establish what changes, if any, occur as a result of the implementation of the new policy.

11.15 am

When draft PPS 21 was published, the Planning Service held more than 2,000 applications that had been deferred because they were likely to be refused under draft PPS 14. All those applications were reassessed under draft PPS 21, and 585 were approved. Taking account of cases that remain deferred and further applications that were deferred refusals under draft PPS 21, there are now more than 2,500 deferred cases. Those cases will be reconsidered in the context of PPS 21, which I am publishing today. The Planning Service will do that over the next six months.

PPS 21 has had a long gestation. It is the product of much hard work by many people over a long time. I want to place on record my gratitude to my predecessors, Arlene Foster and Sammy Wilson, and to all the Ministers in the Executive subcommittee who worked together to develop the policy. I also want to highlight the vital contribution of the many stakeholder groups and members of the public who took the time to participate in seminars, visit information days, respond to the consultation or write to the Department with their views. I thank them all.

In developing PPS 21, the Department has done what it promised: it has balanced the need to protect the countryside from unnecessary or inappropriate development while supporting rural communities. The Department has developed a policy that is right for Northern Ireland. The policy demonstrates that devolution can deliver tangible benefits for local people. Under direct rule, a blanket ban was placed on development in the countryside, and the Executive and the Assembly, which are accountable to the people of Northern Ireland, have developed a policy that is a major step forward for rural planning and for the development of rural communities. I commend it to the House.

The Chairperson of the Committee for the Environment (Mr Boylan): Go raibh maith agat,

a LeasCheann Comhairle. On behalf of the Committee for the Environment, I welcome the Minister's statement on PPS 21. There is likely to be a resurgence of rural planning applications as a result of the new proposals. Therefore, I wish to ask the Minister whether he intends to revisit his decision to redeploy 271 planning officials or whether he can guarantee that the realigned Planning Service will meet the demands of the finalised version of PPS 21.

As an MLA for Newry and Armagh, I believe that the new proposals will create further opportunities. However, the Minister has recognised that there is a gap in the policy and, whether a category of non-farming rural dwellers is created or not, that gap must be addressed. When will the Minister reconvene the ministerial subcommittee to consider that issue? Will the Minister also confirm when a new rural design guide will be published?

The Minister of the Environment: There is a problem with the finances of the Planning Service, which dropped by 45% in the past four years because money was not brought in through planning applications. Unless there is a change in government policy my hands are tied. I am meeting the trade unions later today, and I am prepared to consider the potential for short-term working to prevent the need to disperse jobs through other areas of the Civil Service. I am also prepared to be innovative and inventive in seeking solutions if others are prepared to do the same.

Some years ago, there were 22,000 live planning applications at all times in the system. Today there are 11,000, including 2,500 deferred planning applications for PPS 21, which have been in abeyance and have had no work done to them since they were deferred at council level. That figure includes other planning applications that are not being moved forward by applicants for various reasons. Therefore, after today, we will have 9,500 live applications in the system. That represents some 10 applications for every person employed in the Planning Service or some 20 applications for every planning officer. We need to take that into account. The Planning Service is not on its knees and will not be on its knees after the review of the number of people whom it employs.

We received an independent working group report on the issue of non-farming rural dwellers. I went beyond its recommendations to try

to accommodate non-farming rural dwellers, perhaps living in clusters, and to develop new ideas on clusters and so forth. Therefore, we sought to help in the best way possible. More work needs to be done, and an Executive subcommittee will be set up as soon as it is convenient for all Ministers involved to reconvene. It will not be held back on my account. The Department of Agriculture and Rural Development and the Department for Regional Development have a lead role in the development of the policy on non-farming rural dwellers, and I intend to work closely with them.

The issue of rural design and a new design guide featured strongly in the public consultation, and that aspect of policy remains largely unchanged. However, clarification has been added to emphasise the need for careful site selection and to encourage applicants to submit design concept statements with their applications. The policy seeks to promote good design for all building in the countryside and allows for contemporary proposals. Work has begun to update the current design guide for rural Northern Ireland, and consultants have been appointed. The work will consider the design of new dwellings and schemes for the refurbishment of existing properties. It will take account of traditional and contemporary design and use of materials, and I will issue a draft for consultation in autumn 2010.

Mr Deputy Speaker: Before I call the next Member, I inform the House that there is a great deal of interest in this subject. Approximately 16 names are listed, and, therefore, I ask Members to be brief.

Mr Weir: I thank the Minister for his statement. Will he confirm that all applications that are currently in the system will be dealt with under the new planning policy statement? Furthermore, he highlighted the rounding-off of clusters of development for consolidation as a significant issue: has there been any assessment of the opportunities that that will create or the number of developments that it will affect?

The Minister of the Environment: We expect it to affect a considerable number of potential development areas across Northern Ireland. Small clusters already exist at churches, schools and crossroads, and we intend to fill those out or finish off the cluster, as opposed to extending. It will create considerable opportunities for people to build further

sustainable developments in the countryside that will not result in the bungalow blight that people say exists in places such as Donegal. In effect, it will complete construction that has already taken place at sites.

Mr Beggs: Will the Minister clarify what exactly is meant by “consolidation”? How many houses can be expected in a location, given that they fall outside area plans: one, two, 10 or more? In addition, given that those houses are unlikely to be linked to a sewerage system, how will we ensure that overly extensive development on such sites does not create drainage or sewerage problems?

The Minister of the Environment: When people are working on sewerage systems and there is the potential for substantial damage to our river systems, they must carry out mitigating procedures. People’s homes do not have to be linked to a sewerage system, and they can have their own systems, which could deal with sewage much more effectively. If required, reed beds and so on can be used to wholly mitigate damage from septic tanks.

Mr Beggs asked about the number of houses, and it is better to be non-specific. We are talking about the rounding-off and completion of clusters. In areas where houses are dotted around a crossroads, church or school, gaps will be filled rather than clusters being extended. That may mean building two houses or six houses. It depends on the site, but it is better to be non-specific, because the policy is about filling gaps. In some areas, a dozen houses may already be on the site, and there may be room for a further 12. That remains to be seen, and each application will be dealt with as it is presented to us.

The Deputy Chairperson of the Committee for the Environment (Mr McGlone): Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his statement, which covered a number of issues. I particularly welcome the slight change that has been made to the policy on the location of farm dwellings, as well as the concept of clustering and the new definition of infill, which will be subject to Planning Service interpretation. However, we await the outcome on that.

I wish to raise the issue of non-farming rural dwellers. From what I have heard today, it appears that the concept of what used to be known as a stand-alone single house in the

countryside has almost disappeared from policy, with the exception of farm dwellings that meet health and safety criteria. As a rural dweller who understands the needs of rural communities, I ask the Minister what assurances he can give that that issue will be prioritised in the Executive subcommittee. Is there a conceivable time frame for the Executive subcommittee to come up with proposals to deal with non-farming families so that the Committee can work to determine the subcommittee's views? That is not clear from the statement.

The Minister of the Environment: The Deputy Chairperson of the Committee will recognise that there cannot be a housing free-for-all in the countryside. PPS 14 introduced a blanket ban, which was wholly unsuitable for sustaining rural communities. Draft PPS 21 helped considerably, and PPS 21 will help further. Most of the proposed CTYs deal with non-farming rural dwellers. They deal with clusters around crossroads and churches, with infilling and with people in households who experience ill health. A considerable number of applications from non-farming rural dwellers are covered in PPS 21.

We recognise that there is a demand, but no one has yet got their head around the question of how to meet that demand without creating a free-for-all. I am prepared to work further with my Executive colleagues on seeking a means of doing that without creating bungalow blight, which could damage the natural environment as well as damaging the environment in other ways.

Mr McCarthy: I welcome the Minister's announcement. We have waited a long time for the decision, and I welcome the fact that a locally elected Minister made it, rather than an arrogant cross-channel Minister who had no knowledge —

Mr Deputy Speaker: Ask a question, please.

Mr McCarthy: — a Minister who had no knowledge of the Northern Irish people, particularly of rural people who wish to build in the countryside. Will the Minister assure the House that, as was mentioned earlier, all future rural housing will be designed to be in keeping with our beautiful countryside? The Minister said that PPS 21 refers to buildings making a:

“contribution to the heritage, appearance or character of the locality”.

Mr Deputy Speaker: Can we have a question, please?

Mr McCarthy: Can the Minister assure the House that all new houses will be in keeping with our beautiful countryside?

The Minister of the Environment: I refer the Member to my response to the Committee Chairperson. I said that consultation would take place on a rural design guide in autumn 2010. The policy allows for contemporary dwellings on occasion. Indeed, a constituent of mine recently built a barn and attached it to an old building. His family will live in that as their home, and it is similar to the old Dutch barns. There is room for people to have novel ideas that are still appropriate for the countryside.

11.30 am

Mr Ross: I thank the Minister for his statement this morning. Will he inform the House of the concerns that the public raised with him during the consultation or the stakeholder events? How has he addressed those concerns in bringing forward his final statement this morning?

The Minister of the Environment: A considerable number of concerns were raised, one of which related to farmers who had to build right beside their property. I do not want to move away from the concept of clusters, because if that happens, there will be dwellings dotted all around our landscape. Therefore, we have created the opportunity for cases to be made to move away from larger farms, in particular, which have a lot of machinery and tanks for the storage of slurry and other materials, and beside which people do not want to have to rear their children. A case can also be made for farmers who wish to expand, because the area of expansion may be the only suitable place for a dwelling within that cluster development. That issue was pressed home to us on a regular basis.

The issue of non-farming rural dwellers was also raised quite a lot, and we have sought to address that by improving the opportunities for infill dwellings by infilling the existing clusters around crossroads, churches, schools and other such opportunity sites. Those are a couple of the areas that were raised fairly regularly.

Mr McKay: Go raibh maith agat, a LeasCheann Comhairle. I welcome the progress made on PPS 21, but I echo what other Members have said about non-farming rural dwellers. Some

progress has been made in that area, but it is clear that a lot more needs to be done to help non-farming rural dwellers and to ensure the sustainability of rural communities. I suggest that there are opportunities for the reuse of old or derelict buildings. It is clear that there are inconsistencies in the implementation of that part of the policy across different districts. How will the Minister maximise the potential of those sites and ensure that there is consistency across all planning sectors?

The Minister of the Environment: Policy CTY 4 deals with the reuse of existing non-residential buildings. It states:

“Planning permission will be granted to proposals for the sympathetic conversion, with adaptation if necessary, of a suitable non-residential building for a variety of alternative uses, including use as a single dwelling, where this would secure its upkeep and retention.”

The section contains a list of criteria that the proposals will be required to meet. One, which must be met and which, perhaps, will help to deal with some of the issues raised is that it must be proven:

“access and other necessary services are available or can be provided without significant adverse impact on the environment, the character of the locality or road safety.”

Furthermore, access to the public road must not prejudice road safety or significantly inconvenience the flow of traffic. Therefore, there are grounds for reusing existing non-residential buildings, and that area is well covered in CTY 4.

Mr I McCrea: I thank the Minister for his long-awaited statement to the House. Will he detail the major differences between draft PPS 21 and the final version of PPS 21, particularly in respect of access to sites, because I know that that was one issue that was raised previously?

The Minister of the Environment: I will go through it as quickly as possible. CTY 2A has been introduced for a new dwelling, which rounds off or fills in a gap in existing clusters of buildings around a church, hall, community centre or crossroads. Policy CTY10, which deals with dwellings and farms, has been amended to allow consideration of alternative sites for a new dwelling on a farm away from existing buildings where there are health and safety grounds or verifiable plans to expand the farm

business. Changes to the policy for replacement dwellings make clear that buildings that were previously used as dwellings could be eligible for replacement, and that includes abandoned dwellings. PPS 21 also provides clarification on terminology to enhance consistency of interpretation and to avoid uncertainty.

In finalising PPS 21, account has been taken of responses to the public consultation, operational planning experience, decisions arising from appeals to the PAC, and the independent working group report. All the changes make for a clearer policy document, which provides for consistency of interpretation across the planning divisions and facilitates a sustainable approach to development in the countryside.

Mr Elliott: I thank the Minister for the progress in bringing the document forward. CTY10, which relates to dwellings on farms, mentions visual links or clusters. The Minister will be aware of my concerns in that regard, but I note his flexibility in saying that, in certain circumstances, it may not be possible to move away from that cluster. The Planning Service can often use that as a negative opportunity to not allow that to happen. Can the Minister assure me that Planning Service staff will be instructed to utilise that where possible and necessary, and not to use it against farmers?

The Minister of the Environment: The policy is there to assist people who have genuine needs. It is not there to be abused, either by people who are applying for planning permission or by people who are making judgements on whether planning permission should be granted. Where people have a real issue, concern or difficulty, we want a rational, practical, common sense approach to identifying the solution to that difficulty. If people are entitled to sites on their farms, let us look at how we can accommodate them.

Hopefully, most applications will be accommodated within a cluster, but we can also assist people who wish to move away from a cluster. However, the policy will not assist them in setting a house on top of a hill totally unrelated to anything else. We will not allow people to use excuses to try to get sites that are wholly incongruous in the countryside.

Mr Gallagher: Although there is not really any progress for non-farm dwellers, I welcome the Minister's intention to do some more work on

the issue, and I urge that that work be done as quickly as possible. The Minister has clarified the criteria for new on-farm dwellings. Will existing farm dwellings that are replaced in the future be subject to the criteria for new on-farm dwellings?

The Minister of the Environment: I refute the claim that very little or nothing has been done for non-farming rural dwellers. I have said a number of times this morning that there will probably be thousands of applications in future years that will involve non-farming rural dwellers. I accept that further work is required, but no one, including the independent working group, has come forward with positive proposals for me to take that forward. If the Member has ideas that will not create the bungalow blight that exists not far from his home, just across the border in Donegal, and will not lead to a similar situation in Northern Ireland, I will be very interested in hearing about them.

There are a number of opportunities for replacement dwellings on farms, but there have been some issues since draft PPS 21 came out, so let me be clear about this. We were looking at buildings being substantially intact, so if there was a lot of rubble, people would not get permission for replacement dwellings. However, if buildings have walls, chimney breasts, and so forth, there is no reason why people would not get permission, even if those buildings do not have roofs and some parts of their walls have fallen into disrepair. Of course, if considerable parts of a building's walls have fallen into disrepair, it is a different story.

What is the point of having all those redundant buildings, which blight the landscape, scattered around the countryside? Let us replace them with buildings that are designed appropriately for the countryside, which people can live in and use. That will help to revitalise villages and towns across rural areas and to create opportunities for young people who live in those areas to get a start in life.

Mr Molloy: Go raibh maith agat. I welcome the Minister's statement and his advancement of the situation, but I still have reservations about how the policy will be implemented, particularly with regard to infill and ribbon development. In the past, planners often used ribbon development as a reason against an application. Are there any means to ensure that policy is consistent across different areas,

particularly with regard to clusters of buildings and infill sites? At present, planning officers insist that need has to be identified for infill sites even though there is a clear opportunity for them in rural areas.

The Minister of the Environment: Previously, a ribbon of development was generally regarded to be nine or 10 houses. Under draft PPS 21, that number was reduced to six. We have reduced it to three. I have represented many constituents at site meetings where planning officers have said that a gap was important. Basically, they were stating planning policy. However, it was not an important gap. If there are two houses, a gap and then another house, that gap does not contribute anything to the countryside.

We want development to be such that, by filling in gaps, the natural environment is not damaged through the dotting of houses around the countryside. Infill dwellings are a practical response to deal with a common and prevalent issue. As one goes around the countryside, one sees many opportunities where there are three or four houses with one space between them, and the space serves no purpose. There is absolutely no good reason why that space cannot be used for the development of a home, which will normally be for a non-farming rural dweller in the countryside.

Mr Bell: I thank the Minister for his continued good government in that area. Given that the Department's workload may increase as a result of the development of replacement dwellings, crossroads and churches, will technical planners, whose expertise we do not wish to lose, be redeployed?

The Minister of the Environment: Our response thus far has been related to workload. That will continue to be the case. Therefore, if workload increases, we will keep more planning officers. It is as simple as that. I have no desire to lose planning officers. If we have the opportunity to retain a greater number of planning officers than is proposed, I will be delighted to do that.

Mr Paisley Jnr: I, too, welcome the detailed statement, at long last, which completes an important part of the Assembly's rural planning policy. I welcome offset in the countryside. It is very important. Will the Minister provide guidance notes for officials so that there is no misinterpretation of what he and the Assembly mean by the new policy? Those guidance notes should adequately and accurately explain to

a planning officer that the same law applies equally whether he or she deals with a case in Ballinamallard or Broughshane. Will there also be guidance notes to clarify that a building that is to be knocked down and replaced is not required to have any merit in order for a planning officer to give planning approval? Finally, can the Minister clarify for the House whether he expects some 2,000 cases that are regarded as backlog to be cleared within the six-month period? I welcome his statement, which is a great advancement.

11.45 am

The Minister of the Environment: Replacement dwellings are just that — replacement dwellings. Existing non-residential buildings are for reuse, not replacement; that is an important difference. In reusing existing non-residential buildings, certain things will be looked for: that the building is a permanent construction; that the reuse or conversion would maintain or enhance the form, character and architectural features, design and setting of the building and not have an adverse effect on the character or appearance of the locality; that any new extensions are sympathetic to the scale, massing and architectural style and finishes of the existing building; and there are other considerations.

All those policies have been set out with justification and amplification for my planning officers to consider. For example, on the reuse of buildings, “Justification and Amplification” states:

“Due to changing patterns of rural life there are a range of older buildings in the countryside, including some that have been listed, that are no longer needed for their original purpose. These can include former school houses, churches and older traditional barns and outbuildings. The reuse and sympathetic conversion of these types of buildings can represent a sustainable approach to development in the countryside and for certain buildings may be the key to their preservation.”

That is clear policy for planning officers to work to. Such buildings can be reused if appropriate for that purpose.

Mr Kinahan: I thank the Minister for his statement, and I look forward to seeing much that is in it being put into effect. He said that the local dimension will be strengthened when we devolve development planning and management functions to local councils.

However, with the RPA looking a bit nervous as to how it is going to go — if it is going to go at all — and given the fact that the Minister spoke about clusters, part of the problem in Antrim is that there is no area plan. Therefore all the towns and villages, and, in some cases, hamlets, are full. That puts a great deal of pressure on those areas and on the clusters and then on to infill. Will the Minister give us a fixed date for when area plans will be finished and put the necessary resources in place so that Antrim can have an area plan and everyone has a base to work from?

The Minister of the Environment: Planning policy statement 21 deals with rural dwellings. The clusters that it deals with will normally relate to dispersed rural communities and will not, therefore, be affected by an area plan. An area plan identifies the towns, cities, villages, and hamlets. The planning policy statement goes beyond that to areas that are not covered by area plans. Therefore, the planning policy will not rely on area plans for its movement.

I am supportive of the RPA moving on with 11 councils. However, if we do not move forward with 11 councils, I also support the planning function going to the 26 councils. There are no reasons to prevent the Planning Service being moved to the 26 councils as a shared service, with local authorities being responsible for planning decisions. If we do not move forward on the 11 councils, I will certainly recommend that we move planning policy to the 26 councils in the intervening years.

Mrs D Kelly: I thank the Minister for his statement. There are some improvements to draft PPS 21. In two paragraphs of his statement, the Minister referred to the Minister for Regional Development and the Minister of Agriculture and Rural Development. Will the Minister enlighten us about timescales for a rural White Paper and a new revised version of the regional development strategy? Were those two paragraphs necessary to get the deputy First Minister over the line to allow PPS 21 to be published? How will rural businesses be progressed?

The Minister of the Environment: I welcome the Member's questions. I did not think that she was going to ask any because she talked during most of my statement. However, perhaps she is in listening mode now.

I will leave the deputy First Minister and his party to speak for themselves. We have a policy that can be moved forward. There is a considerable amount of work to be done with the independent working group and the non-farming rural dwellers, and I do not underestimate what DARD and DRD can bring to the table in dealing with that issue.

Lord Morrow: Some parts of my question have been answered. I welcome the Minister's statement. I have no doubt that, had he been permitted to do so, he would have brought it to the House much earlier. However, now that it is here, it is most welcome.

Some questions on ribbon development, gap sites and clustering have already been asked. Does the Minister consider that the policy will clear all the ambiguity that surrounds infill sites in particular? That is one area that seems to create considerable problems, and it generates much debate in my council. Furthermore, is there still an insistence that any replacement dwelling must stick strictly to the footprint of the property that it replaces?

The Minister of the Environment: If the Member is looking for absolute consistency in planning, he may as well look for the perfect Christian. I do not think that either exists. Planning is not engineering or science. It is very much in the eye of the individual. What one person sees in one way, someone else may see differently. In that sense, planning is a bit like beauty.

As regards ribbon development and infilling, the change in policy facilitates up to two dwellings and, where appropriate, economic development, including light industry, in a gap site. That change was brought in under draft PPS 21. Historically, planning policy has resisted anything that would increase ribbon development. We are not talking about the extension of an existing ribbon of development, but about infilling, which creates opportunity. The small gap in a substantially built-up frontage has been reduced to a small gap in a fairly small built-up frontage, in that the policy can now apply to three dwellings or more. If there is space for two dwellings between three dwellings, the solution is fairly clear.

If planning officers argue against that, it will create a difficulty. We want to hear about situations in which planning officers do not interpret policy correctly. The policy is clear, and planning officers should apply it consistently

and clearly across all divisions and councils in Northern Ireland. There should be no regional difference in the way in which the policy is applied.

Mr B Wilson: I thank the Minister for his statement. However, I am disappointed that it includes further relaxations on development. In fact, the statement drives a coach and horses through rural planning policy and is a charter for developers and speculators. My question relates to the application of PPS 21 to the lands around urban areas that were previously part of the undeveloped green belt. Does the Minister agree that the application of draft PPS 21 to those areas led to a significant increase in planning approvals and is leading to greater urban sprawl? Will the Minister examine the impact of that and reconsider the way in which PPS 21 could be implemented in those areas?

The Minister of the Environment: Patently, the Member is talking nonsense. My Department is creating sustainable communities in rural areas. The Member may wish to create some great divide in Northern Ireland, whereby a person would not be allowed to build in an area should he or she happen to have been born there or farm there, or if it so happens that the land has infill opportunities or redundant buildings that could be used. He does not want any of that to happen in the greater Belfast area but thinks that it can happen in the rest of Northern Ireland.

I want a consistent policy across Northern Ireland. Section 75 was supposed to bring about equality. However, the Member wants to wipe out section 75 and wipe out equality. I will not go there. There will be a consistent approach to planning across Northern Ireland. It is not about destroying communities. There are significant opportunities for buildings in the countryside to be planned in ways that are wholly complementary to the environment and for the use of wind-generated energy and ground source heat pumps. I ask the Member to think outside the box instead of having a knee-jerk reaction.

Mr Shannon: What a change today's approach from a locally elected and responsive Minister is from the direct rule interventions on PPS 14.

In his statement, the Minister said that alternative sites can be used where there are health and safety issues. Perhaps he can tell us whether that is health and safety issues or

health and/or safety issues. It is important to get clarification on that.

I may have missed it, but I do not see any mention in the statement of single dwellings for farmers. In the past, they had to be built close to farm buildings such as barns. Is it now possible for farmers to build single dwellings away from their farms but close to other clusters of buildings? Wearing my other hat as a member of Ards Borough Council, I know that there is often a gap in the middle of clusters of farm buildings built in the shape of the letter C. Will there be an opportunity for farmers to build dwellings away from farm buildings?

The Minister of the Environment: It was the famous Lord Rooker who introduced the blanket ban, something which was not well received by this community. Over the weekend, he was giving advice on RPA. However, I will not be taking advice from Lord Rooker, who is not even an elected Member. I have a mandate to do what I am doing in the House, and my party has a mandate to do what it is doing in Northern Ireland. We will not take lectures from some Lord who did not do a particularly good job when he was here.

Through the farm policy, we are looking at ways and means of allowing farmers to develop dwellings away from clusters of farm buildings where that is reasonable. We would prefer farmers to develop beside clusters of buildings, and, in a lot of cases, that will be a suitable outcome that most people will be prepared and quite happy to accept. However, that is not always appropriate. For example, a dwelling close to the filtration and ventilation systems designed to remove ammonia and other materials from a large number of chicken houses is probably not the best location in which to raise a family.

There will be opportunities to move dwellings away from clusters of farm buildings. We are certainly open to looking at how best we can utilise the development opportunities that are required by families in such a way that is consistent with a policy that does not allow for the dispersal of houses across our countryside.

Mr Armstrong: It is great that the Minister is looking for opportunities. However, the interpretation of PPS 21 needs to be uniform across Northern Ireland, and the Minister has indicated that he is looking into that. What provision has he made for students who have

just finished training college and have only recently taken ownership of farms to build new dwellings?

The Minister of the Environment: The policy is quite clear. Where there is an existing farm, the farmer gets a dwelling. A farmer can get another dwelling after 10 years. If there is no existing farm and a farmer has only recently got a farm identification number, that person will have to wait six years.

In any event, there should be a cluster of buildings: it is difficult to farm without buildings. If the student who has just left college does not have any farm buildings, the first thing that he or she should do is put some farm buildings in place.

12.00 noon

In such a situation, a student could be accommodated. Another way to do so would be to use the policy relating to caravans or mobile buildings. Permission could be granted for the temporary use of caravans or mobile buildings. However, such buildings are mobile and are for temporary use: they will not be there for 20 or 30 years. Therefore, permissions would be granted for a period of time and might be able to accommodate people who are in the circumstances that Mr Armstrong described.

Executive Committee Business

Energy Bill: First Stage

The Minister of Enterprise, Trade and Investment (Mrs Foster): I beg to introduce the Energy Bill [NIA 23/09], which is a Bill to make further provision in connection with the regulation of the gas and electricity industries.

Bill passed First Stage and ordered to be printed.

Mr Deputy Speaker: The Bill will be put on the list of future business until a date for its Second Stage is determined.

Licensing and Registration of Clubs (Amendment) Bill: Second Stage

**The Minister for Social Development
(Mr Attwood):** I beg to move

That the Second Stage of the Licensing and Registration of Clubs (Amendment) Bill [NIA 19/09] be agreed.

There are a number of matters on the content of the Bill that I want to address, and in my winding-up speech, I will respond to the issues raised in the debate. I want to make some preliminary remarks about how I and the Department see this piece of legislation.

The Bill is the first piece of exclusively Department for Social Development (DSD) legislation that I will bring through the House in my tenure as Minister. I am mindful of some of the conversations that occurred at last week's Social Development Committee meeting, when members touched upon a number of aspects of the Bill, as they will do, no doubt, during this debate. I want to reassure the House that I come to the Bill with fresh eyes and an open door. There is a need to get issues around licensing right, and there is a need to get a proper balance between all the relevant and related issues regarding how licensed premises are conducted.

I want to provide that reassurance, and I will be listening very attentively during the debate to identify areas where Members think that there are particular points of pressure and areas where they believe that the Bill requires further consideration.

Regardless of the final shape of this piece of legislation, whether that is in this mandate or in subsequent mandates, the House will have to return to the issues of licensed premises, the control of alcohol and related matters. Some of the issues that may be touched on in the debate that are not in the Bill may be of interest to the House in subsequent times and subsequent mandates. So, although the Bill is a substantial piece of legislation, it is the beginning rather than the end of a phase.

I want to reassure the House that my predecessor Margaret Ritchie and the Department carefully considered how to address some matters on licensing legislation. Minister Margaret Ritchie had three options. The first option was to do nothing. Given the issues

that revolve around licensed premises and the issues of concern and acute anxiety in the community, it was quite clear that the do-nothing option was no option at all. My predecessor Margaret Ritchie rightly cautioned herself against adopting that approach.

The second option was for the Assembly to adopt a much more interventionist approach to the conduct of the courts and the police to ensure that there was more consistent application of relevant powers across the range of powers when it came to licensed premises, and, in particular, the abuse in any shape or form of licensed premises. I have an understanding of that type of intervention, even though on this occasion the Department chose to support another option. On a different matter, I long argued that there is a need for a sentencing guidelines council in the North, whereby there would be input into the thinking of the judiciary on the appropriate penalties for various matters. Therefore, I have some personal interest in and sympathy with the principle of giving further guidance to, for example, the courts and other relevant authorities.

In the round, however, and having taken account of all the arguments about licensed premises, Margaret Ritchie and the Department decided that the right intervention at this stage was to upgrade and toughen the law where appropriate and create flexibility where necessary. That is the sense of the Bill that I commend to the House. The Bill has new enforcement powers and creates flexibility in club accounting and, as Members will be aware, flexibility in certain matters concerning clubs.

Mr Paisley Jnr: I welcome the way in which the Minister has tried to set out the general principle of the Bill. However, has he yet had an opportunity to consider the additional pressures that clause 9(3) will have on the Police Service of Northern Ireland? That clause will extend the opening days of clubs for special occasions from 52 days to 120 days. That seems to have been slipped in towards the end of discussions and will put additional pressures on the Police Service, which would potentially have to provide cover and could end up being quite considerably stretched across the whole country. Is the Minister, being new to the issue and looking at the Bill with fresh eyes, open to suggestions on how to be more accommodating of the needs of all social and policing services in Northern Ireland,

so that we do not have what almost amounts to a licensing free-for-all across the country?

The Minister for Social Development: I thank the Member for that early intervention to put me through my paces. I have three responses to the Member's concern.

First, I will not deny that although various organisations are happy with parts of the Bill, they are unhappy with other parts. Those organisations include the Police Service, which clearly has a particular input into and influence on those matters. I will not deny that the police are not completely on board with one or two matters in the legislation as it is drafted. However, the police have had a particular input into the content of the Bill. That was for many reasons, one of which was to reduce the pressure on police time.

For example, the Bill introduces flexibility to accounting practices, whereby there are fewer obligations on clubs to serve the police with relevant documentation, including annual and audited accounts. That initiative was taken by the Department in response to an application by the police for recognition of the fact that, given how clubs in some places in Northern Ireland have evolved over the past 20 years, practice has improved and accounting flexibility could, therefore, be introduced. A consequence of that would be a lesser burden on the police and clubs, and that is healthy.

I understand what the Member is saying about the provision for 120 days. That will excite some comment during the debate, once it fully engages. As I said, I am going to listen very attentively to that. However, the police will have some influence on the clubs' management of the increase in authorisations from 52 to 120. Although I will listen to what the Member says, I am not going to make any commitments at this stage, nor am I in a position to reassure the Member fully on the matter. I will reflect on his comments as the Bill moves into its Committee and Consideration Stages.

I will make one simple point before moving on to the body of the Bill. We are not dealing with a small part of the Northern Ireland economy or a small part of community life in the North. As I understand it, there are around 600 clubs in Northern Ireland. From their experience in the various constituencies, all Members will be able to affirm that clubs are a very important part of the fabric of community and social life in all

our communities. Although we must ensure that we legislate wisely and prudently, we must also recognise that, in considering the Bill, we should not deny or diminish the management, role and contribution of clubs to social, recreational and community activities in our society, and we should remember that they are controlled places for the sale of alcohol. That is especially the case when we compare today's situation with that that might have prevailed 20 or 30 years ago; however, that will not detain us much today.

There are Members of the Assembly who are members of one or more of those 600 clubs, and they will, therefore, know intimately how well clubs can be managed and how positive their contribution can be to community welfare and to the proper management of the sale and consumption of alcohol. I should set the Bill in that context. That said, the law on liquor licensing in clubs in Northern Ireland has remained largely unchanged since 1997, when, because of particular concerns at that time, there was a need for some intervention — indeed, sometimes direct intervention — in the management of clubs and licensed premises. Despite the changes in the social and economic landscape and in expectations during that time, there has been no review of that legislation. As a result, the law needs to be examined with a view to bringing it up to date and to determining whether and how it should be reformed and updated to reflect developments in that period, good and bad.

England, Wales, Scotland and the Republic of Ireland have conducted reviews of their liquor laws to modernise them and to make them fit for purpose in today's society. I will comment in my reply on some of the developments, especially in the Republic of Ireland and Scotland, that may be examples of best practice and that, in the fullness of time, may inform how the Assembly and the Department take things forward.

What is the broad aim of the legislation? Alcohol, when consumed responsibly, is a commodity that many people enjoy. However, as Members are well aware, the misuse of alcohol in society contributes to ill health and crime. As the Minister responsible for liquor licensing, I hope that the Licensing and Registration of Clubs (Amendment) Bill will make a positive contribution to tackling some of those problems. I need only to refer Members to schedules 1 and 2 to the Bill, which outline the penalties that can be imposed on clubs and all other

licensed premises for a wide range of offences. For example, the accumulation of penalty points — 10 points in a three-year period — can lead to the suspension of a licence for a period of a week to three months. That demonstrates how, by penalty, we can make a positive contribution to tackling some of the problems that are associated with alcohol and licensed premises.

Mr F McCann: I do not disagree with the Minister. However, in issuing penalty points and closing premises, the Minister will be aware that, in some areas — I am sure that he has come across it in his constituency — there have been instances in which a senior policeman who is particularly against the sale of alcohol can have an adverse impact on clubs. The Minister will know that, in west Belfast, many clubs have complained about that. Would it be not better to tag on a review after a period to ensure that those penalties are working properly? There are occasions when the results of a review may be needed to see whether steps are effective.

12.15 pm

The Minister for Social Development: An overzealous approach can be adopted in any walk of life, including by the police. We sometimes adopt that approach in our political lives and can get on the wrong side of issues, but my view is that the police have been critical in ensuring the creation of better standards, monitoring and enforcement, especially considering the way in which clubs were run years ago. Although overzealous actions may be taken on a small number of occasions, the police have made a positive contribution, bearing in mind the profile of clubs and how their management is conducted. I do not want anything that I say to take away from that.

As I indicated, I do not think that this will be the first time that the House will deal with issues around liquor licensing. It is likely that it will be dealt with in subsequent mandates. The issue will be a feature of the life of this and future Assemblies because of public concerns around the issue, the need to learn from best practice in other jurisdictions, the need to fine-tune our licensing laws to legislate better for the issues; and the need for joined-up action, not least between the Department for Social Development and the Department of Health, Social Services and Public Safety. I am not committing to a review per se, but those matters will be kept under review. We need to do that as

representatives of communities that suffer from the abuse of alcohol.

Guidance will be laid down in respect of police powers on the closure of premises. I checked this morning that that guidance will be drawn up in consultation with the Department of Justice, the Department for Social Development, and the police. The guidance will detail how the new powers will be deployed and, crucially, how the power to close particular licensed premises in or around which there is public disorder will work. The second clause brings that into force. I have no doubt that that guidance will be shared with the Committee for Social Development for its information when the time is right.

One of the main objectives of the Bill was to bring forward policy proposals to create an effective legislative tool to tackle the problems of underage access to alcohol, ill health, crime, disorder, domestic violence caused by alcohol abuse, and illegal access to alcohol. I am confident and hopeful that the Bill will help to address those issues. It is evident that stricter enforcement measures are needed if we are to seriously address those problems.

We must also recognise that a new situation is facing clubs in the current economic climate. They are finding it difficult to maintain their community services and contributions. I am happy to accept the PSNI's view that the financial mismanagement that used to exist in some clubs is no longer evident. In my constituency, there were examples of clubs about which there were questions in respect of financial mismanagement. I remember making the case publicly and privately that that matter should have been dealt with 20 or more years ago.

I am satisfied, as are the police, that the financial management of clubs has now evolved to the point at which, although there needs to be consistent financial regulation, some of the burdens can be eased. That is why the Bill creates a more flexible accounts system for registered clubs and provides for an increase in the number of occasions when clubs may keep their bar open until 1.00 am. I am sure that Members will mention that in their contributions. However, as with the current legislation, later opening will be subject to PSNI authorisation. I made that very point in response to Mr Paisley earlier.

I turn now to some of the Bill's key features. The Bill provides for two new closure powers to allow courts to close licensed premises and

registered clubs in a district to protect public safety if disorder is occurring or imminent. That is the broad power whereby the police can apply to the Magistrate's Court. However, there is also a new closure power to allow a senior police officer to immediately close premises for up to 24 hours in the first instance if it is adjudged that actual disorder is continuing. Mr McCann touched on that point.

As a consequence, the rarely used power to close premises or reduce opening hours to preserve public order will be repealed. That power has been transferred to the Department of Justice, having been formerly held by the Secretary of State. I understand that that power was used only once. As I indicated, it has been agreed between officials that, prior to the provisions' coming into effect, the Department of Justice will issue guidance to the PSNI on how it expects the power to be carried out in practice. If it is worked through properly, that approach will assist senior police officers in interpreting and applying the law consistently across Northern Ireland. It will also reassure us and the public that the use of that power will be properly judged.

The Bill will enable a court, following conviction, to endorse penalty points on a liquor licence or a club's certificate of registration. The court will have some discretion for less serious breaches of the law, but the endorsement of penalty points on the licence or certificate will be mandatory for more serious breaches, such as underage sales. I refer Members to schedules 1 and 2 to the Bill, which outline three categories of breach. Level five fines are for those breaches that will lead to a mandatory endorsement of penalty points on the licence or certificate. A licence or certificate will be suspended for a minimum of one week and a maximum of three months on the accumulation of 10 penalty points in any three-year period. That system has worked well for road traffic offences, and I believe that it can act as a deterrent for any licensee or club that is tempted to disobey a law.

The Bill will also introduce a statutory proof-of-age scheme specifying acceptable proof-of-age documents for the purposes of licensing and registered clubs law. Those documents will include a passport, photo card, driving licence and Northern Ireland electoral card. The Department will be able to make regulations specifying other proof-of-age cards if necessary.

Premises will be required to display notices prescribing offences for the sale of alcohol to young people under the age of 18 and the purchase of alcohol by or for the under 18s. The notice will also refer to documents prescribed for the purposes of proving age. The size and content of the notice will be specified in regulations, and an offence of failing to display the signage will be created.

For a whole lot of reasons, we think that a statutory proof-of-age scheme is the way to go at this stage, even if there is not to be a statutory proof-of-age document. That statutory scheme will outline what proof-of-age documents might include, will ask for signage that requires them to be produced and will ensure that clubs and licensed premises show due diligence to ensure that that happens.

As has been said, the Bill will create a more flexible accounting system for registered clubs. That system will recognise the differing auditing requirements for small, medium and large clubs, will reduce the level of penalty for certain offences and will introduce guidance on a system of control for accounts, cash holdings and receipts. The PSNI has acknowledged that the financial mismanagement that existed in some clubs in the past is no longer in evidence, and it has asked for that to be reflected in more flexible arrangements. Although the Bill will maintain the requirement for clubs to keep proper accounts, revised regulations and guidance will provide the more detailed provision that sets out the manner in which those accounts must be prepared and audited.

I am aware of the valuable contribution that our clubs make to sporting, social and other recreational activities in the communities in which they are situated. Therefore, I have decided to increase for registered clubs the annual number of special occasion authorisations, which you and I call late bars, from 52 to 120. Later opening for clubs will continue to be subject to PSNI approval. The increase will help clubs to maintain their viability by better meeting members' expectations by enabling them to continue to provide various activities for the communities. There is also a minor change to the Bill that will clarify that a liquor licence may be granted to a limited-liability partnership.

I am mindful of the time. As I indicated when I began speaking, the Bill is part of a wider,

ongoing programme, which I hope will lead us to a more balanced relationship with alcohol. I am aware of growing concern not just in Northern Ireland but in Britain and the Republic of Ireland about the availability of cheap alcohol and the impact of that on society. I am also conscious that the licensed hospitality trade makes a valuable contribution to our economy, not least through tourism. Last week, I met with my officials who have been researching those wider issues. I am working closely with officials in other Departments and jurisdictions — crucially, Scotland and the Republic of Ireland — to devise how we might promote and protect in the future.

For the present, the provisions in the Bill will strengthen the current law. I ask Members to note my commitment to ensure that licensing law continues to tackle the issues of alcohol misuse and underage drinking. I look forward to hearing the various contributions from Members in order to find out whether there are ways in which the Bill can be strengthened or issues that we should scope out for the future.

Mr Deputy Speaker: The Business Committee has arranged to meet immediately on the lunchtime suspension. I propose, therefore, by leave of the Assembly, to suspend the sitting until 2.00 pm, when the first Member to speak will be the Chairperson of the Committee for Social Development.

The sitting was suspended at 12.26 pm.

On resuming (Mr Deputy Speaker [Mr McClarty] in the Chair) —

2.00 pm

The Chairperson of the Committee for Social Development (Mr Hamilton): I declare an interest as a member of Comber Rec football club. The Committee for Social Development has considered the reform of liquor licensing and the registration of clubs at several meetings over the past years. Of all the issues that the Committee has considered, the Licensing and Registration of Clubs (Amendment) Bill has provoked probably the widest range of opinions from members and stakeholders. I will begin by summarising the views of Committee members.

First, no one can dispute that the misuse of alcohol is a significant and serious social problem. On the one hand, there are often tragic individual family stories of alcoholism that all of us will have heard from our own constituencies and lives; on the other, the curse of binge drinking and the associated antisocial behaviour plagues many of our town and city centres, particularly at weekends and following major events. I anticipate that many members of the Committee will ably refer to those issues by setting out the consequences of alcohol abuse and discussing aspects of the Bill that are intended to provide better controls and stronger regulation. Secondly, many Members recognise that well-managed and properly regulated licensed premises — whether clubs, pubs or hotels — represent an important local industry that plays a key role in promoting tourism, often underpins a local community and probably enhances the development of the so-called evening economy and the revitalisation of our town and city centres.

It is intended that the Bill should strike a good balance between all those issues: on the one side, the regulation of alcohol sales and the protection of consumers and communities; on the other, the alignment of opportunity between the various types of licensed premises and the enhancement of services to members of registered clubs. If initial stakeholder responses are representative, the Bill may become one of the most eagerly debated that the Committee for Social Development has scrutinised in the current mandate.

I will comment briefly on some of the Bill's clauses. The Bill introduces new closure provisions that will allow senior police officers

to close licensed premises in which disorder is occurring. Similar powers are in use in England and Wales, where, it is understood, they are rarely used for individual premises. In fact, I understand that, in 2006-07, only 44 such orders were used, and there are 123,000 licensed premises across England and Wales. Although generally welcoming the provisions, the Committee will wish to review how closure powers may be used in respect of street disorder that is thought to have originated in specific licensed premises. The Committee hopes that the Department of Justice guidance to police on the use of that power will be available for scrutiny and will address the issue.

The Committee generally welcomes the inclusion in the Bill of provision for a penalty points system for licensed premises, covering offences such as underage sales and unauthorised opening. The Social Development Committee may call on informed stakeholders, including our colleagues in the Justice Committee, to share their views on, for example, the discretion that courts will have in imposing penalty points.

The Committee also welcomes the statutory proof of age scheme, which is designed to curb underage alcohol sales. Underage drinking is a major social and antisocial behaviour issue, and measures to address the problem have been welcomed by all members. Again, the Social Development Committee may call on informed stakeholders to comment on, for example, the use of certain types of identification, including electoral ID cards and testing regimes for the proof of age scheme.

The Bill includes proposals to increase the number of late licences that the PSNI can grant to registered clubs from 52 a year to 120. The intention of the Bill, as the Minister said, is to strike a balance between the regulation of alcohol sales and the opportunity for registered clubs to facilitate their members through more late openings. The Committee noted with disappointment that the Department was unable to indicate the existing uptake of late licences by registered clubs. Therefore, it is difficult to gauge the benefit of the change for clubs or the impact on the communities that live in close proximity to them. To date, the Committee has given limited consideration to how best the proposed liberalisation of late opening should be managed. Members may seek clarity on the timetable for related noise abatement legislation or may choose to explore the use

or amendment of the Bill's new penalty points system in that regard.

It is clear to all Members that the abuse of alcohol is an important matter. It has ramifications far beyond licensed premises, affecting many aspects of society in Northern Ireland. With your indulgence, Mr Deputy Speaker, I welcome the Department's ongoing review of related matters. The Committee is pleased that the Bill is only the first part of the Department's review of alcohol abuse and licensing. The Committee understands that the Department's related considerations are to extend to the possible establishment of forums which will feed back community concerns to licensees; the possibility of minimum alcohol pricing, particularly for off-sales; and options for restrictions on alcohol marketing. As the resolution of those issues may depend on legislation and legal challenges in other jurisdictions, I think that the Committee is probably content, at least for now, for those issues to be subject to legislation at a later date.

Before I conclude, I will make a couple of points from a personal and party perspective on the Bill. The Minister touched on some relevant questions. It is worth seeking further clarification on those questions from him at a later juncture in the debate. My queries relate to three broad areas. The first is the closure provision in clause 1 and clause 5, to which I made reference in my remarks as the Chairperson of the Committee. Notwithstanding the comments made by the Minister about guidance issued to the police, it is important that that guidance be absolutely crystal clear, because I can see both sides of how it may work out.

If a fight originates in a street that is not too far away from a licensed bar or club, it could certainly be in the interests of our society for the police to use the power to close the licensed premises for a period of time. However, there could be difficulties in respect of where a police officer draws a cordon around licensed premises. What is an acceptable distance away from the front door of licensed premises? Indeed, causation is an issue in itself. There may be instances in which two individuals get into a fight in a bar and both have been on the premises for a long time and have partaken of quite a substantial amount of alcohol. Equally, however, people could come from other premises and start a fight, perhaps

after consuming a limited amount of alcohol, comparatively speaking, in that bar compared to where they were previously. Is that bar then punished for that situation, even though it has perhaps only contributed a small amount, relatively speaking, to the partaking of alcohol by those individuals?

There is also a flipside where it could be positive. Earlier, Mr Paisley talked about the difficulties that the police may have. It was interesting that the Minister said that the police are not happy with every aspect of the Bill. I hazard a guess that this is one clause that they are not happy with. Police resources, as we all know, are stretched. Sometimes, they find it difficult to do the job that we all expect them to do at weekends in policing the problems that sometimes emanate from licensed premises. However, there could also be a situation in which an overzealous officer, in the circumstances that I mentioned before, closes down premises because that makes it easier to manage policing in that particular town, village or city centre.

Therefore, when drawing up the guidance, we must ensure that it is as tight as it can be. Circumstances cannot be allowed to develop in which, for example, a fight takes place 500 m from the door of licensed premises and a police officer assumes that it is linked to those premises. Although the premises might have nothing to do with the fight, the officer could use the powers in clauses 1 and 5 to close them down, albeit temporarily. Regardless of whether the licensed premises are subsequently exonerated, that closure reflects badly on them. As we all know, gaining a bad reputation can be the undoing of a bar or club. Therefore, when issuing guidance, we must be extremely careful that the police are clear about when and where they can and should use those powers. Although the principle in the clauses is well merited, that matter requires careful consideration.

Secondly, the uptake of late licences by registered clubs is relevant. No doubt, there will be debate in Committee about how the figure of 120 late licences a year for "special occasions" was settled on. I understand that registered clubs wish the figure to be closer to 300 and believe they should have greater parity with bars and hotels. I stress to the Minister that the Committee's deliberations would be greatly assisted by having some idea of the current uptake of the 52-day allowance. I asked the

bar manager of the club in which I declared an interest whether we utilised the existing 52-day allowance, and he said that we got nowhere near to it. Many clubs do not use even the 52-day allowance. They are not busting through seeking a 53-, 54- or 55-day allowance, and they certainly do not seek an increase to 120 days. Therefore, in co-operation with the police, it would be useful to find out how many registered clubs use the maximum number of late licences that are available to them. That information would show whether 120 late licences a year is a reasonable figure. In briefing papers to the Committee, the increase was described as modest, but such an increase would be in excess of 100%, which I would not describe as modest. We must, therefore, find out on what statistical basis that would be justified and whether a majority of clubs already uses the maximum available number of late licences. We would then be able to justify a particular increase.

Thirdly, clauses 2 and 6 relate to penalty points. Northern Ireland will be the only jurisdiction in the UK to have such an innovative scheme. That is welcome, and it is good that we are pioneers. The Minister is right that that type of system has been shown to work for other offences, and it might be effective in dealing with troublesome licensed premises. However, I wonder whether some of the punishments are severe enough. If, over a three-year period, licensed premises were to accumulate 10 or more points for continually selling alcohol to minors, for example, would a punishment of enforced closure for not less than one week and not more than three months be sufficient? No one would think that the lower end of that scale would be sufficient punishment, whereas the higher end might be enough to put premises out of business, although many people in the locality might agree with such an outcome. However, most of us would subscribe to the view that someone who is caught selling alcohol to minors so often over a three-year period should have his or her licence taken away but the premises should not be shut, even for three months. Therefore, when drafting punishments for licensees who accumulate sufficient penalty points, we must be as firm as possible.

2.15 pm

Last week, at the Committee for Social Development, I made a point about the Bill's wider social policy. The Bill appears to contain

a glaring contradiction. In making that point, I am not trying to take the moral high ground. Those who know me know that I do not do that. However, it is fairly obvious that there is a contradiction in the Bill. The Bill has been presented by the Department and the Minister with the key objective of managing alcohol in our society and addressing the growing levels of alcohol abuse, yet there is to be an increase in the number of late licences for premises that sell alcohol. We all share the noble objective of dealing with and clamping down on the misuse and excessive consumption of alcohol in our society, and the Bill contains some good measures directed at licensed premises to help to deal with that problem. Nevertheless, there is an increase in the number of nights that a whole raft of premises can sell alcohol. Therefore, there is a contradiction in the Bill, and it could have been better dealt with had we been facing a more complete Bill. I am not levelling any criticism. I know that there is an ongoing review and that work is under way on other aspects that could be included in a future Bill, something which the Minister talked about earlier. However, I, other members and, more importantly, those in society might have been more comfortable had the Bill addressed the other problems that society has with alcohol.

I do not want to come across as an advocate for any one of the measures that I referred to earlier: minimum pricing; community forums in which people can address their concerns directly with licensees; the use of marked bags for off-licence sales to deal with the proxy buying of alcohol on behalf of minors; and certain marketing restrictions. We all know about those problems. I saw evidence of one at the weekend: in advance of the World Cup, a major supermarket was selling boxes of beer at massively reduced rates. Boxes of 12 were being sold for the equivalent of, I think, 50p or 60p a bottle. Helpfully, the supermarket was restricting purchases to six boxes per person, and, therefore, one could walk out with only 72 bottles at a time.

We all know that the real problem with excessive alcohol consumption in Northern Ireland is not necessarily in our pubs, hotels or registered clubs, although there are problems associated with all of those, and, hopefully, the Bill will deal some of them. The real societal problem is the mass consumption of alcohol in the home. I would have been more comfortable if the Bill had started to address some of those issues

now. I appreciate that we may deal with them in the future, but it would have been more helpful if they could have been dealt with now.

If the Minister of Health, Social Services and Public Safety were here and we were to ask him about the major drains on his resources, he would probably say that one was alcohol abuse. Anyone with any understanding of what goes on in the Health Service in Northern Ireland knows that resources are used up in dealing with people's alcohol consumption; for example, in accident and emergency departments at the weekend or in inpatient services. I and others would have been more comfortable with the contradiction in the Bill had those issues been addressed.

We will never deal with alcohol consumption entirely to our satisfaction, but the real nub of the issue that we have to deal with is excessive drinking at home — the preloading that people do before they go out — that causes some of the problems that the Bill is, in parts, trying to sort out. I look forward to any progress that is made on that in the future and to any assurance that the Minister can offer the House today that those issues will be dealt with.

I do not know how all of those issues can be addressed. Scotland is trying to advance minimum pricing, although that is subject to some legal wrangling. We do not know what is legal, what is possible or what is likely to yield success. Nevertheless, Northern Ireland needs to address seriously the alcohol abuse that is so prevalent in our society.

Overall, I support the Bill's Second Stage. As Chairman of the Committee, I look forward to seeing all those issues being teased out a little more during Committee Stage, in conjunction with other Committees and important stakeholders who have a keen interest in the Bill. Subject to the reservations that I set out personally and on behalf of the Committee, the Committee for Social Development welcomes the principles embodied in the Bill.

Mr F McCann: I welcome the input from the Minister and the Chairperson of the Committee for Social Development. The Chairperson touched on a number of the issues that I wanted to cover. I declare an interest as a member of several social establishments in the city of Belfast.

Ms S Ramsey: *[Interruption.]*

Mr F McCann: Sue is probably also a member of those clubs.

I support the passage of the Bill. However, like the Chairperson of the Committee, I think that the Bill could have been extended to include a number of the issues that he raised. Dealing with people's serious drinking habits can be done only by examining the problems created by off-licences, dial-a-drink, marketing in supermarkets and the labelling of bags. If we are to tackle that problem, those four key issues must be dealt with sooner or later.

Over the past number of years, clubs have been placed at a disadvantage to other drinking establishments, such as pubs, because they are limited in the number of late nights they can open. That, in itself, has caused problems, and many clubs have faced closure as a result. Pubs and clubs employ a huge number of people in the North, and many charities survive on huge donations from licensed clubs. Therefore, we must try to find a happy medium through the Bill, and the provision for 120 late night openings will probably allow that to be reached. Those who run clubs would like that limit to be extended, while those who run pubs want it reduced.

I asked the Minister this morning about the additional powers of closure that the police will be given and the penalty point system that will be introduced. Although the Committee supports any move to ensure that badly run licensed premises are dealt with, we must consider the issue of overzealous policemen who do not like alcohol using those powers against pubs or clubs. Indeed, that point was touched on by the Minister and the Chairperson of the Committee.

One of the major problems that we face is the fact that supermarkets sell tins of beer and bottles of alcopops more cheaply than tins of Coke or lemonade, and we must deal with that. We must also consider that the drinking habits of young people have changed and that most young people now go out late at night. We must cater for the needs of that generation without penalising the industry.

The Committee supports the passage of the Bill, and I look forward to discussing it with the witnesses who will appear before the Committee. We need innovative ideas to tackle the widespread misuse of alcohol, without putting senseless limits on how people enjoy themselves.

Mr Armstrong: I congratulate the Minister and his predecessor on advancing the Bill to its Second Stage. The Bill is an amended version of the draft Licensing and Registration of Clubs (Amendment) (Northern Ireland) Order 2007, and I believe that the Minister has improved on the direct rule version.

Credit is due to Margaret Ritchie for helping clubs to compete in these tough economic times while removing some of the overly liberalising clauses. However, does the new Minister think that the correct balance has been struck, especially in the area of exceptional permitted hours, which could give clubs the opportunity to open their premises to cover sporting events in other parts of the world and to be better able to meet demand?

I strongly recommend the introduction of a penalty point scheme for offences. However, I have concerns that, until we make it possible to remove a licence entirely for continual and repeated offences, regulation in that area will always be weak and out of step with the rest of the United Kingdom.

I also welcome the fact that senior police officers will have the power to decide on closure orders. That will greatly speed up the process and reduce the likelihood or duration of social disorder. I welcome the fact that the Minister has taken advice from the Police Service of Northern Ireland on closure orders and has made it necessary for the relevant licensing authority to consider the conditions of a licence if premises have been closed for public disorder reasons.

Antisocial behaviour fuelled by alcohol is a serious problem in Northern Ireland. It can blight people's lives and put considerable pressure on the already stretched resources and personnel of the police and health services. Steps to reduce alcohol-related antisocial behaviour are, therefore, to be welcomed, and it is correct that the clubs that potentially fuel such disorder should have their licence conditions reviewed after any closure.

I acknowledge and welcome the measures to counter underage drinking and alcohol abuse. Defining what ID is deemed acceptable and making it compulsory to display a list of such acceptable forms of ID will help clubs to meet their statutory requirements and discourage young people who try to break the law.

It is undeniable that the vast majority of clubs are well run and offer a great service to our local communities and economies. In these difficult financial times, they will undoubtedly struggle to deliver those services. An increase in the number of occasions on which registered clubs can open to 1.00 am will enable them to compete more effectively with other licensed premises. That must be welcomed.

I look forward to scrutinising the Bill in detail in Committee. However, I ask the Minister whether he expects the Bill to be enacted before licences are renewed, which I understand will happen in September. At this stage, I am content to support the Bill.

Mr Deputy Speaker: As Question Time commences at 2.30 pm, I suggest that the House takes its ease until that time. The debate will continue after Question Time, when the next Member to speak will be Mrs Mary Bradley.

The debate stood suspended.

2.30 pm

Oral Answers to Questions

Agriculture and Rural Development

Mr Deputy Speaker: I advise Members that question 7 has been withdrawn.

EU Funding: Fines

1. **Mr D Bradley** asked the Minister of Agriculture and Rural Development to outline the total sum of agricultural fines imposed in the last three years on farmers for breaches related to various EU support schemes. (AQO 1314/10)

The Minister of Agriculture and Rural Development (Ms Gildernew): I have taken my Assembly colleague's question to refer to the financial penalties imposed for the single farm payment, less-favoured area compensatory allowances and the agrienvironment schemes in 2007, 2008 and 2009.

As Members will know, the rules that govern the administration of all those schemes are set out in EU legislation. The legislation sets out the penalties that are to be applied if scheme rules are not met, and neither I nor my Department has any discretion in their application. Indeed, in recent EU audits, my Department has been criticised for being too lenient in its application of certain penalties.

The total value of the financial reductions that were applied to single farm payment applications are £796,669 for those that were received by the closing date for the scheme in 2009, £418,540 in 2008 and £591,728 in 2007. The current total value of financial reductions that have been applied for the 2009 claim year for the less-favoured area compensatory allowance is £150,350. In 2008, the figure was £152,367, and in 2007, it was £202,130. The current total value of financial reductions made for agri-environment schemes in 2009 is £224,417, while £138,810 of penalties was applied in 2008 and £161,852 was applied in 2007. In general, that money is not drawn down in the Department's claim from the EU. Therefore, if those penalties are applied, we do not receive the payment.

Mr D Bradley: Go raibh maith agat, a LeasCheann Comhairle. When it was learned that Scottish farmers were penalised for minor non-compliance and for making slight errors in completing their application forms, representatives from the Scottish Executive immediately requested a meeting with the European Commissioner for Agriculture and Rural Development to discuss the situation. What efforts has the Minister made to date to assist local farmers who have been penalised excessively for similar trivial offences?

The Minister of Agriculture and Rural Development:

I have had a number of meetings with the EU Commissioner on the issue, and given that the scheme was in its first year and people were not sure how to apply for it, I asked the Commissioner to rescind the penalties that had been applied on the duplicate fields issue. I have worked hard to try to ensure that the EU takes a more flexible approach to the matter, but, unfortunately, the EU has not taken that approach, and EU audits have found my Department to be too lenient in applying penalties. I recognise the difficulties that are caused to farmers, and I have done everything that I can to try to mitigate that. However, EU rules are what they are, and it is difficult to change them.

Mr Shannon: Many Members, including the Minister, will be aware of farmers ticking wrong boxes inadvertently or filling out application forms incorrectly and then being heavily penalised. What steps is the Minister taking to ensure that the system includes flexibility and compassion for people who, inadvertently, make mistakes in applications for single farm payments or other funding available in the agriculture system?

The Minister of Agriculture and Rural Development:

Unfortunately, there is no flexibility, and I have been through long hours not only with my officials but with officials in Brussels to find out what can be done to help farmers. I recognise and understand the pain, annoyance and financial consequences of those penalties. The difficulty is that the EU rules are what they are; the EU will not give us any flexibility. We would like to apply compassion but trying to do so can be difficult. I accept that genuine mistakes are made and that flexibility is not given. I urge people to use the Department's resources, including the rural advisers in the DARD Direct offices, to seek advice on how to

fill out forms. Obviously, officials cannot fill out forms for people, but they can give advice on what to do to try to mitigate difficulties down the line.

Mr Savage: Can the Minister estimate the proportion of those fines that was imposed as a direct result of minor genuine mistakes that were made by farmers when they were filling in their application forms? Financial penalties are often unnecessary. What flexibility is there in the system to deal with those things?

The Minister of Agriculture and Rural

Development: As I said, there is very little flexibility in the system. I do not know whether I am able to extrapolate the information that the Member has asked for, given that he has asked for the percentage of fines that were imposed as a result of mistakes on forms. We run a number of schemes: the single farm payment scheme, the less-favoured area scheme, and the countryside management scheme. It would take a disproportionate sum to extrapolate those figures, but I assure the Member that officials are doing everything that they can to work within the rules so that further EU audits do not come down heavily on us.

As Members are aware, we are facing a disallowance because of a difference of interpretation between the Department and the EU, and we have to pay the cost of that. There is a fine line to tread between the flexibility that Members would like me to give and staying within the EU Commission's rules and following its interpretation so as to prevent the imposition of disallowances in the future.

Farm Modernisation Programme

2. **Mr Armstrong** asked the Minister of Agriculture and Rural Development when tranche 2 of the farm modernisation scheme will be launched. (AQO 1315/10)

The Minister of Agriculture and Rural

Development: I previously indicated that that tranche of the farm modernisation programme should target the disadvantaged by focusing on farm businesses in less-favoured areas, where the need for modernisation is great. Sustaining agricultural activity in those areas will be difficult without targeted support of various kinds. Farmers from severely disadvantaged areas and disadvantaged areas who are successful in applying to the programme will be able to use the funding awarded to help them to become or

to remain competitive while working in a very challenging environment.

DARD officials have carried out an equality screening exercise on the proposed selection criteria for tranche 2, and a number of responses were received during the public consultation, which closed on 12 May. Those are being analysed, as I want to consider the issues raised by consultees before proceeding with the arrangements for tranche 2. I hope that I will be in a position to launch it at an early date.

Mr Armstrong: That is all very good, but I would like to hear more detail. Will the Minister address the serious concerns of the farming industry, which have been conveyed through the Ulster Farmers' Union, regarding tranche 2 proposals?

The Minister of Agriculture and Rural

Development: As I said, I am giving all the consultees serious consideration. I am looking at what has come back, and I will be making known my deliberations on that shortly.

Mr W Clarke: Go raibh maith agat, a LeasCheann Comhairle. Did the results of the tranche 1 section 75 questionnaires show inequality in the beneficiaries of farm modernisation programme funding?

The Minister of Agriculture and Rural

Development: Under tranche 1, 2,536 equality monitoring questionnaires were issued between May and September 2009. Of those, 432, or approximately 17%, have been returned. Beneficiaries are encouraged to return their questionnaires to NISRA, and the return of those forms is on a voluntary basis. Analysis of the questionnaires received shows that there was a 78% uptake by the Protestant community and a 20% uptake by the Catholic community.

Dr W McCrea: Will the Minister bring the issue back to the Committee for Agriculture and Rural Development before making any announcement on it? What money will be available for the second tranche? What can individuals expect to get, if they are successful?

The Minister of Agriculture and Rural

Development: There were three questions asked. Overall, the amount for tranche 2 is £7 million, and we have revised the maximum figure downwards from £5,000 per farm business in tranche 1 to £4,000 in tranche 2. That revision was based on the responses that

we received and the fact that people asked that the money be spread out further among recipients. Therefore, £4,000 per farm business is available. I imagine that I will be back with the Committee fairly soon. I am looking forward to getting back in and having a discussion with the Committee about a number of challenges that we are facing, and I have no doubt that this issue will come up.

Mr P J Bradley: Eleven weeks ago, on 8 March to be precise, the Assembly directed the Minister to enter renewed negotiations with the Ulster Farmers' Union and the Northern Ireland Agricultural Producers' Association, with a view to bringing forward fair and practical criteria for the implementation of tranche 2. Will the Minister give the Assembly an insight into the deliberations that went on during her post-8 March negotiations with the unions?

The Minister of Agriculture and Rural

Development: The Member is right to point out that the motion that day was around fair criteria, and I believe that I have proposed fair criteria for tranche 2. I also believe that I have responded to that motion.

A5 Dual Carriageway

3. **Lord Morrow** asked the Minister of Agriculture and Rural Development for her assessment of the impact on the agricultural industry of the new A5 from Aughnacloy to Londonderry.

(AQO 1316/10)

The Minister of Agriculture and Rural

Development: It is the responsibility of the Department for Regional Development to ensure that the impact of any road scheme is properly assessed. The Minister for Regional Development has advised that Roads Service is assessing the impact that the proposed A5 dual carriageway will have on farmers along the preferred route on a case-by-case basis, and an agronomist has been employed to assist in that process. Where practicable, the impacts will be mitigated as part of the scheme development. The Department of Finance and Personnel's Land and Property Services (LPS) will then take account of the final impact as part of the overall compensation package. My main concern in the process is that the impact on individual farm businesses is minimised where possible and properly compensated for when it cannot be mitigated against. It is also important to bear in mind that the Executive approved the scheme.

Lord Morrow: I have listened to what the Minister has said. I am sure that she understands that in excess of 100,000 hectares of agricultural land will be vested as a result of the line that has been adopted for the new A5. Does she accept that that need not be the case if the A5 were constructed along the present line? Does she also accept that there is no need for the section from Aughnacloy to Ballygawley?

The Minister of Agriculture and Rural

Development: Having travelled on that road many times, I do not agree with the Member that the road is not needed. I feel that the A5 scheme will have a major impact on the farm businesses that are significantly affected, but they will receive compensation for their losses. I believe that the wider economic and social benefits of the scheme will vastly outweigh any impact.

Mr Elliott: Will the Minister confirm whether she has met the Minister for Regional Development or any of the landowners along that route to discuss the impact that the road will have on the farmers? If she has not, will she do so in the near future?

The Minister of Agriculture and Rural

Development: I have not been invited to attend a meeting, but I have spoken informally to some landowners who approached me. I have spoken to the Minister for Regional Development about a number of road schemes, including the proposed road to Derry that goes through Randalstown, and I met a number of concerned farmers there. I am not opposed to meeting the affected farmers but, to date, I have not received an invitation to do so.

Mr Molloy: What help can be given to farmers to ensure that the impact on affected farms is minimised?

The Minister of Agriculture and Rural

Development: When there is clarity on how individual businesses will be affected, my Department will offer business development advice, and it will ensure that any impact on the single farm payment or agrienvironment scheme is addressed. I appreciate that the uncertainty surrounding such a scheme can create anxiety, and farmers who are worried about its effect on their livelihood, their family or their health will be advised to seek assistance from Rural Support. My Department provides funding to Rural Support to help farmers and their families to deal with such difficult situations.

Mr Gallagher: This being an important North/South route, we want to see delays kept to a minimum, but does the Minister appreciate that, as has happened elsewhere in Northern Ireland when there have been contentious issues with Roads Service, farmers in such situations are often faced with a legal team from the Department for Regional Development that is in a position to make a very strong case, causing the farmers to feel disadvantaged? Has the Minister had any discussions with farmers or, indeed, their representatives about the possibility of an advisory service to act on their behalf in those circumstances?

2.45 pm

The Minister of Agriculture and Rural

Development: I believe that I answered that question in a previous response. However, I can assure the Member that Land and Property Services has issued a guide called 'Compulsory Purchase and Compensation: A Guide to Compensation for Agricultural Owners and Occupiers'. The guide is available to download from the LPS website. I commend it to the Member.

Veterinary Surgeons

4. **Mr Weir** asked the Minister of Agriculture and Rural Development how many vets are currently employed by her Department. (AQO 1317/10)

The Minister of Agriculture and Rural

Development: My Department employs 160 permanent vets. They are employed to carry out work in a number of veterinary-specific programmes, such as the control of brucellosis, tuberculosis, epizootic and other diseases, and in animal welfare, animal control and veterinary public health.

Mr Weir: I thank the Minister for her answer. In light of current financial pressures on the Executive and her Department in particular, what consideration has she given to changing the balance of work between departmental vets and private veterinary practitioners?

The Minister of Agriculture and Rural

Development: The Department already contracts private veterinary practitioners to carry out TB herd tests, for example. At this stage, I am not minded to shift that balance. It is important that a number of departmental vets are there to do a job. Therefore, I do not seek to reduce their number at present.

Mr Kennedy: I am grateful to the Minister for her answer, which I want to probe a little further. Does she accept that private veterinary practitioners make a significant contribution to Northern Ireland's agriculture industry and although the Public Accounts Committee's 2009 report, 'The Control of Bovine Tuberculosis in Northern Ireland' indicated that failure to eradicate TB was due to poor testing by private vets, it is not their fault that real progress was not made?

The Minister of Agriculture and Rural

Development: The Member is aware that that report was not of my making. I assure Members that private vets carry out an important and valuable service to the community, and DARD appreciates and values their work very much. Therefore, it is a good arrangement. We do not know when it will be necessary to step up veterinary control. From that point of view, it useful for departmental vets to be backed up by private veterinary practitioners when an issue must be tackled and more resources are needed. It is a good relationship. There is a good balance. I do not envisage the Department privatising further veterinary work, but private vets provide an important service to the community.

Ms Anderson: Go raibh maith agat. How many vets in each grade does DARD employ?

The Minister of Agriculture and Rural

Development: The Department employs a Chief Veterinary Officer, two deputy chief veterinary officers, five senior principal veterinary officers, 126 veterinary officers, and 26 testing veterinary officers. Therefore, there are eight officers in senior positions and around 150 staff at veterinary officer grade.

Fisheries: EC Regulation 1342/2008

5. **Mr Craig** asked the Minister of Agriculture and Rural Development for her assessment of the impact of EC Regulation 1342/2008 on fishermen. (AQO 1318/10)

The Minister of Agriculture and Rural

Development: EC regulation 1342/2008 established a long-term plan for the recovery of cod stocks. The regulation imposes rules for the setting of total allowable catches (TAC) and fishing effort according to the state of the cod stock in a particular sea area.

In the Irish Sea, where cod still shows little sign of recovery, the regulation means that there will be cuts in the cod TAC of 25% each year until the stock comes back up to a minimum spawning stock by a massive 6,000 tons. The regulation also imposes an annual reduction in fishing effort of 25% for vessels that use fishing gear that contributes significantly to cod mortality. That includes white fish and nephrops vessels that use conventional fishing gear. The regulation is challenging as it removes spare fishing effort from the system. However, effort can be given back to a fleet if it shows that it is adopting measures to reduce its cod catch.

To help us to develop cod conservation measures that are adapted to our needs, an effort-management group, which involves the industry, scientists and officials, has been established to develop local measures that will reduce cod catch and earn enough effort to allow vessels to take up their quotas. For 2010, most nephrops vessels have adopted a range of measures aimed at reducing cod catch to below 5%. Most white fish vessels have been able to buy back 15% effort through the adoption of the large-mesh eliminator trawl, which reduces the amount of juvenile and small fish caught.

In conclusion, nephrops vessels that have a low cod by-catch will have sufficient time to catch their quotas. However, white fish vessels that target cod face year-on-year cuts in cod quota and fishing time, and may, therefore, find it difficult to survive.

Mr Craig: I thank the Minister for her comprehensive answer, even though it is a bleak answer for the fishing industry. Does she agree with me that there is an inherent contradiction when it comes to the fundamental right of fishermen to engage unhindered in their work, and does she agree with the renewed efforts of our MEPs to try to have the situation reviewed, as it will lead to the decimation of what little fleet is left in Northern Ireland?

The Minister of Agriculture and Rural

Development: The regulation aims to protect cod stocks and to allow them to recover. If there are no fish, there will be no fishermen. Therefore, some restrictions are needed in the short to medium term to ensure that there are fish and fishermen long into the future. I work closely with the MEPs on this and other issues, and look forward to maintaining the good working relationship that we have.

Mr Brady: Go raibh maith agat, a LeasCheann Comhairle. Has the Minister met the new Fisheries Commissioner yet?

The Minister of Agriculture and Rural

Development: I have not yet met Mrs Damanaki. I have asked for a meeting with her, which has been scheduled for 26 June. I also invited the Commissioner to visit us, and she has indicated that that may be possible later this year or early in 2011.

Ms Ritchie: Under Council regulation 13/24, the member state must report to the European Commission on a number of fishing issues. Will the Minister give an indication of her input to the March and April reports, including the assessment given by Anglo-North Irish Fish Producers' Organisation and the Northern Ireland Fish Producers' Organisation, as well as individual fishermen, regarding conservation measures about scientific evidence provided to the European Union by the British Government?

The Minister of Agriculture and Rural

Development: Obviously, my officials work closely with officials in the Department for Environment, Food and Rural Affairs (DEFRA) and the fishing industry. By the fishing industry, I obviously mean the producers' organisations, but also the processors, because they are heavily dependent on the amount of fish landed in our ports. It is an all-year-round area of work. We work closely with the industry and that helps us to prepare for December, but we do not leave all our negotiations until December. We have ongoing meetings during the year with the Commission and its officials, and with officials from DEFRA and the Department of Agriculture, Fisheries and Food.

Food Processing: Financial Assistance

6. **Mr Ross** asked the Minister of Agriculture and Rural Development what financial assistance her Department can give to small food processing businesses. (AQO 1319/10)

The Minister of Agriculture and Rural

Development: Under axis 1 of the rural development programme, capital support of up to £500,000 may be available to micro-, small-, medium- and intermediate-sized food processing companies through the processing and marketing grant scheme, and resource funding of up to £150,000 may be available to help market and develop food products under the

marketing and development grant scheme. Both schemes have been temporarily closed since March 2010 because of budget availability.

In the context of the current difficult financial position, my Department is making a bid in the June monitoring round for additional funding for the processing and marketing grant scheme and, if successful, we will be able to consider funding new projects.

Under axis 3 of the rural development programme, financial assistance of up to £50,000 may be available through the farm diversification or business support and development measures for food processing projects.

Mr Ross: I thank the Minister for her answer. She will be aware that the food export business in Northern Ireland is one of the few industries that is holding its own in this tough economic time. Many of those who are spending lots of money on business plans will be disappointed to hear that there is no money left for those schemes. Does the Minister agree with me that perhaps she should be looking at her budget and the possibility of investing in that type of activity because it is one of those areas that can be positive for local businesses?

The Minister of Agriculture and Rural

Development: Of course I accept that it can be positive, but we have to look at all areas of work. Obviously, although it is great to be in a position to help companies with their exports, there are other government agencies that can do likewise. I am thinking specifically of Invest NI. We have to help the primary producers in the first instance, and that is where a lot of our focus has to go. I agree that the agrifood sector is valuable and worthwhile, and one that needs to continue to be supported. However, in the present difficult economic climate, we cannot always give that guarantee.

Mr Cree: Will the Minister share with the House details of any discussions that have taken place between the fishing industry and the EU authorities regarding the 2010 EU Fisheries Council?

The Minister of Agriculture and Rural

Development: Mr Deputy Speaker, the Member is asking a supplementary question to the previous question. We have moved on to question 6.

Mr Deputy Speaker: I call Mr Patsy McGlone.

Mr McGlone: Go raibh maith agat, a LeasCheann Comhairle. Mr Ross asked about financial assistance, and that is extremely important for small food processing businesses. Will the Minister indicate how much financial support has been provided to that sector in the past 12 months?

The Minister of Agriculture and Rural

Development: I am just checking to see whether I have the exact figure. We have contractual obligations to the existing processing and marketing grant (PMG) project promoters. There was a significant underspend, and, as a result, the 2011 budget has to cover the additional pressure. The current applicants have applied for a total of £3.45 million and are at different stages in the application process. Overall, a total of £21.5 million could be committed to food processing companies under PMG, until 31 December 2013, from both EU and national funding, with spend permitted until the end of 2015. To date, under the current scheme, we have made £6.45 million available to 20 projects.

Mr Boylan: My question has been answered.

Mr Deputy Speaker: Question 7 has been withdrawn.

Comber Potatoes

8. **Mr Hamilton** asked the Minister of Agriculture and Rural Development for an update on the application for protected geographical indication for the Comber potato. (AQO 1321/10)

The Minister of Agriculture and Rural

Development: I am pleased to be able to confirm that the application to register new season Comber potatoes as a protected geographical indicator (PGI) was submitted to the Department for Environment, Food and Rural Affairs on 21 April 2010.

I welcome that development and the support that was provided to get to that stage by Ards Borough Council. Subject to a final consultation exercise that ends on 4 June 2010, DEFRA will submit the application to the European Commission for approval. If approved, the PGI will give growers in the designated area improved marketing opportunities for new season Comber spuds.

Mr Hamilton: I thank the Minister for her confirmation of that good news. Comber

potatoes and Armagh Bramley apples are prototypes for Northern Ireland producers who seek EU recognition. Given the wealth of great food produce that exists in Northern Ireland, what will the Minister's Department do, once those applications are successful, to encourage even more applications from Northern Ireland food producers?

The Minister of Agriculture and Rural

Development: My officials have been working with the Fruit Industry Federation and the Lough Neagh Fishermen's Co-operative Society to assist them in developing applications to register Armagh Bramley apples and Lough Neagh eels, respectively. Both applications have undergone the required consultation process and have been submitted to the European Commission in the past 12 months. I welcome applications on behalf of other food types, so that we can put them through that process, because it adds something to our food product.

Just at the mention of Comber spuds, I can feel a stone going on me already, because they would be served with butter and scallions.

Mr McCarthy: I thank my council colleague for bringing such an important subject to the Floor of the Assembly. Has the Minister ever had the pleasure of eating a Comber spud? Will she continue to promote the Comber spud wherever she goes? *[Laughter.]*

The Minister of Agriculture and Rural

Development: I think that it is clear to see by looking at me that I have eaten plenty of spuds.

Mr McCarthy: Comber spuds?

The Minister of Agriculture and Rural

Development: Yes. I have eaten Comber potatoes — a handful of scallions and a wee taste of butter and you are landed. Thank God I have had my lunch.

We do not take enough time to promote the benefits of local produce, unless people are looking for them. The quality of some of the produce in our supermarkets that is imported from other places is nowhere near the same. Members can help to promote the benefits of local produce such as potatoes, strawberries or apples, and we should do so collectively.

3.00 pm

Culture, Arts and Leisure

Mr Deputy Speaker: I inform Members that question 7 has been withdrawn.

Creative Industries

1. **Mr K Robinson** asked the Minister of Culture, Arts and Leisure for his assessment of the job-creating potential of the creative industries.
(AQO 1328/10)

The Minister of Culture, Arts and Leisure

(Mr McCausland): Prosperous economies are characterised by a strong creative sector and, across the world, the creative industries are recognised for their potential for growth and job creation. Approximately two million people in the United Kingdom are employed in the creative sector, and the creative industries in the UK contributed a greater proportion of GDP than in any other nation. Most recent estimates indicate that, in Northern Ireland, some 36,000 people are employed in the creative industries or creative occupations, which represents approximately 4.6% of the workforce.

In recent years, significant success has been achieved in attracting major film and television productions to Northern Ireland. The growing and vibrant local sector also includes the many individuals and small businesses working in digital media. Northern Ireland creative talent has the potential to develop the region as a world leader for film locations and to develop the lucrative post-production and digital content markets.

The creative industries can help lead economic recovery and job creation in Northern Ireland. My Department will continue to work with Invest NI and other key stakeholders to grow the creative industries sector and increase its ability to compete and succeed on the world stage.

Mr K Robinson: I thank the Minister for that very factual and clear assessment of how the creative industries are performing in Northern Ireland. However, at this time, when public sector jobs are under severe threat, will he make an urgent assessment of how many jobs it may be possible for his departmental budget to sustain with the potential for creating further jobs in the creative sector?

The Minister of Culture, Arts and Leisure:

The key areas of support are provided through organisations such as NI Screen and the creative industries innovation fund. I anticipate that we will work to continue that support for the creative industries in some way. However, that is very much dependent on budgetary constraints. If my budget is cut in the way that it was previously, there might not be the resources. However, I hope that there will be opportunities to provide funding through the continuation of the innovation fund. We, along with the Department of Enterprise, Trade and Investment (DETI), and Invest NI, will continue to support NI Screen.

At the heart of the Member's question is the fact that the creative industries are an area of potential growth and potential job creation that we would be foolish to miss out on.

Dr McDonnell: Will the Minister update the House on the strategic action plan for the creative industries and the associated development fund? Job creation is important. However, what other parameters will the Minister use to assess the success or otherwise of the strategic action plan?

The Minister of Culture, Arts and Leisure: I accept the Member's question. However, it is about growing the sector, in which job creation is a key issue. The Programme for Government target was to grow the creative industries by up to 15%. The baseline for that goal is gross value added (GVA) data from the Northern Ireland annual business inquiry, and the provisional 2008 data were made available in December 2009. However, it is only recently that detailed data on the level of the creative industries have become available.

Recent research may provide some estimation of Northern Ireland's progress. A report by Oxford Economics on behalf of the Arts Council noted the impact of the recession and downturn on the local and global economy. The report estimated that the GVA of creative industries in Northern Ireland will grow by 6·7% between 2007 and 2011, which suggests attainment of the goal of growing the sector. It added that full 15% growth will be reached by 2014.

Back in 2008, we launched the strategic action plan for the creative industries, which was developed with other Departments' agencies and sectoral development bodies. Work on that is progressing apace.

Ms J McCann: Go raibh maith agat, a LeasCheann Comhairle. Given the Minister's answer and the wisdom of further investment in those sectors, will he consider growing the participation of the social economy sector in the creative industries so that communities can be regenerated and areas of disadvantage and need can benefit?

The Minister of Culture, Arts and Leisure:

There is nothing to preclude social economy businesses from participating in the creative industries.

Rivers and Lakes: Restocking

2. **Mr P J Bradley** asked the Minister of Culture, Arts and Leisure how much his Department has spent on restocking the lakes and rivers under its control in each of the last three years.

(AQO 1329/10)

The Minister of Culture, Arts and Leisure:

In the last three years, the Department has spent the following amounts on restocking the public angling estate: £218,603 in 2007-08, £194,381 in 2008-09 and £294,103 in 2009-2010.

Mr P J Bradley: I thank the Minister for his answer. Has he had any recent meetings with the Northern Ireland Environment Agency about the restocking of polluted rivers? I ask him to do everything that he can to lobby the Minister of the Environment and the Minister of Justice to ensure that repeat polluters are severely dealt with by the law.

The Minister of Culture, Arts and Leisure:

I agree that pollution of rivers is a particular problem. I have not had any meetings recently with the Environment Agency about restocking and supporting fishing activity in the rivers, but I am aware of the ongoing problems in a number of rivers. For example, after a recent fish kill, DCAL restocked the Ballymartin tributary river to the Sixmilewater with 1,000 trout. We are conscious of the impact of pollution on a number of the rivers. The Member's question may be better directed at the Minister responsible for the Northern Ireland Environment Agency.

Mr T Clarke: The Minister touched on the question that I want to ask, which is about the pollution in the Sixmilewater over the past couple of years. Will he outline any other programmes that have been undertaken in the

Sixmilewater? What other stocking measures have taken place there in the past three years?

The Minister of Culture, Arts and Leisure:

Using Peace I and Peace II EU funding, DCAL has funded the Antrim and District Angling Association, Ballynure Angling Club and Doagh angling club for rehabilitation work, which includes a fish pass at Barbour's weir. As I said, we restocked the stretch from the Ballymartin tributary river to the Sixmilewater with 1,000 trout. DCAL is also working with Ballynure Angling Club and Antrim Angling Association under the salmonid enhancement programme to remove brood stocks to Bushmills Salmon Station for restocking purposes.

Mrs McGill: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his response on the restocking of lakes and rivers. Will he assure the House that disabled anglers will be provided with proper access so that they enjoy the benefits that others do?

The Minister of Culture, Arts and Leisure: I am not sure about the connection between the Member's question and the restocking of the rivers. However, the point is well made: we should endeavour to do all that we can to help those with disabilities to access fishing stands. That is taken into account by those who install fishing stands.

DCAL: Public Bodies

3. **Mr P Maskey** asked the Minister of Culture, Arts and Leisure if all public bodies under the control of his Department have adopted the Information Commissioner's model publication scheme, including publishing the minutes of their board meetings on their websites.

(AQO 1330/10)

The Minister of Culture, Arts and Leisure:

My Department and its public authorities that are listed in schedule 1 to the Freedom of Information Act 2000 have adopted the Information Commissioner's model publication scheme and are publishing the minutes of their board management committee meetings. Although NI Screen is not listed as a public authority, it is required to comply with the Act. It is currently redesigning its website and hopes to commence publishing its minutes shortly.

Mr P Maskey: Go raibh maith agat, a LeasCheann Comhairle. Will the Minister explain why his Department was slow to implement

the scheme with a number of its arm's-length bodies, including NI Screen? As I understand it, NI Screen is one of the most recent adopters of the scheme. Maybe he will explain why it has taken so long for that to happen.

The Minister of Culture, Arts and Leisure:

The Member will appreciate that there are more arm's-length bodies associated with this Department than with any other. Sometimes, there can be a slowness in implementing all that I want to see implemented. For example, I have for some time been asking that the minutes of Foras na Gaeilge, one of my cross-border bodies, be provided on the website in English as well as in Irish so that the rest of us can read them. However, that has been slow in coming, even though the request dates to the time of my predecessor.

I use that as an example to show how bodies do not always move as quickly as may be expected. However, we are moving on with these things, every effort is being made, and I think that we are now at the point where we are compliant.

Mr Shannon: In the interests of clarity and openness, does the Minister require that all his arm's-length bodies publish the names of their board members and senior managers on the Department's websites?

The Minister of Culture, Arts and Leisure: All my arm's-length bodies maintain registers of interests in respect of their board members and senior management. Declarations in respect of the register are required at board meetings, and confirmation of those declarations is sought through review of the board minutes and accountability meetings. I recently asked my officials to write to the Department's arm's-length bodies asking that they consider publishing those registers of interests on their websites, so that that information is not simply something within the body but is publicly accessible.

Mr Gallagher: I welcome the Minister's commitment to greater openness and transparency with regard to arm's-length bodies in his Department. However, does he appreciate that sometimes those bodies have to deal with delicate and difficult matters? Take, for example, the Minister's recent letter to the museums board about creationism and the Orange Order. Does the Minister really think that it is fair to board members to have their response to

that kind of correspondence put in the public domain?

The Minister of Culture, Arts and Leisure: I am glad that the Member raised that point, because it was quite clear that some malign individual decided to leak copies of a letter to the press. That matter will have to be dealt with and investigated by the institution concerned. That individual leaked not only a copy of a letter but the museum's copy of minutes of a meeting, which apparently appeared in the 'Sunday World' even though those minutes have not yet been verified by anyone. It is true to say that that shows a lack of respect by that individual for the trustees of the museum and for the institution itself. I am sure, therefore, that the Member will join me in condemning such behaviour.

Sport: Children and Young People

4. **Mr McDevitt** asked the Minister of Culture, Arts and Leisure what measures Sport NI is taking to encourage young children and teenagers to participate in sport (i) within school; and (ii) outside school. (AQO 1331/10)

The Minister of Culture, Arts and Leisure: Sport Northern Ireland has a number of programmes and initiatives that aim directly or in part to encourage young children and teenagers to participate in sport inside and outside school. Those include an Activ8 programme, an active communities programme, leadership training in adventure sports, governing body and athlete support programmes, capital programmes to help to address sports infrastructure deficits, and surveys of timetabled PE in primary and post-primary schools.

Sport Northern Ireland also partnered DCAL in developing my new 10-year strategy for sport, 'Sport Matters: The Northern Ireland Strategy for Sport and Physical Recreation 2009-2019', which I launched on 13 May. Sport Matters contains targets and actions designed to encourage children and young people to participate in sport inside and outside school. As part of the delivery of Sport Matters, I have invited Sport Northern Ireland to join me at a meeting that I have arranged with the Minister of Education, Caitríona Ruane, to discuss how DCAL and the Department of Education can encourage better use of school and community sports facilities in a way that will help to encourage children and young people to

participate in sport inside and outside schools. That meeting is scheduled to take place on 7 June.

Furthermore, my predecessor, Gregory Campbell MP MLA, was committed to using the power of the 2012 Olympic and Paralympic Games to inspire children and young people to adopt healthier lifestyles through sport. Sport Northern Ireland, through its programmes and initiatives, is helping the Department to deliver that legacy and, in doing so, is helping to tackle the major issue of childhood obesity.

3.15 pm

Mr McDevitt: I welcome the news that there will be a meeting on 7 June between the Minister of Culture, Arts and Leisure and the Minister of Education. Specifically, does the Minister hope to seek agreement with the Minister of Education on the use of schools' facilities for sports and community sports?

The Minister of Culture, Arts and Leisure: That issue is on the agenda; it is the purpose of the meeting. I am not saying that, to borrow the Member's phrase, we will reach agreement. That is not the situation that we will have. We need to find mechanisms, patterns of good practice and ways of doing things, and those will develop over time. There are already examples of good practice in quite a number of schools, and we need to encourage other schools to learn from those examples. There are other issues that we will want to discuss at the meeting.

Mr Cree: Has the Minister any indication of the number of school premises that are used outside normal hours and are funded by his Department?

The Minister of Culture, Arts and Leisure: I do not have that information to hand. I will enquire as to whether it is available. That might also need to be discussed with the Minister of Education at the meeting on 7 June.

Mrs O'Neill: Go raibh maith agat, a LeasCheann Comhairle. Does the Minister have a view on setting aside a set number of hours in a school for PE?

The Minister of Culture, Arts and Leisure: There is an issue in relation to the activities of young people and the opportunities in the curriculum. Recommendations came forward from last year's Education and Training Inspectorate report on children and young people's interest in sport. That piece of

evaluative work was commissioned from the inspectorate by my Department. The report's recommendations, particularly those calling for greater collaboration between Departments, the building of links between schools and clubs and the widening of the PE curriculum, are wholly consistent with the targets and actions set out in the Sport Matters strategy.

When the inspectorate published the report last July, it specifically stated that there needed to be widespread support for Sport Matters if the recommendations were to be implemented. It is key that we encourage schools, within and outside the curriculum, to maximise opportunities. Some of those issues fall more readily within the Department of Education's remit, and that is why we need, through Sport Matters, to have a cross-departmental group to work on them. Perhaps the Member should direct her question to the Minister of Education.

Ulster Scots

5. **Mr Craig** asked the Minister of Culture, Arts and Leisure for his assessment of the benefits for the entire Ulster-Scots population, including in the border regions, of funding provided by his Department for Ulster-Scots language and heritage. (AQO 1332/10)

The Minister of Culture, Arts and Leisure: The benefits to the Ulster-Scots community of the funding provided for Ulster-Scots language and heritage projects are that it helps to grow an awareness of the Ulster-Scots community and to maintain and to develop the language and cultural traditions of that community in Northern Ireland and the border counties. It also helps to recognise the influence of the cultural traditions of the Ulster Scots in Northern Ireland, the border counties and, indeed, the rest of the world.

Mr Craig: I thank the Minister for that. Will he outline how he will ensure that the Ulster-Scots cultural and heritage tradition in Northern Ireland can be maintained and protected as other cultures in Northern Ireland are?

The Minister of Culture, Arts and Leisure: My Department allocates significant funding through its arm's-length bodies to help Northern Ireland's communities enjoy and celebrate their culture and heritage, be it through the arts, sport, languages or, indeed, museums. If we are to build a shared and better future in Northern Ireland, it is essential that everyone's

culture, heritage and beliefs are recognised and respected as part of our society and our shared heritage. Publicly funded bodies, such as schools and museums, have an important part to play. They need to ensure that everyone's culture, traditions and beliefs are treated with respect and are presented in an inclusive way that does not exclude and marginalise them.

One of the Members opposite referred earlier to a letter that I sent recently to the trustees of the Ulster Museum. The context of the letter was to ensure recognition of the importance of building a shared future, a commitment to good relations and recognition of the responsibility for human rights and equality of all arm's-length bodies. It is essential that the Ulster-Scots story is not airbrushed from the storyline of our museums as though that community did not exist. The same is true of the Orange tradition that I also mentioned in the letter. It is important that all traditions are included. For the record, at my meeting with the trustees, I mentioned not only the Orange Order but the Ancient Order of Hibernians, of which I am unlikely to become a member.

Mr Leonard: Go raibh maith agat, a LeasCheann Comhairle. Will the Minister accept and confirm that the Dublin Administration have been relatively positive towards the Ulster-Scots culture, thereby providing a good example of inclusivity in Ireland that others could follow?

The Minister of Culture, Arts and Leisure: I have had several cordial meetings with the responsible Minister from the Irish Republic. We have a common understanding of the way forward for Foras na Gaeilge and the Ulster-Scots Agency. I am encouraged by the meeting of minds on that matter.

Mr Kennedy: I am still reflecting on my interesting private conversation with the Minister in the Library earlier today. We talked about the visit of Roy Rogers and his horse, Trigger, to Northern Ireland many years ago. With that in mind —

Mr McCarthy: Was it not Tonto?

Mr Kennedy: No, it was Trigger. The Alliance Party is split on that matter.

Will the Minister detail his plans for the non-linguistic elements of the Ulster-Scots heritage, specifically his medium- and long-term plans for the development of Ulster-Scots music?

The Minister of Culture, Arts and Leisure: I am encouraged that the Member takes such an inclusive view of culture. It was an interesting conversation about Roy Rogers. Perhaps there was some discussion on whether Kieran McCarthy appeared in the film.

Pursuant to the St Andrews Agreement, we are developing a strategy for the Ulster-Scots language and culture alongside that for the Irish language, and music is bound to be a significant element. I encourage the Member to be patient, because the strategy will appear shortly, and it may reassure him. Music and dance are tremendously popular. The Ulster-Scots Agency has allocated money to tuition in schools through the peripatetic teachers' scheme and to community-based training in music and dance. Those are immensely popular schemes.

Mr Molloy: Will the Minister provide an assurance that the review —

Mr Kennedy: Question number 6.

Mr Molloy: I am sorry, Mr Deputy Speaker, —

Mr Kennedy: Roy Rogers has a lot to answer for.

Foras na Gaeilge

6. **Mr Molloy** asked the Minister of Culture, Arts and Leisure for his Department's assessment of the Foras na Gaeilge review of its core-funded organisations. (AQO 1333/10)

The Minister of Culture, Arts and Leisure:

In April 2008, the board of Foras na Gaeilge commenced an external review of its 19 core-funded Irish language voluntary organisations. The sponsor Departments and the North/South Ministerial Council agreed with the terms of reference for the review, which included achieving significant benefits through attaining value for money and the effective delivery of Foras na Gaeilge's statutory obligations.

The review report was presented to the board of Foras na Gaeilge on 21 May 2010 and to the North/South Ministerial Council on 26 May 2010, when Ministers decided that officials from both sponsor Departments should work with Foras na Gaeilge to agree the detail of the review's proposals and a timescale for its implementation by the end of June 2010.

Mr Deputy Speaker: It is now time for your supplementary question, Mr Molloy.

Mr Molloy: I apologise; I was engrossed in conversation.

Will the Minister assure us that the review will not have an adverse affect on the jobs in the 19 core-funded organisations that are located the length and breadth of Ireland?

The Minister of Culture, Arts and Leisure: I am disappointed that my answers have not been significantly intriguing and interesting to hold Mr Molloy's attention.

The purpose of the review was to ensure maximum value for money and money for areas where it will have maximum effect. The process is at an early stage and must be given an opportunity. Everyone will be encouraged if we avoid duplication and ensure better spend and value for money. Foras na Gaeilge has much work to do on implementing its decisions, but we need to wait a little while to see how that works in practice.

Mr I McCrea: I thank the Minister for his answer. What are the main recommendations of Foras na Gaeilge's review of its core-funded bodies?

The Minister of Culture, Arts and Leisure:

The funding model proposed in the review will be based on a portfolio of schemes that will be advertised for the entire Irish language sector rather than for a particular number of organisations. A statutory amendment will be introduced in Dublin to allow the distribution of the entire fund based on open competition and the best applications. Foras na Gaeilge will prepare one central strategy for the fund, which will be reviewed annually, based on the achievement of targets. It is proposed that Foras na Gaeilge will develop schemes under the following categories: local radio; the arts; education; family support; community support; youth advocacy; and research. Sponsor Departments are now working with Foras na Gaeilge to agree an implementation plan by the end of June.

Mr D Bradley: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a fhreagra, ach ba mhaith liom an cheist seo a chur air: an gcinnteoidh sé go gclúdófar na cúinsí uile go léir faoin athbhreithniú ar eagraíochtaí croí-mhaoinithe?

Will the Minister ensure that the differing circumstances that apply to organisations here

will be taken into consideration in any changes to core-funded organisations' funding?

The Minister of Culture, Arts and Leisure: It is not intended to administer two separate portfolios: one for Northern Ireland and one for the Irish Republic. Therefore, organisations based in Northern Ireland will have to compete with organisations in the Republic for funding. Foras na Gaeilge and the two sponsor Departments will give due consideration to organisations based in Northern Ireland as the implementation plan is developed. In my previous supplementary answer, I set out the areas of activity on which there will be particular focus. Interim funding for the core-funded organisations has been agreed until the end of the December, and I do not believe that additional protection is required.

Mr Deputy Speaker: Question 7 has been withdrawn.

Public Record Office of Northern Ireland

8. **Mr Kinahan** asked the Minister of Culture, Arts and Leisure for an update on the relocation of the Public Record Office of Northern Ireland to the Titanic Quarter. (AQO 1335/10)

The Minister of Culture, Arts and Leisure: The construction of the new public record office at Titanic Quarter is on programme for completion and handover to the Public Record Office of Northern Ireland (PRONI) in August 2010. It is scheduled to open to the public in April 2011.

Mr Kinahan: I thank the Minister for his answer. What is his assessment of the access at the site of the new public record office? How many users can it cope with at any one time?

The Minister of Culture, Arts and Leisure: The whole purpose of having the new facility in the Titanic Quarter is to provide greater access. There are difficulties with the current premises that, frankly, make them unsuitable for the twenty-first century. Users will have much better provision in the new building.

The question on the number of users is difficult to answer. The answer will depend very much on what services are required in the building at any one time. For example, questions are often asked about the number of machines that are available for reading digitised records. We cannot predict how many people will want to use that particular service at any particular time.

The Member's second question is, therefore, almost impossible to answer. However, we are confident that the new facility will be a much better and superior facility than what we have at present.

3.30 pm

Education

Convergence Delivery Plan

1. **Mr McCallister** asked the Minister of Education when phase one of the convergence delivery plan will be completed. (AQO 1342/10)

The Minister of Education (Ms Ruane): Is ar bhunú an údaráis um oideachas agus scileanna a bhraitheann baint amach an lánchumais chun caighdeán oideachais a ardú agus coigiltí éifeachtacha a sholáthar. Tá socruithe tugtha isteach agam a thacóidh le coinbhéirseacht na seirbhísí oideachais faoi na struchtúir reatha go dtí go n-achtófar an Bille um Oideachas.

Realising the full potential to raise educational standards and deliver efficiency savings depends upon the establishment of the education and skills authority (ESA). Until the Education Bill is enacted, I have instituted arrangements to provide for the convergence of education services under the current structures. This is a suboptimal position. Those Members who are blocking progress of the Bill are denying children the opportunities for better outcomes and are delaying the realisation of significant financial savings.

To provide for this, a convergence delivery plan was published in March 2010. It is expected that significant progress towards the completion of phase 1 of the plan will have been made by March 2011. That is the target date for education and library boards, working with the education and skills authority implementation team, to deliver savings of £13 million through converged services. Certain aspects of phase 2, involving non-education and library board organisations, will be undertaken in parallel with phase 1.

Mr McCallister: By now, the Minister should have realised that the Bill in its current form is unlikely to be passed by the Assembly.

Will the Minister give an indication regarding the director-designate roles within the ESA?

Does she view those posts as permanent, even after the completion of her delivery plan, or temporary?

The Minister of Education: It is disappointing that the Member is setting his heart against the establishment of the education and skills authority. I urge him to change his mind, because ultimately this is about standards for children and young people and dealing with the current level of underachievement in the system. It is also about developing a more cohesive approach across the North of Ireland.

In my statement to the Assembly on 12 December 2009, I made it clear that the ESA chairperson, Sean Hogan, and chief executive designate, Gavin Boyd, will have key roles in keeping the momentum going towards the establishment of the ESA. The chief executive designate and the ESA directors will work closely with staff in the education and library boards and other affected organisations in the design and implementation of the convergence of services. The accountability of the education and library boards' chief executive officers for service delivery remains unchanged.

Mr Storey: For once, will the Minister give a clear answer to a question? She has said in the House that the improvement of standards in schools and efficiencies are dependent on the establishment of the ESA. Will she accept today that the reason why the ESA has not and will not be established is that she and her party are not prepared to protect the controlled sector of our education system, which she would like to further discriminate against by removing the legal rights of the Protestant Church representatives on education and library boards? Will she publicly state in the House what her position is on that protection?

The Minister of Education: This was an Executive decision to which the Member's party signed up. It is very unfortunate that this representative of that party is playing games with the establishment of the ESA. I absolutely refute the comments that he has made in relation to the transferors. The Member will know that I, and representatives of my Department, have met on a number of occasions to deal with the genuine concerns of transferors. The party opposite needs to be asked: is it using genuine concerns to try to block educational reform? I leave the House to decide on that.

Mrs O'Neill: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for her answer, and I welcome her commitment to move forward in improving the outcomes for all children. Will she explain why she will not leave education and library boards in their current form?

The Minister of Education: Aithníonn an Coiste Feidhmiúcháin go gcaithfear éifeachtúlachtaí a bhaint amach san oideachas.

The Executive recognise that efficiencies must be achieved in education and that we must get money to the front line. I also require significant reshaping of services to support new policies such as Every School a Good School. To that end, it remains Executive policy to support the introduction of the education and skills authority. However, in the absence of progress on the legislation that is necessary to bring that about, I announced in December 2009 that work should begin to converge the existing authorities' activities in pursuit of greater efficiency and to ensure standards for all young people rather than some, with the focus on supporting new policies.

Mr Dallat: Will the Minister give some insight into the financial model that was used to illustrate savings that may arise from the convergence delivery plan?

The Minister of Education: The Member will know that an enormous amount of money is being used and that the bureaucracy and administration of services are duplicated. At present, 11 organisations administer education. There is no need for that. We need to streamline that bureaucracy and administration and ensure that we get money to front line services. The economic climate challenges all of us in the House, and it is important that all parties support educational reform so that we can get money to the front line.

Schools: Boards of Governors

2. **Mr Gardiner** asked the Minister of Education to outline the reasons why a number of boards of governors of schools have not been reconstituted. (AQO 1343/10)

The Minister of Education: School boards of governors are reconstituted every four years. The reconstitution process involves a number of stages, and it can take some 12 to 18 months to complete them all. Those stages include advertising for and recruiting new governors,

seeking nominations from school trustees and transferors' interests, consultation with schools and consultation with existing governors about reappointments. Also included are the arrangement of elections in schools for teacher and parent governors and the vetting of all new governors before formal appointment.

Chuaigh 1,166 scoil, idir scoileanna rialaithe, scoileanna faoi chothabháil agus scoileanna deonacha gramadaí, trí athbhuanú sa 12 mí a chuaigh thart. Tá athbhuanú bhoird gobarnóirí na scoileanna rialaithe agus na scoileanna faoi chothabháil araon chóir a bheith críochnaithe.

A total of 1,166 controlled, maintained and voluntary grammar schools have been undergoing reconstitution in the past 12 months. The reconstitution of controlled and maintained schools' boards of governors is almost complete. Most voluntary grammar schools have also been undergoing reconstitution, and the number of governor appointments remains to be confirmed by my Department.

Mr Gardiner: Does the Minister accept that, for the convergence delivery plan to work, the boards must include elected representatives?

The Minister of Education: Of course we need elected representatives, and we are in the process of ensuring that such people are on the boards and that representation is wide enough to include everybody's views.

Mrs M Bradley: What measures is the Minister taking to ensure that there is a balance of political representation on the boards of governors?

The Minister of Education: We conduct a transparent and open process. Last year, that process was advertised extensively, because it is important that we get a political — with a small “p” — cross section of our community. We are talking not about political parties being represented on boards of governors but about representation that reflects communities. The complex issues of underachievement and departmental policies must be dealt with in that context. Therefore, we in the Department aim to ensure that we have the broadest possible representation, that we work very closely with communities and that we deal with the many challenges we face, particularly those of underachievement and ensuring that young

people who have not had opportunities in the past have them now.

Nursery Places: South Belfast

3. **Ms Lo** asked the Minister of Education whether she intends to increase the number of nursery school places in South Belfast for the academic year 2010-11, given the acute shortage of preschool nursery provision in the area. (AQO 1344/10)

Preschool Places

8. **Mrs McGill** asked the Minister of Education what action she is taking to assist children who did not gain a preschool place. (AQO 1349/10)

The Minister of Education: A LeasCheann Comhairle, I will answer questions 3 and 8 together. Mar gheall ar an éileamh gan réamhshampla ar áiteanna i mbliana agus mar gheall ar an tábhacht a bhaineann le hoideachas réamhscoile i dtaca le forbairt na luathbhlianta, d'fhógair mé go bhfuil sé de rún agam soláthar breise de suas le £1.3 milliún a chur ar fáil le háiteanna breise a mhaoiniú chun an t-éileamh seo a chomhlíonadh.

In recognition of the unprecedented demand for places this year and the importance of preschool education to early-years development, I have already announced my intention to make available additional provision of up to £1.3 million to fund additional places to meet demand. That brings to 22,559 the number of funded preschool places. Some 14,202 places are available in the statutory sector, and there is sufficient funding for 8,357 places in the voluntary and private sector. That means that roughly two out of every three existing funded preschool places are in the statutory sector.

Furthermore, since May 2007, I have approved 12 new statutory nursery units, which represents 312 additional statutory places. I have also approved two development proposals from statutory nursery settings to change from part-time provision to full-time provision, in line with parental demand. In 2009-2010, 97% of the cohort of three- to four-year-old children were allocated a funded preschool place. That compares with only 45% of children in receipt of a funded preschool place in 1997, before the introduction of the pre-school education expansion programme (PSEEP). Therefore, a significant level of growth has occurred in

a relatively short period. My Department is working with the education and library boards to examine the options that are available in order to ensure that, where possible, every child is placed for the 2010-11 school year.

Preschool education is a genuine partnership between the statutory sector and the voluntary and private sector. My Department, together with the education and library boards, will consider all avenues to address the unprecedented demand for places.

Ms Lo: I thank the Minister very much for increasing her budget for preschool places this year, although better planning is needed next year to avoid having to remedy the situation in the face of a crisis.

In view of the shortage of places that there is in South Belfast, will the Minister reconsider the applications that were rejected, such as those from St Anne's Primary School for 26 additional places and from Cranmore Integrated Primary School for upgrading its playgroup to a nursery, at least for the coming years?

The Minister of Education: The Member mentioned South Belfast. Chuir an BELB in iúl dom go bhfuarthas 217 iarratas ar 156 áit i naíscoileanna agus in aonaid reachtúla i dtoghcheantar Bhéal Feirste Theas don bhliain 2010-11.

The Belfast Education and Library Board advised me that 217 applications were submitted for 156 places in statutory nursery schools and units in the Belfast South constituency for 2010-11. Funded preschool places are available not only in the statutory nursery settings but in settings in the voluntary and private sector. Indeed, approximately one third of funded preschool provision is in that sector. At the end of the preschool admissions process on 30 April 2010, 33 children in the South Belfast constituency in their final preschool year had not been offered a funded preschool place. However, 26 funded preschool places remained unfilled. That highlights the difficulty in matching demand for places to actual numbers. My Department is looking at how that demand can be met, after which we will get back to the Member.

Mrs McGill: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for her responses. I seek some clarification on the £1.3 million of additional funding. Has the

Minister stated whether the statutory sector is also accommodated?

3.45 pm

The Minister of Education: Tugtar faoi deara go bhfuil tuairim is dhá áit as gach trí áit chistithe réamhscoile ar fáil san earnáil reachtúil.

It should be noted that roughly two out of every three existing funded preschool places are in the statutory sector. Furthermore, since May 2007, I approved 12 new statutory nursery units, representing 312 additional statutory nursery places. Preschool education is a genuine partnership between the statutory and the voluntary and private sectors. My Department, with the education and library boards, will, of course, consider all avenues to address the unprecedented shortfall in places. When the education and library boards allocate additional places, they will look initially to the voluntary and private preschool sector because it provides more flexibility to react to fluctuations in overall numbers. However, the Member should be aware that I will be considering some outstanding statutory development proposals.

Mr McDevitt: The Minister's reply concerning South Belfast highlighted the Department's inadequacy in planning preschool places. Further to the Audit Office's recent report on preschools in Northern Ireland, what specific steps is the Minister taking to implement the report's recommendations?

The Minister of Education: Obviously, my Department will carefully study all the Audit Office's recommendations. In the report, as well as areas for improvement, there are many positive areas, and we will examine both. Suffice it to say, in a short time, we moved from 47% to 97%. However, we can never be complacent, and we will always want to improve. Indeed, we invested an enormous amount of money — tens of millions of pounds — in preschool funding. I note that all parties in the House support additional money for preschools, and I welcome that support.

Mr Bell: Given the Minister's established failure to plan adequately and the resultant impact on children whose educational potential is being stolen from them this year, how will she tackle the widespread perception that she is discriminating against the statutory sector? Given that parents want to send their children

to the statutory sector because of its proven educational track record, is the Minister telling us that she knows more than those parents?

The Minister of Education: I shall not comment on the Member's personal opinions; suffice it to say that I have a different view. I already answered the question about the statutory sector, and that answer is on the record.

Mr Beggs: Will the Minister clarify why some two-year-olds continue to get funded places while others in their immediate preschool year are not getting them? She indicated that 97% of places are funded, so why can all children who wish to take up a funded place not get one?

When will people in the community and voluntary sector and, for that matter, in the private sector be given the same level of funding as those in the statutory sector? The Minister, apparently, espouses equality, but there is no equality at present.

The Minister of Education: The Member's question about two-year-olds is valid, and my Department is looking into the matter. As the Member knows, I believe in equality. We are putting more resources — record amounts — into preschools than ever before, and I look forward to support from the Member's party when we bring forward the early years strategy, for which we have allocated resources. I look forward to the UUP's support when we bring forward funding applications.

Primary Schools: South Belfast

4. **Mr Spratt** asked the Minister of Education for an update on the proposed amalgamation of Donegall Road Primary School, Blythefield Primary School and Fane Street Primary School.
(AQO 1345/10)

The Minister of Education: Ar an gcéad ásc, tá Bord Oideachais agus Leabharlainne Bhéal Feirste freagrach as planáil an eastáit rialaithe i mBéal Feirste. Chuir an bord in iúl do mo Roinn go bhfuil sé ag obair ar thograí ar fhoirgneamh nua scoile chun cónascadh na trí scoil seo a éascú, ach tá obair ar luathchéim agus níor cuireadh tograí faoi bhráid mo Roinne le haghaidh breathnaithe go fóill.

The planning of the controlled estate in Belfast is, in the first instance, a matter for the Belfast Education and Library Board. The board recently advised my Department that it is working on

proposals for a new school to facilitate the amalgamation of those three schools. Work is at an early stage, and proposals have yet to be submitted to the Department for consideration. My officials have asked the board to consider the possibility of amalgamation in advance of any major capital investment. In addition, my Department and the board have agreed the need to develop an estate strategy for Belfast. Such a strategy will provide clarity on potential major capital works, including the inner south Belfast project.

Mr Spratt: I thank the Minister for her answer. With regard to those three schools, will she confirm whether the Belfast board is looking at a portion of land in the Health Department's remit? Will she assure me that all of that will be free from any political interference?

The Minister of Education: I absolutely assure the Member that there will be no political interference on the part of my Department. We are working closely on a wide range of capital builds, and work will be done on the basis of equality and with clear criteria.

Dr McDonnell: Those three schools are in need of urgent attention. The Minister said that there was the possibility of the schools working together or amalgamating in some way before a new school is built. Will she outline in more detail what work has or is being done on the possibility of the schools working in some sort of federation before a new school is built?

The Minister of Education: The Belfast Education and Library Board has recently advised my Department that it is working on proposals for a new school to facilitate the amalgamation. I and my Department await those proposals. Work is at an early stage, and proposals have yet to be submitted. We will examine the proposals in detail as soon as we get them.

Mr Kinahan: I thank the Minister for her answer. I want to widen the discussion slightly. When her Department is making decisions to amalgamate schools throughout Northern Ireland, what demographic analysis does it undertake?

The Minister of Education: The Member knows that I do not want to build schools on the basis of what happened in the past when, a short time after schools were built, they were empty. Valuable public money was used in the process. We are carrying out robust area-based planning,

and we are looking at numbers with regard to all the different schools and any new capital builds. We are doing projections for the number of children in schools, and we are ensuring that the money spent in the capital programme is money well spent.

Teachers: Redundancies

5. **Mr A Maginness** asked the Minister of Education how many teachers will be made redundant at the end of this school year.
(AQO 1346/10)

The Minister of Education: Chuir mé suas le £9 milliún ar fáil chun tacú le húdaráis fostaíochta d'fhonn an costas ar chúiteamh lánroghnach a bhaint amach.

I have made available up to £9 million, if needed, to help employing authorities to meet the discretionary compensation costs associated with teacher redundancies in 2010. In the current financial climate, that significant amount was not easy to secure. Discussions are ongoing between employing authorities with a view to securing volunteers for redundancy and the redeployment of teachers in redundant posts where appropriate. Therefore, it is not yet possible to identify the number of compulsory redundancies, if any, in 2010, although I understand from information supplied by the employing authorities that there will be 221 redundant teaching posts at the end of this school year. The funding that I have provided will help employing authorities to provide an incentive for volunteers and to keep compulsory redundancies to an absolute minimum.

Mr A Maginness: I thank the Minister for her reply. There is great concern in the teaching profession about increasing numbers of redundancies. I hope that the Minister can reassure those involved in teaching that when compulsory or voluntary redundancies are made, particularly compulsory redundancies, genuine efforts will be made to redeploy teachers in other schools. Obviously, there is a concern for teachers hoping to continue their teaching career —

Mr Deputy Speaker: Will the Member come to his question, please?

Mr A Maginness: Will the Minister assure me that she will do everything in her power to ensure that teachers are redeployed?

The Minister of Education: Obviously, I will do everything in my power to ensure that our teachers get fair play. That is why, in tight times, I made available a significant amount of money to ensure that our teachers are treated fairly. My Department is working closely with the employing authorities.

Mr B McCrea: Will the Minister comment on the recent report from the Northern Ireland Audit Office (NIAO) on the cost of using substitute teachers in Northern Ireland?

The Minister of Education: Our newly qualified teachers deserve fair play. They have not had that in the past, and the Member knows that I have been very concerned at the number of retired teachers being re-employed as substitute teachers. My Department has taken many actions to ensure that that does not happen, and the figures have decreased since I took office in 2007. The issue must be dealt with, and, obviously, the Department will carefully study the report from the NIAO. One measure that the Department has taken is to make it more expensive for schools to employ retired teachers by ensuring that the schools pay to employ substitute teachers, rather than money being taken from a central budget. That creates a greater incentive for schools to employ newly qualified teachers.

Mr Storey: Given the earlier comments on redeployment, what steps has the Minister and her Department taken to ensure that there is equality of treatment between the maintained and controlled sectors in the event of a redeployment? There is an impediment against teachers from the controlled sector gaining access to the maintained sector because of the need for them to have a Catholic certificate.

The Minister of Education: My Department always works with the employing authorities on the basis of equality. It fulfils its equality duties at all times.

Irish-Medium Schools

6. **Mr Leonard** asked the Minister of Education for an update on the inspection reports on Irish-medium schools.
(AQO 1347/10)

The Minister of Education: Is earnáil bheoga óg í earnáil na Gaelscolaíochta: is í an earnáil is gaiste fás í i dtuaisceart na hÉireann.

The Irish-medium sector is young and vibrant, and is the fastest growing schools sector in the North of Ireland. However, the needs of that sector were neglected by previous Administrations. Newly established Irish-medium schools face particular challenges. The sector had difficulties in accessing curricular and other resources, and there has been historical underinvestment in capital projects, which has resulted in many schools having poor accommodation. There are also many transport issues.

Inspection is a key part of the work the Department does to support schools and raise standards, and that applies across all sectors. Once a school is inspected, a report is published and, if any areas for improvement are identified, the school is required to address them with appropriate support when necessary. When inspectors find that a school is offering less than satisfactory provision for its pupils, my school improvement policy ensures that that school receives focused support through the formal intervention process. The schools that receive support through that process — in the controlled, maintained, integrated, Irish-medium and grammar sectors — are committed to improvement and are receiving the tailored support that they need from education and library boards. I welcome the response of those schools in rising to meet the challenges that they face.

Every school that goes through that process will receive follow-up inspections, after which the situation will be reviewed. One Irish-medium school has just been re-inspected. It was found to have improved and the provision is now satisfactory. Therefore, I expect that the first school to exit the formal intervention process will be an Irish-medium school, and I look forward to all the other schools following suit.

I am committed to tackling underachievement wherever it exists and in every sector. The focus throughout that process is on ensuring that pupils receive the highest possible quality of teaching and learning so that they can achieve their full potential. The schools, parents, pupils and staff now need our encouragement as they set about the job of improvement.

Mr Leonard: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for outlining the actions that the Department currently takes. Will the Department give continued commitment

to the school improvement programme in all sectors?

The Minister of Education: Absolutely. Any school that is identified by the inspector receives tailored support from the relevant education and library board and is supported, when appropriate, by the relevant sectoral body.

The school also commits to working to deliver an agreed action plan, which is quality assured by the Education and Training Inspectorate and is designed to address the areas for improvement that have been identified through inspection.

4.00 pm

Executive Committee Business

Licensing and Registration of Clubs (Amendment) Bill: Second Stage

Debate resumed on motion:

*That the Second Stage of the Licensing and
Registration of Clubs (Amendment) Bill be agreed. —
[The Minister for Social Development (Mr Attwood).]*

Mrs M Bradley: I am glad to see this Bill before the House today, because it deals with some very important issues, namely public health and public order. *[Interruption.]*

Mr Deputy Speaker: Order.

Mrs M Bradley: The laws on the licensing of clubs and the serving of alcohol have not been reviewed in the past 10 years, despite the fact that attitudes towards drinking, clubbing and socialising have changed a great deal during that time. Many people say that people's attitudes and behaviour have got much worse.

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

All Members will agree that alcohol abuse is a big problem. It is directly related to ill health, antisocial behaviour, violent crime, domestic violence and many other problems. Something must be done to tackle those issues, and the changes to the law contained in this Bill will go some way towards that. The introduction of stronger regulation of licensed premises will make our towns and city centres safer places, and the Bill will provide stiffer temporary closure laws, a penalty points system and a proof-of-age scheme. It will send a message to the owners of badly run bars and clubs that there is a real prospect of losing their licences.

Many people like a night out, and most people enjoy a drink. However, too many people take it to extremes. We do not want to hurt the industry, but we need to protect public order and improve the health of the population as a whole. I support the Bill and urge all other Members to do likewise.

Ms Lo: The Alliance Party supports the Bill's principle of addressing alcohol abuse, which obviously has serious social and economic

impacts on society. Although we welcome the various aspects of the Bill, we have some reservations about the closure provisions.

We support the new system of penalty points. It will deter premises owners and staff from breaking the law and thinking that they can get away with a small fine. Closing the premises for between one week and three months is a different matter for licensed premises owners. We also welcome the proof-of-age scheme. It will strengthen the hands of premises staff and owners in requiring customers to produce evidence of their age. Moreover, it will provide a defence for premises during any court proceedings because they will be able to show that they have demanded such documents and that they have a display of notices.

We support the proposals on the accounts of registered clubs. It is important to have that flexibility. We support the measure to introduce streamlined accounting practices for clubs to take into account different accounting requirements for different sizes of clubs and to make them proportionate so that clubs are not overburdened by unnecessary bureaucracy. We query the provision to allow authorisation for late night openings on special occasions to jump from 52 to 120 times a year. The principle of the law is to reduce the negative impact of alcoholism on society. The increase in the number of special occasions to such a level does not, therefore, make much sense. However, I value the benefits of private clubs and the contribution that they make. I declare that I am not a member of any such private club. It is important to consider the concern of the Federation of the Retail Licensed Trade in Northern Ireland that such an increase would encourage private clubs to run activities on a business or commercial basis rather than merely as members' clubs.

We are disappointed that the revised version of the Bill removes two grounds for police to close the premises: imminent disorder and noise nuisance. That will dilute the power of the police to prevent public disorder. Sufficient safeguards are required. However, decisions on the closing of premises are to be made by senior officers who must later justify their action to the court. They will, therefore, have to think beforehand about the rationale for closing down the premises and consider whether the court will view their decisions as necessary, justifiable and proportionate. If the Secretary of State were

to issue clear guidelines on the criteria for the use of that power, those would safeguard its use. We take the concerns that the police have expressed into consideration, and, perhaps, those issues will be ironed out at Committee Stage.

I agree with other Members, and I accept the Minister's comment, that the Bill is only the beginning. The introduction of measures such as controlling the price of alcohol and discouraging cheap alcohol sales would be useful in trying to curb the increase in alcohol abuse in Northern Ireland.

Mr Craig: I welcome the Minister's generally balanced approach to the Licensing and Registration of Clubs (Amendment) Bill. By and large, a level of balance is built into the Bill between controlling the use of alcohol and leaving open competition in the industry. Only one issue in the Bill strikes me as containing some imbalance.

I welcome many of the provisions. I warmly welcome the provision that gives additional powers to the police to close clubs or other facilities that cause breaches of the peace, and I have little sympathy for facilities that get into the situation in which fights break out continually. The penalty points scheme, which will be pioneered in Northern Ireland, will be an interesting concept, and we cannot say that too often about legislation. It will be interesting to see how that works out.

Clause 9 caused me consternation. It will increase the number of late night openings for clubs from 52 to 120. I find that very alarming. As a mathematician and an engineer, I know that that equates to a 127% increase in the number of late night openings for clubs. That causes me a number of concerns. The whole ethos of the Bill was to try to tackle Northern Ireland's alcohol abuse problem. In the whole of the British Isles, it is recognised that alcohol abuse is an issue. One has only to speak to the Health Minister to get a clear indication of the impact that it is having on the Health Department. More than 70% of the health issues that his Department deals with are caused by alcohol abuse of one kind or another. Paramedics have told me that if alcohol were taken out of the system in Northern Ireland, they would be unemployed. That is the type of impact that it has on our health system. We need to bear that in mind when we are looking at the Bill. It must try to tackle those issues.

The Minister has made it clear that this is the start of a process that will tackle some of the more underlying issues. The biggest issue is the sale of cheap alcohol as a loss-leading product by large national and multinational chains, which leads to a lot of the antisocial behaviour that we are well aware of in our constituencies. There has been a promise that those issues will be looked at later, but it is disappointing that some of the recommendations that have been looked at in Scotland were not tried out in the Bill. The vast majority of problems around alcohol abuse actually come from the sale of very cheap alcohol that is being taken away from premises, and, unfortunately, leads to a lot of alcohol abuse among our youth today. It is unfortunate that that is not being tackled. Therefore, although I understand the principle of the legislation, I find it bizarre that, in one respect, we are opening up another aspect of the legislation, with respect to clubs, that will lead to further abuse of alcohol. I find it intriguing that the Minister would allow that to happen.

In my constituency, I have worked with a number of sporting clubs that have premises in which one can take alcohol, and none of them were even slightly concerned about that aspect of the legislation. Most of them would never use the 50-odd days that we have in the current legislation, never mind meet a requirement for opening up late for 120 days. Therefore, it is hard to know where the demand is actually coming from. Obviously, some premises somewhere have a vested interest in doing more business. Unfortunately, however, in my experience, late night openings, whether they are in clubs, bars or restaurants, lead to alcohol abuse.

4.15 pm

A very tragic example of that happened in my own constituency. A matter of weeks ago, a young 28-year-old man came out of a club in the early hours of the morning. He had obviously taken far too much alcohol. He walked straight out in front of a vehicle and lost his life. I, for one, will not stand here and encourage further late openings that would allow such things to happen.

If Members want to know my position on alcohol, I advise them to look at a very famous sermon that I certainly take great pleasure in reading every now and again. The sermon is by the infamous Mr Billy Sunday on what he called the "booze" industry. He dealt with the social

issues that were caused by the drinks industry in America during his day, and he had a social conscience about alcohol. I may not agree with the outcome that he preached for at that time, because it backfired in America. However, it should certainly give the Assembly a shot across the bows about increasing clubs' late night openings, because they will create serious problems.

I was interested to hear what PSNI had to say on that. It has serious concerns about increasing late night openings because not only will they increase the police's workload but, unfortunately, they will increase it exponentially. At least the police are honest about that. Plenty of statistics from my own constituency prove that many policing problems occur whenever late night openings come to an end and people spill out on to the street. Unfortunately, many of those people are in no fit state to make their own way home. That leads to accidents, and it can lead to loss of life. Obviously, the police have to get involved in any breaches of the peace that occur whenever those people spill into the streets.

Police have difficulty policing the current system. Therefore, the potential 127% increase in the number of clubs' late night openings will create serious resourcing issues. They do not see how they can police that level of increase.

Therefore, I ask the Minister to reconsider that and to come back with a more balanced approach to the number of late night openings. The rest of the Bill is quite balanced. I find it strange that that 127% increase was included in one area alone. I have no doubt that it was included because someone lobbied heavily for it. However, that is a matter for the Minister and the former Minister to defend; I find it impossible to defend that level of increase. A more balanced increase should be looked at. That should be done in conjunction with PSNI because it, along with the Ambulance Service and the Health Service, will end up picking up the pieces that come about as a result of that change.

Dr Farry: I am grateful for the opportunity to contribute to the debate on the Second Stage of the Licensing and Registration of Clubs (Amendment) Bill. It is important to acknowledge people's right to run businesses and to engage in activities that they choose, which I, as a liberal, certainly do. However, the

Assembly also has a responsibility to recognise activities that pose harm and that can cause societal problems. Alcohol abuse is one of those areas. We should recognise that very many people enjoy alcohol, take a responsible attitude towards it, and that it can be part of a healthy social life and entertainment. There are others who can have healthy social lives and good nights out without having to indulge in alcohol. Some people want to drink and others do not, and we should respect people's freedom of choice.

However, like all other societies, we choose to regulate the sale and availability of alcohol, bearing in mind its potential dangers. What is before us has to be viewed as only one part of a wider approach by our political institutions and wider society to how we deal with issues that relate to alcohol. Others have referred to issues of access and pricing, and there is now a groundswell of support for the introduction of some type of minimum pricing of alcohol. I note that legislation has been introduced in Scotland, and that the issue is being spoken about in England and Wales. Northern Ireland needs to consider how it can follow suit, because access is certainly a major problem and challenge.

There are problems of abuse and alcoholism, particularly when that reinforces other mental health issues. Alcoholism can cause major problems for individuals and the friends and families of people who suffer from that disease. There are also problems of social disorder and problems on our streets that carry costs for all of us, including residents of areas near pubs and clubs and society as a whole because of the cost that we have to pick up.

It is important that we adopt a balanced approach to reforming the law on the issue of licensing. It is not about legislators continually imposing ever more puritanical approaches towards alcohol at every opportunity. Instead, it is important that we examine practice in light of experience. In some areas, there may be grounds for tightening legislation, and, in others, there may be grounds for liberalising legislation if we feel confident.

We have had other debates about attempts to promote a cafe culture, which is part and parcel of other countries around Europe. Equally, there are other countries in Europe where the abuse of alcohol is on a similar scale to that in the UK and Ireland. We need to be conscious that it is

not just about how we create new opportunities for business; it is also about the underlying culture of how alcohol is viewed. As part of an approach to encouraging the more responsible use of alcohol, we may well want to see that type of cafe culture developed in Northern Ireland in future years, and it will be important that our licensing laws are reformed in a manner that facilitates that.

On the other hand, where there are clear areas where problems have arisen or can potentially arise, it is important that we ensure that we have proper mechanisms in place. In that light, I will comment briefly on two aspects of the legislation. The first relates to the closure provisions, which a number of Members have mentioned. It is important to stress that that is not about following the advice of the police and making life easy for them in how they conduct their business. The police certainly have an interest in how they carry out their duties, and other people in society have an interest in leading their lives freely. However, we need to recognise that there must be a balance, and, although the police may have certain interests, there are also societal issues that we must be conscious of in relation to the cost of policing and responding to public order situations that arise from the abuse of alcohol. We must also consider the consequences for individuals of violence or the threat of violence that may well be alcohol inspired. I, like others, believe that the Department should consider restoring some of the grounds on which closures can be taken forward, and I hope that that can be discussed in full at Committee Stage. Proper safeguards need to be put in place, and I recognise that those safeguards are in the closure powers in the legislation.

We are not talking about situations in which a new or inexperienced police constable will always err on the side of caution when directing closures of premises lest problems occur. We are talking about situations in which a senior officer will, based on experience, sparingly apply powers that are necessary to stop situations spiralling out of control. If I may make a comparison, we are giving the police the power to shut the door once the horse has bolted, as opposed to the power to intervene and calm the horse down when there is the potential for it becoming agitated. That is perhaps the spirit in which we should consider those powers.

It is important that we reconsider those closure powers to ensure that we have the right balance, that we follow best practice from elsewhere and that we put in place legislation that will work in our situation, because there have been cases in the past in which things have got out of hand in certain licensed premises, and it was clear from an early stage that that would happen. Having said that, I pay tribute to most owners and managers of licensed premises because they run responsible businesses, and they provide a service to the public. Things get out of hand only in very rare situations, but those instances make the headlines and cause problems, and that is why we need to address the issue.

The other issue is the number of late night licences that will be available for clubs. In addition to the points that Members have already made, it is important to stress that that will potentially create a distortion in the market. Because our society recognises the need to regulate the availability of alcohol, we have introduced licences, which have a fairly steep monetary value. A number of licensees invest heavily in their businesses. Clubs operate in a different legal context from that of pubs and bars, and if we are proposing to increase dramatically the availability of late licenses for clubs through the back door, that, in turn, will devalue businesses in which people have invested a lot of money and time. We need to be very conscious of how we regulate the market for pubs and clubs in Northern Ireland in respect of the availability of alcohol and to ensure that we are fair to everybody.

Even though I am not a member of the Committee for Social Development, I look forward to watching its future deliberations from a distance and to seeing how the legislation progresses through the Assembly in the next few months.

The Minister for Social Development

(Mr Attwood): I thank all the Members for their contributions to the debate. It is noteworthy that, given the way in which this issue, rightly, agitates public concern and the difficult experiences that some Members have outlined, this is a debate that could ignite some passions in the Chamber. What I heard across the range of speeches, even when there were points of difference — some of which I hope to deal with — was that Members seemed to adopt a very balanced and responsible approach. That is the right way to go.

That approach was reflected in some of the comments that Members made. Mr Fra McCann, rightly, referred to the charity work and the moneys that are generated through various licensed premises, particularly clubs, in order to mark the fact that they play a significant and positive role in the development and stability of our communities.

We must place all that in the context of what Dr Farry referred to as the creation of a cafe culture in order to position the economy of the North so that it is fit for purpose for business and for visitors.

We must view the issue in a much broader context. Some narrower arguments may arise, but they did not do so during the debate. The Chairperson of the Committee for Social Development rightly said that the issue has occupied and detained the Committee as much as any other during the current mandate. That reflects how significant the issue is and will continue to be during the Committee Stage and as the Committee produces its report.

4.30 pm

I wish to deal with some of the issues that were raised. The Chairperson and Billy Armstrong were right to point out that no information has been provided to the Committee or the House on the proportion of 600 or so clubs that avail themselves of the 52 licences available at present. That is a fair question, and it raises another question: is there an empirical basis on which to argue for an increase in the number of late licences? I have asked my officials to try to determine, if such an evidence base exists, what use is made of the current 52 licences. The Department of Justice, the Northern Ireland Courts and Tribunals Service, DSD and the police should together be able to create a picture of the number of late licences used. However, that information will still not answer the question of whether it is a good idea to increase access to late licences and to extend some clubs' opening hours by, on average, two hours a week.

It is important to bear it in mind that clubs provide a more controlled atmosphere for the consumption of alcohol and have a positive economic and community impact in the North. The figures will show us whether there is a mass movement in support of increasing the number of licences, but I will have to make a judgement call on whether those figures

justify increasing the number of late licences available by, for example, 10 or 100. The Chairperson, Mr Armstrong, Ms Lo, Mr Craig and Mr Farry said that the proposed increase seems disproportionate. I agree that increasing the number of late licences by, as Mr Craig said, 127% seems disproportionate. Having heard a range of Members and parties from across the House raise their concerns about the matter, I will consider it further. I am not prejudging the outcome of that consideration. I will listen to advice from officials and from the people who provide the services on the front line, and I will determine whether it is right or wrong to increase the number of late licences to approximately 120.

Simon Hamilton also asked a valid question about the guidance for police on the use of closure powers and whether that will be subject to the Committee's scrutiny. I am not sure whether that question arose when dealing with similar matters in previous legislation. However, it seems appropriate to share that guidance with the relevant Committees. It should also be explained not only to the Committee for Social Development Committee but to the Committee for Justice, and they should be invited to give their views on it. That process might amount to less than the full Committee scrutiny. Nonetheless, in principle, it seems appropriate and valid. Given the range of concerns about licensed premises and the powers of closure, the sharing of the guidance seems to be the most appropriate way of achieving the fullest possible buy-in from Members.

The Chairperson made a range of other points on behalf of the Committee, including one on the need to ensure that the guidance on closure powers is made crystal clear to the police. We should not exaggerate the extent of the closure powers that would exist for police, especially in respect of licensed premises in which there is public disorder. As Mr Hamilton said, in one year, there have been only 44 closures out of the 123,000 licensed premises in Britain. Therefore, we should not exaggerate the potential use of such closure powers.

Nonetheless, it is valid to ask how the principles that have been established in law will operate in practice. Therefore, it was fair for the Committee to ask whether the closure powers and the guidance governing them would be made crystal clear. Consultation between the Department of Justice, DSD and the PSNI has yet to

commence. However, a number of factors will inform the guidance, including, in the fullness of time, decisions by the courts on whether a closure has or has not been approved. When premises are closed by the police, the matter is brought to court as soon as possible to have the closure confirmed. At that stage, the matter will be tested before a magistrate to determine whether the police's response was proportionate.

Experience from other jurisdictions could help to inform our guidance around the PSNI's use of closure powers. Clearly, in the conversations that are likely to arise between the Committee, the Department of Justice, DSD and the police, that experience will help to refine what the powers may or may not look like in real terms. From that, we will gain hard experience, which, no doubt, will influence how the powers operate in future. I trust that police use of closure powers will become clearer, if not crystal clear.

A number of Members asked whether the penalties outlined in schedules 1 and 2 were severe enough. Over and above the powers arising from this legislation, powers are granted to the courts in respect of licensed premises. When licences come up for renewal, it can fall to the courts to determine the nature of that renewal or whether it should happen at all. The PSNI has the power to seek suspension for the lifetime of a licence or certificate during the course of that licence or certificate, which may depend on the residue of the licence up to five years. The penalty points system, as outlined in schedules 1 and 2, is mutual and complementary to the powers that already exist at the time of renewal and, if and when an issue arises that brings the matter before the Magistrate's Court, in respect of what the police view might be. When that fabric is put together, a system of enforcement will be developed that goes some way beyond that which has existed heretofore for licensed premises.

Mr Hamilton said that there was a contradiction between concern about alcohol and the issuing of 122 late licences. However, there is only a contradiction if one simply looks at those two factors. If an assessment is made in the round about how to deal with the issue of controlling licensed premises and with alcohol and alcohol abuse in our society, the conclusion can be drawn, without prejudice to what happens regarding the 122 late licences, that a strategy can be developed around schooling,

intervention, health and the regulation of licensed premises. Such a strategy could lead towards a healthy attitude around the consumption of alcohol. There may be some tensions, but there does not necessarily have to be a contradiction between more late licences being issued and the wider concern about the consumption of alcohol.

A number of Members said that it was a matter of disappointment that the opportunity was not taken in the legislation to deal with some broader issues. I understand that sentiment, because our understanding of the issues concerning alcohol and alcohol abuse and our responsibility for those issues are becoming more acute and real. Therefore, as I indicated in my opening remarks, the Bill is not the end of legislation on those matters; it may be the beginning of a process that will see new law in the current and future mandates.

To reassure Members, I will repeat some of the ongoing initiatives that will ensure that their concerns are being or will be addressed and that the broader opportunities referred to will be taken up. First, my predecessor announced in 2008 that, in the context of the reorganisation of local government, there would be a more fundamental review of licensing reforms. That review may have touched more on the issue of where responsibility for licensing is vested; nonetheless, it was a commitment that she made. Given the current uncertainty about the reorganisation of local government, we may have to look at that again. I have asked my officials, without prejudice to what happens with local government reorganisation, to look at whether there is a need to update the 2008 announcement and whether there is something that we can do in the current circumstances.

Secondly, a number of Members referred to minimum pricing. The Assembly may wish to go down that route in the future. However, we should not rush headlong into law on minimum pricing when, as Dr Farry indicated, we have yet to see what develops in Scotland and whether legal challenges to the proposed legislation arise. As I understand it, whisky manufacturers have said that they will challenge the proposed legislation as being anticompetitive, and they may challenge it all the way to the European Court of Justice. While our sister devolved legislature is testing the ground on such matters, it may be better for us to see how the situation develops. If, during the process, there

is further reason for us to intervene or make our own plans, I will not be hostile to that. However, for the moment, it seems to me that we should listen and learn from the Scottish experience and see how the situation there develops over the next number of months.

We could do more immediate work with respect to promotions. As Members are aware, there have been proposals on that matter in the South, and my officials are continuing to discuss with the authorities in the South more immediate initiatives that we could take to complement what they might be planning. In the fullness of time, I will come back to the Committee or to the House to brief Members on that.

A number of Members mentioned the bags used to carry alcohol. That is a matter on which some further short-term consideration may be worthwhile, because, although there are evidential issues around the issue due to people using bags that are not from the shops in which they purchase the alcohol, there may be some opportunity to look at whether there is something in law or in practice to deal with the issue and identify the culprits who are selling alcohol to underage people.

I note what Dr Farry and Ms Lo said about the two matters that had been intended for inclusion in the Bill in respect of police powers of closure; namely, the powers of imminent disorder and of nuisance. In the original draft of the legislation, it was suggested that there would be three categories for circumstances in which the police could intervene and close down a particular licensed premises. However, when the matter was referred to the Office of the First Minister and deputy First Minister, the deputy First Minister raised issues about two matters; namely, imminent disorder and nuisance. As a consequence and in order to bring legislation before the House, those matters were edited from the original draft.

4.45 pm

The legislation still has substantial new powers. It certainly does not go as far as my predecessor would have wished it to go and to where there is some argument we should go. However, as the Bill went through the Executive and on to the Floor of the House, those were the circumstances that arose. People listening to the debate elsewhere may consider whether

there is any further merit in looking at one or both of those matters.

With regard to nuisance, it may be of some reassurance to the House that the Department of the Environment is consulting on proposals for a draft Clean Neighbourhoods and Environment Bill, which will extend the provisions of the Noise Act 1996 to include noise from licensed premises and registered clubs. Therefore, there may be another method to begin to address that problem.

If there are any matters that I failed to address during my winding-up speech, I will ask my officials to look at them and reply. I heard the debate. I indicated that I have an open mind on some matters. I will look at those again and consult Executive colleagues. I look forward to the conversations in Committee that will take place in the fullness of time. I am grateful to everyone who contributed to this important legislation, and I look forward to Consideration Stage.

Question put and agreed to.

Resolved:

*That the Second Stage of the Licensing and
Registration of Clubs (Amendment) Bill [NIA 19/09]
be agreed.*

Draft Census Order (Northern Ireland) 2010

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

That the draft Census Order (Northern Ireland) 2010 be approved.

The draft Order forms part of the legislative process required to enable the 2011 census to be conducted in Northern Ireland. The census is the largest statistical exercise undertaken by government and is the most important source of information on the size and nature of the Northern Ireland population.

Central and local government, the health and education sectors, the academic community, commercial businesses, professional organisations and the voluntary sector need reliable information on the number and characteristics of people and households in Northern Ireland if they are to conduct their activities effectively. Millions of pounds of public funding and resources are allocated to local and health authorities each year using census-based information. Such information is also used to help to plan services such as housing, education, transport and emergency services. The census also provides the only source of comparable statistics for small areas and small population groups that are consistent across Northern Ireland and the rest of the United Kingdom.

The primary legislation that provides for the taking of a census in Northern Ireland is the Census Act (Northern Ireland) 1969, which, as amended, prescribes that:

“the First Minister and deputy First Minister acting jointly may by order... direct that a census of population shall be taken”.

The Order prescribes the date on which the census is to be taken, the persons to whom returns are to be made, the person by whom returns are to be made and the particulars stated in the return.

The Order proposes that the next census will be held on 27 March 2011. That is in line with arrangements across the rest of the United Kingdom and was influenced by a variety of factors, including a regulation of the European Parliament and of the Council on population and housing censuses that requires all member states to provide census-

type information relating to the year 2011; the tradition of the census in Northern Ireland being conducted at 10-yearly intervals; the desire to maximise the number of people who will be present at their usual residence on census night, which for students is typically their term-time address; avoiding preparations for the Assembly elections planned for early May 2011; avoiding the St Patrick's and Easter holiday periods, thus ensuring that people are at home and that sufficient field staff can be recruited to assist with the operation; and the need to take account of the health and safety of the field staff by ensuring that sufficient daylight hours are available for the completion of their enumeration duties. Aligning the date of the census with that in the rest of the United Kingdom accords with past practice, gives rise to efficiency savings for Northern Ireland in the conduct of the census, enables joint publicity initiatives to be optimised and ensures that comparable data are available for the different regions of the United Kingdom at a common point in time.

The second aspect of the draft Order details who is to be included in the census and who is responsible for making the return. The draft Order prescribes that every individual who is usually resident at an address must be included in the census return. A subset of information will also be included on visitors staying at an address on census night in order to ensure that no one is missed and that everyone is counted at their usual place of residence. To that end, every household and communal establishment in Northern Ireland will receive a census questionnaire. Special arrangements will also be in place to ensure that members of the Travelling community and people who are sleeping rough are included.

It will be the responsibility of the householder or joint householder, namely those who own or rent accommodation or are responsible for paying the household bills or expenses, to ensure that their census questionnaire is completed and returned. In communal establishments, the manager or person in charge will be responsible for completing a census questionnaire and ensuring that an individual questionnaire is completed for all usual residents of the establishment. Anyone over the age of 16 can elect to make an individual census return. The general public will be able to get assistance with the completion of questionnaires should that prove necessary. As in the 2001 census,

special arrangements will be put in place to support vulnerable groups to ensure that the census is equally accessible to all, irrespective of their circumstances.

The third aspect of the draft Order relates to the information to be provided in the census return. That particular aspect has been informed by an extensive programme of user consultation and topic development testing and evaluation. The consultation process began in December 2004 with the publication of a formal consultation paper. Five public meetings were held across the Province in 2006 and 2007. Members of the Assembly were invited to participate in all those activities. In addition, discussions were held with topic experts from government Departments as well as the main census users in the academic, business, statutory and voluntary sectors. Such meetings involved the Equality Commission, the Northern Ireland Council for Voluntary Action and the statutory Statistics Advisory Committee.

The detailed programme of work to develop, test and evaluate the topics for the 2011 census included a large-scale census test in May 2007 and a census rehearsal in October 2009. Such activities have helped to ensure that the census will deliver consistent, good-quality information on topics that are acceptable to the general public, even at the small geographic area level and for small population groups. All that work has drawn on the valuable experience and insight gained through previous censuses.

The particulars to be stated in the returns are outlined in schedule 2 to the draft Order. Although most of those particulars have already been included in previous censuses, the consultation suggested the need to collate additional information on the increasingly diverse nature of the population and on other societal changes over the past 10 years. Such topics include adaptations to accommodation for health conditions; type of central heating used; civil status; intended length of stay of people coming to Northern Ireland; country last lived in and the month and year of first coming or most recent coming to Northern Ireland to live; citizenship and national identity; main language spoken and ability in English; an extension to the 2001 question on ability in Irish to include ability in Ulster Scots; the nature of any long-term health conditions; any voluntary work undertaken in the past year; and an extension to the “transport to place of work”

question to read “transport to place of work or study”.

The topics proposed for inclusion are considered to strike the proper balance between meeting the requirements of census users and managing the burden on the general public to provide the necessary information. In addition, it is considered that reliable and robust information can be collected on each of the topics concerned. Although some topics have been excluded on the grounds that they could have a negative impact on participation in the census or are unlikely to yield reliable information, alternative data sources, such as social surveys, can be utilised.

In arriving at the final set of topics, consideration was given to the overall length of the questionnaire and the burden being placed on the general public. To that end, it is necessary to limit the number of tick-box options presented for certain topics — for example, in the ethnicity and religion questions. To reflect the categories that are likely to cover the majority of the population, respondents who fall outside the tick-box categories will have the opportunity to use write-in options. Those will be processed and reported with the other information. It is expected that the layout of the questionnaire, which is being redesigned from the 2001 census, will aid the ease of completion.

I emphasise that the information provided by the general public will be treated in the utmost confidence. NISRA, which is responsible for the conduct of the census, has a proven track record in that regard. It will make data security and confidentiality its highest priority for the census. To that end, NISRA has already conducted a detailed privacy impact assessment, which has been made available to the Information Commissioner and can be viewed on the NISRA website.

The field staff who undertake the enumeration process will be recruited by HR Connect, which manages recruitment to the Northern Ireland Civil Service. In keeping with recruitment procedure for all civil servants, the field staff will be security-vetted by Access Northern Ireland. The delivery, return and processing of each questionnaire will be tracked at key stages to ensure that all questionnaires are accounted for. All arrangements for handling census information during processing are to be the

subject of an independent security review, which will be made public in advance of the census.

All staff working on the census will be required to sign a confidentiality declaration to confirm their understanding and commitment to the legal confidentiality undertakings. Disclosure of personal census information is a criminal offence. Names and addresses are retained purely for census purposes and will be removed from the information used to produce the aggregate outputs and thus will not be accessible to anyone requesting census results. Personal census information is kept secure and is closed to public inspection. Access is exempt under the Freedom of Information Act 2000. The finalised census data set will also be registered under the Data Protection Act 1998.

Members will wish to note that further information on the detailed operational aspects of the 2011 census, including the appointment of census field staff and the creation of census enumeration districts, will be brought forward later this month through the planned census regulations. I commend the draft Order to the Assembly.

The Chairperson of the Committee for Finance and Personnel (Ms J McCann): Go raibh maith agat, a LeasCheann Comhairle. Although the First Minister and deputy First Minister, acting jointly, may by Order direct that a census of the population be taken, the Department of Finance and Personnel is responsible for conducting the census. The Committee for Finance and Personnel received a briefing from DFP officials on the preparations for the census and policy proposals for the draft Census Order 2010 at its meeting on 14 April 2010.

5.00 pm

The Committee heard that the draft Order is concerned with the following three aspects of the census: who will make returns and about whom; the particulars that will be asked on the census form; and the date that the census is to be taken, which will be fixed for 27 March 2011. Members were also advised that the accuracy of the census is of prime importance because, among other things, it drives the Barnett formula and the allocation of resources throughout the North.

Members raised a number of concerns, including those about the consultation process and ongoing community liaison work; ethnic

background and national identity; how economic migrants and immigrants will be identified; the rationale for excluding a question on sexual orientation; religious affiliation and community background; data security; the inclusion of a question on voluntary work; and whether a question on constitutional preference could have been included.

Following the evidence session, the Committee agreed that it was content with the proposal to make the rule. It notified the Committee for the Office of the First Minister and deputy First Minister of that decision. At its subsequent meeting on 12 May, the Committee for Finance and Personnel formally considered the statutory rule and the accompanying report from the Assembly's Examiner of Statutory Rules. The Committee for Finance and Personnel agreed to recommend to the Committee for the Office of the First Minister and deputy First Minister that the draft Census Order 2010 be affirmed by the Assembly. I, therefore, support the motion.

Mr Shannon: As a member of the Committee for the Office of the First Minister and deputy First Minister, I support the motion. A full census has not been carried out here since 2001. There is a well-known song called 'What a Difference a Day Makes'. I will not sing it because it would start raining if I did. If Mickey Brady was here, he would probably sing it and it would rain on him too. However, imagine the difference that 10 years will make to a place such as Northern Ireland.

We have had more immigration in Northern Ireland than ever before, and I will be interested to see the change in birth and death rates. The census will be taken to every door, and each household has a responsibility to ensure that it is filled in accurately.

This is yin bit o' EU laa' whut wull be o' graet help tae tha fowk o' tha Proavince, en it is impoartin' that aw hoosehous taks this metter seeryis. It is mi' beleef that ther haes tae be aa' determind en cleer campaign evertisin an hiegh lichtin tha benifuts which wull cum aboot whun tha fuin in an collectin o' thees forms er aw din.

This is one piece of EU legislation that will benefit the people of the Province, and it is important that each household takes the matter seriously. There must be a robust and clear advertising campaign to highlight the benefits

that will result from the completion and collation of the census forms.

The census allows for a greater targeting of resources by Departments and local government. As the First Minister said, it is strictly confidential as regards the exact whereabouts of the participant, which is of great importance in ensuring that people give honest answers. So, someone from the Falls Road who speaks Ulster Scots, for example, will be able to state that with confidence and pride. The census will adhere strictly to data protection legislation and the Freedom of Information Act 2000. However, it will also provide the information that the relevant bodies need to facilitate a greater spread of resources to the areas that need them.

The census will be beneficial to health services in particular. I hail from the rural constituency of Strangford, and I hope that the census will show the Health Minister the needs that are not being met in that area. I look forward to seeing the figures and how the Health Minister will react to them. I will also be greatly interested to see the inclusion of Ulster Scots alongside Irish in the question on language. A census gives an accurate breakdown of householders and numbers in an area, but, through the identity and citizen questions, it also paints a picture of the way in which people view themselves and their society.

There have been so many changes in Northern Ireland. The census will be beneficial in enabling us to see how the new generation that has grown up sees itself in Northern Ireland. Someone who was 16 at the time of the last census will be 26 this time and have a stronger sense of identity and direction. I will be interested to see the changes that have taken place across the whole Province since the last census was conducted 10 years ago. I am not a number cruncher by any means — it is not one of the things that I am good at — but I am excited about what the census will show. I believe that it will show a growth in the number of people who have stayed in Northern Ireland instead of migrating to the mainland and further afield. For those reasons, I support the census.

Mrs D Kelly: I welcome the undertaking of the census next year. It will be a very useful piece of work. As others have said, it will help us to plan our public services, particularly in health and education. It will also show a change in

the demography of the North, particularly in respect of age bands. We need to plan for an older population. It will also be useful in constituencies, such as mine, where there are high numbers of young people. In these straitened economic times, the Assembly must ensure that there is not a lost generation of people with no hope of jobs in the medium to long term.

I welcome the First Minister's commitment to ensuring the security of the data. When will the results of the census be known and how will they be published and shared across society?

With respect to the census question on the use of language, whether Irish or Ulster Scots, will it be a cúpla focal or a wheen o' words that will suffice as mastery or comprehensive use of either or both languages?

The First Minister: I thank the Members who contributed to the debate and I welcome their comments.

The census is subject to many competing demands. The consultations on the census identified more demands for census questions than it would be possible to accommodate in a questionnaire that households can reasonably be expected to complete. In coming to a final selection of questions, some difficult decisions have had to be made to balance the requirements for information with the burden placed on the public. The topics outlined in schedule 2 to the Order are judged to have the greatest demonstrated need to be required for small areas or population groups; not to be otherwise available from other sources; not to place an excessive burden on the respondents; and to be capable of being articulated through practical questions.

It might be useful if I respond to some of the specific questions that were raised and points made in the course of the debate. I welcome the scrutiny role of the Finance and Personnel Committee, and I thank the Chairperson for her remarks. She raised a number of issues that had concerned the Committee. I hope that, as she did not go into any detail on those, she considers that they have been satisfactorily dealt with during the course of the evidence given by officials in response to the Committee's scrutiny.

The Chairperson raised issues about sexual orientation, for instance. The inclusion of a

question on sexual identity in the 2011 census has been considered. It was concluded that it would not be appropriate to include such a question, on the grounds that it gives rise to privacy concerns where individuals are required to provide such information through a household questionnaire. It was judged unlikely to yield good quality information. It is not so much a case of privacy in relation to the statistics and details included in the returns but, in some cases, privacy within the household would have been an issue.

The Chairperson also raised the issue of a question on constitutional preference. There is no requirement for a question on constitutional preference, and it was not identified during the course of the consultation as an issue that people asked to be considered. It is dealt with in sample surveys, such as the Northern Ireland life and times survey. In general, questions on attitudes are not considered appropriate for a census. Questions are included in the census only after appropriate testing, which was not done in this case. Other legal mechanisms are available to test people's views on that issue.

As soon as he stood to speak, I expected my colleague the Member for Strangford Jim Shannon to touch on the issue that he did. He raised, validly, the census's fundamental value in providing the baseline for population estimates that determine the amount that Northern Ireland receives through the Barnett formula, a matter in which I know that you, Mr Deputy Speaker, have some interest. It is also a reasonably topical issue, given demands on the UK Government by a Welsh Administration seeking a change to the Barnett formula, a Scottish Administration strongly resisting any reconsideration of it, and a Northern Ireland Administration wary that opening up the Barnett issue may have a detrimental impact.

In the United Kingdom as a whole, census data has, since 2001, informed the allocation of more than £1 trillion, so one can see that the census is very important on a national level. In Northern Ireland, it is important because a number of Departments use the characteristics that flow from the census data to determine their decisions.

The Member for Strangford also raised the issue of the inclusion of an Ulster-Scots question on the census. It will be interesting to see the outcome of that, because, as with the question

on the ability to speak Irish, the answer is divided to allow people to state whether they understand the language, can speak it, read it or write it. Although I do not consider myself an Ulster-Scots speaker, I could probably tick the "understand" box on that question. Therefore, it will be interesting to see the outcome.

The Member for Upper Bann Dolores Kelly asked when the census data would become available. I understand that the first results will be available in September 2011, with more detail following thereafter, the "thereafter" remaining fairly open. I suppose that the self-assessment of language ability is an issue. I seem to recall that closer examination of 1,000 respondents in the last census found that only 10% of those who had indicated that they could speak Irish were able to answer questions in Irish. Therefore, we have to treat the results of some questions with a little scepticism.

I thank those Members who took an interest in and spoke about the draft Census Order (Northern Ireland) 2010. I particularly thank those on the Committee, which has examined the Order in greater detail. I am satisfied that the Order will provide the legislative foundation for a successful census in 2011.

Question put and agreed to.

Resolved:

That the draft Census Order (Northern Ireland) 2010 be approved.

5.15 pm

Committee Business

Code of Conduct/Assembly Commissioner for Standards

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 on Standards and Privileges (Mr P Ramsey): I beg to move

That this Assembly approves the report of the Committee on Standards and Privileges on its inquiry into enforcing the Code of Conduct and Guide to the Rules Relating to the Conduct of Members and the appointment of an Assembly Commissioner for Standards.

I take this opportunity to thank the previous Chairperson of the Committee on Standards and Privileges, Declan O’Loan, for his hard work and commitment leading up to the present report. I also thank the Committee members, and especially the Committee staff, for their diligence in bringing forward the report.

In June 2009, the Assembly approved the report of the Committee on Standards and Privileges on a new Code of Conduct. In doing so, the Assembly put in place a more transparent and open system to ensure that Members always put the public interest ahead of their private interests. The Assembly recognised that those improvements were necessary to ensure public trust and confidence in its integrity and that of all its Members. It is our duty, as public representatives in whom a huge degree of trust is placed, to comply with the code’s rules and uphold its principles. By doing so we promote transparency, build public confidence and lead by example. However, those goals would be undermined if there were not an effective means of holding Members to account.

The aim of the Committee’s inquiry was to establish the most appropriate means of maintaining the Assembly’s Code of Conduct and handling alleged breaches of it. The report has achieved that aim. Among other things,

the report sets out measures that, if agreed, will put in place a robust mechanism for ensuring that where there are allegations that a Member has breached the Assembly’s Code of Conduct, those allegations are investigated independently.

Before I set out the detail of what the report proposes, it is appropriate to acknowledge and pay tribute to what has happened in the past. In 2001, the Committee on Standards and Privileges agreed that the Northern Ireland Ombudsman had all the infrastructure, skills and experience to carry out the role of the Assembly Commissioner for Standards on an interim basis. In fact, that interim arrangement is still in place today. I am sure that the entire House agrees that it is right that we should place on record our deep gratitude and thanks to the ombudsman, Tom Frawley, who is ably assisted by John MacQuarrie, for the integrity and professionalism with which they have carried out, and continue to carry out, the interim role.

I also thank all those who contributed to the Committee inquiry. I thank those who submitted written evidence and those witnesses who came forward and provided oral evidence. There are a wide variety of views on the issue of Members’ conduct, and the Committee really benefited from hearing from those who are experts in the field.

The first issue that the Committee considered was who should have responsibility for modifying and maintaining the code. The Committee agreed that the Assembly must retain that responsibility. Ultimately, it is a question of leadership. The Committee on Standards and Privileges and the Assembly must be able to show that they will continue to take the initiative and put in place whatever measures are necessary to uphold the seven principles of public life. Although it is right and proper to consult with other stakeholders and listen to what the public have to say, we must be proactive and show leadership. We do that by defining what we mean when we talk about promoting the highest ethical standards. We would fail in our duty if we were to wash our hands of that responsibility.

The second issue that the Committee considered was that of the respective roles of the Assembly Commissioner for Standards, the Committee on Standards and Privileges

and the Assembly in the consideration of complaints against any Member. The Committee concluded that the existing fundamental roles are appropriate: the commissioner investigates complaints, the Committee determines whether a breach has occurred and the Assembly imposes sanctions where appropriate. Some thought that the commissioner should have all of those powers. Clearly, the Committee did not share that view. It considered that best practice and fairness are upheld through the separation of those powers. Having said that, the Committee recognised that there was much scope for enhancing the existing roles, particularly in respect of strengthening the powers and independence of the commissioner.

I will now set out the circumstances in which the commissioner can initiate an investigation. As things stand, the commissioner must receive a referral before he can investigate a complaint. Even where the commissioner has evidence that a Member appears to have breached the code, on his own he cannot do anything about it. The Committee agreed that that is wrong.

Sir Christopher Kelly told the Committee how at Westminster there had been all sorts of serious allegations made about the misconduct of certain MPs, yet the commissioner there could not do anything because no one made a complaint. That is obviously and plainly wrong. An elected public representative should not be able to evade scrutiny in circumstances in which there is clearly a case to answer but no complaint has been made. For that reason, the Committee recommends that the commissioner should be able to initiate his or her own investigation into the conduct of any Member.

The Committee also considered other circumstances in which the commissioner might commence an investigation. The Assembly Commission informed the Committee about the new Members' financial services handbook and indicated that, where he had concerns that there might be breaches of the rules, the Clerk to the Assembly/Director General should be able to refer the matter to the commissioner for investigation. The Committee agreed that that is an entirely sensible approach. The Committee believes that the greater that the governance arrangements and level of transparency for Members' allowances are, the greater that confidence will be in the wider community.

The Committee went on to consider whether the commissioner's role should be set out in statute. Having considered the evidence, the Committee believes that placing the role of a commissioner on a statutory footing would demonstrate the Assembly's commitment to having robust measures to govern Members' conduct. Placing the role of a commissioner on a statutory footing should strengthen public confidence in his or her independence. It would also provide the commissioner with greater protection and clear authority.

The commissioner's powers should be set out in statute, and he or she needs to have all the powers necessary to carry out a full, unhindered independent investigation into any admissible complaint. The most important of those powers is the power to call for witnesses and documents. It should be an offence not to co-operate with an investigation of the commissioner.

Not only should the commissioner's role and powers be set out in statute but his or her independence should as well. I shall clarify what I mean by the commissioner's independence. It does not mean that the Committee cannot agree protocols for how investigations are conducted generally. Nor does it mean with a specific investigation that the Committee cannot ask the commissioner to investigate a matter further if he or she thinks that that is required. When we talk about the commissioner's independence, we are talking about the fact that neither the Committee nor the Assembly should be able to prevent the commissioner from carrying out an investigation if he or she believes that that investigation is appropriate. Not only that, but once the commissioner has decided to carry out an investigation, neither the Committee nor the Assembly should be able to prevent him or her from reaching and expressing any particular conclusion on the outcome of that investigation. In support of that important principle, and in order to promote greater transparency, in its reports to the Assembly, the Committee will always publish the commissioner's reports in full. In that way, the commissioner's independence will be safeguarded, and his or her findings will always be a matter of public record.

The Committee is particularly grateful for the advice received from the Commissioner for Public Appointments for Northern Ireland on appointing a commissioner. The Committee

considered all the evidence, and it agrees that the competition for the position of Assembly Commissioner for Standards should be open and transparent, consistent with the principles of best practice in public appointments. The appointment should be for a one-off term of five years, and it should be approved by Assembly resolution.

The Committee believes that, once appointed, it is important that a safeguard is in place to ensure that the commissioner cannot be dismissed easily. We need to ensure that the commissioner is confident that he or she can take difficult or unpopular decisions without worrying that they might displease the Assembly. For that reason, the Committee recommends that it be set out in statute that the commissioner shall not be dismissed unless the Assembly so resolves and that the resolution must be passed with the support of at least two thirds of those voting.

A further important matter for the commissioner will be the issue of resources and support. It is crucial that the commissioner have whatever resources are necessary to allow him or her to carry out their role effectively, as it would undermine the purpose of introducing a statutory independent commissioner if the commissioner were to be constrained by lack of resources. The Committee is pleased that the Assembly Commission has said that it could provide the funding for the role of commissioner. The Committee attaches great importance to the commissioner's receiving all the resources necessary to carry out his or her duties effectively and recommends that the Assembly Commission consider that as a significant priority.

The Committee and the Commission will have work to do on the accountability lines of the commissioner. Ultimately, however, the commissioner will have been appointed by the Assembly and should, therefore, report to the Assembly. For that reason, the Committee recommends that the commissioner should report to the Assembly by means of an annual report.

Further work will need to be done to implement the recommendations in the report; most significantly, legislation will need to be introduced and Standing Orders will need to be amended. The Committee recognises that the clock is ticking if a Bill is to be passed before

the end of this mandate. For that reason, the Committee has agreed that, if it would speed up the process, the legislative provisions that we are proposing could be included in a Bill to establish an independent statutory body for the pay, pension and financial support of Members. That would also reduce the legislative burden that the Assembly is likely to face towards the end of this mandate.

The report's recommendations establish the most appropriate means of maintaining and enforcing the code of conduct and of appointing an Assembly Commissioner for Standards. However, the Committee will continue to build on that work by continually examining how it can continue to improve the Assembly's mechanisms for holding Members to account. In particular, the Committee is giving active consideration to the issue of altering its own make-up.

The Committee on Standards in Public Life recommended that the Committee on Standards and Privileges should have at least two independent lay members with full voting rights. The Committee also heard evidence that reducing the number of elected Members on the Committee could improve its effectiveness.

The Committee is committed to introducing a system for overseeing the conduct of Members that is seen to be robust and depoliticised. The Committee recognised that altering its composition by reducing the number of elected Members and appointing two independent lay members could contribute to that aim. Accordingly, the Committee has begun to consider the detail of how it might appoint and hold to account independent lay members. However, the Committee wishes to explore further some of the practicalities with its counterpart Committee in the House of Commons and in other places before taking the final decision on how such an approach could be taken in the Assembly.

In the meantime, we wish to proceed with the implementation of all the report's recommendations. Agreeing those recommendations would send out the clearest signal that the Assembly is absolutely committed to putting in place the most robust and appropriate system for ensuring that Members are held to account. Therefore, I commend the report and its recommendations to the Assembly.

Mr Ross: I welcome the new Chairman to his post. He has not yet been to a meeting of the Standards and Privileges Committee; therefore it was a difficult task for him today, and he did it well. I am sure that he will enjoy the Committee. I pay tribute to his predecessor, Declan O'Loan, who guided us through much of the report that we are discussing today. I also pay tribute to the Committee staff, as a great deal of work goes on in the background for such reports, and it is right that we pay tribute to them.

The Assembly has not been embroiled in the controversies of the House of Commons and Westminster. Therefore, we did not have a problem with the current system, nor did we think that it needed a radical reform. In fact, it could be argued that our system has worked fairly well. Although we have had more complaints than we anticipated at the start of this mandate, many of those complaints have proven to be fairly trivial, and the Committee has unanimously decided that they did not merit investigation.

Indeed, more often than not, the Committee was united about what it believed the outcome should be. That is testament to the fact that the system and the Committee have worked fairly well. That is reflected in recommendations 1 and 2, which call for no changes to be made to the current arrangements for the making and handling of complaints.

5.30 pm

Recommendation 3 relates to the ability of an Assembly Commissioner for Standards to initiate his own complaints. The Committee's new Chairman referred to that, and it is important for the commissioner to be able to react to what could be a wider significant issue and initiate a complaint. That is particularly important in the eyes of the public, who believe — perhaps wrongly, given the way that this place operates — that Members look after each other. Likewise, recommendation 4 states that, if someone else from the Assembly brings a complaint to the commissioner, he could investigate it without the Committee having to initiate it.

Recommendation 7 rejects the need for a formal appeals mechanism. The Committee recognised that an appeals mechanism essentially exists in the current process, with the Interim Assembly Commissioner for Standards investigating a complaint and returning to the Committee with

details on whether he believes the code has been breached. At that stage, the Committee can make deliberations, and the individual who has been complained about can ask to give information to the Committee, which will then come to a determination. If the Committee recommends sanctions, those will come to the House. That represents a built-in appeals mechanism.

The Committee knew from the beginning of this mandate that work on putting the role of the Interim Assembly Commissioner for Standards on a statutory basis, effectively making an Assembly Commissioner for Standards, would have to be undertaken. I am glad that that work has now progressed. Tom Frawley has done a very good job thus far, and he will continue to do so. However, that statutory basis will give him additional powers, such as ensuring that witnesses come to him. The Committee has those powers, but the Interim Assembly Commissioner for Standards does not. In practice, that has always worked OK, and I think that the Interim Assembly Commissioner for Standards would himself say that he has not found any difficulty in talking to the people he needs to. However, it would be useful to give him that power.

In his concluding remarks, the new Chairman mentioned some discussions that the Committee had about reconstituting the Committee so that it had four members, with one Committee member from each of the larger parties, as is the case in Wales. Alternatively, lay members could be brought on to the Committee. It is important to note that, throughout its entire tenure and particularly since I have been a member, the Committee has had a fluid code of conduct and has kept a watchful eye on what is happening elsewhere. The inclusion of lay members was a suggestion that was made for the House of Commons, but they have not done that yet. The cautious approach that we have taken is the right one. Given that our system is working fairly well, we can certainly keep a watchful eye on events at Westminster or elsewhere and consider any initiatives that they may introduce to make their system even more robust.

I think that, at this moment in time, we have taken the right approach. I am glad that all the parties that were present in the Committee agreed the report, because it is a good piece of

work. It will serve to strengthen both our code of conduct and public confidence in the Assembly.

Mr P Maskey: Go raibh maith agat, a LeasCheann Comhairle. I will be brief, because other Members said a lot of what I was going to say. I only want to echo some of those points. Tribute has been paid to the new Chairperson of the Committee, and I am sure that, given that he has not attended any of the Committee's meetings, it is strange for him to speak in the House about a piece of work that has been worked on for many months. However, all Committee members look forward to working with the new Chairperson in the time ahead and thank the outgoing Chairperson, Declan O'Loan, who I am sure we will be working with in the future. I also thank the Committee Clerk and staff for all their hard work and determination in completing this piece of work. As I said, the process has been ongoing for many months. We have listened to different individuals and groups, and the staff have compiled all that work in the report very well. I thank them all for that.

Alastair finished by mentioning the number of lay people. He made the point, which was discussed in Committee, that we should wait to see what other Assemblies and jurisdictions do. I do not believe that that should be the case. We should set our own standards and show leadership.

Mr Ross: I want to clarify that that is not just my view but that of the Committee as contained in the report. It is important to put it on record that it is the agreed view of the Committee.

Mr P Maskey: As someone who sat through all the Committee meetings, I appreciate that. It would not have been right to divide the Committee on that important issue. There were alternatives, and it was right not to divide the Committee. We can look at those issues in the future. Given the political lines in the Committee, even if it had divided, the outcome would probably have been the same. We need to be aware of that difference.

It is important that we set those standards at some time in the near future. We should not worry about what other jurisdictions do. The code contains the words "trust", "confidence" and "integrity", and we can also set such codes and standards. Given the sham over the past number of years, Westminster is not a good place to learn from. It could maybe learn good practice from us, and we should not be afraid to

set examples. In general, the new code and the review of the code lay down some foundations for that to happen. It will take time, and, at the end of the process, the Committee was rushed to a decision because it will take a long time to go through the legislative process. It will, hopefully, be completed by 2011, before the end of this Assembly mandate. That is another piece of hard work that the Committee staff have ahead. Knowing them, they will work hard and will drive and push the rest of us to ensure that it is completed on time.

The issue of Members' allowances must also be looked at. Alastair said that some of the complaints that have been raised so far have been very trivial. The people who made those complaints do not think that they are trivial. Therefore, it is important that the Committee ensures that it makes the right decisions, because, if someone has taken the time to write to or to contact the office to make a complaint, it is probably an important issue to that individual.

We have set some work in train, but more work needs to be done before legislation is put in place. We should not lose sight of the possibility of bringing in lay people and reducing the number of Committee members. That would create much more accountability to the public and taxpayers, who, after all, will pay our salaries and pay for the upkeep of the Assembly. It is an important issue, but we need to set our own standards.

Mr Cree: My colleague Rev Dr Coulter, who serves on the Committee on Standards and Privileges, is unable to attend the debate today. I speak in his place and convey his apologies.

The report seeks to clarify the position on the enforcement of the code of conduct that is in place for Members. In recent years, the political class has not been a shining beacon of propriety, and, despite what some might think, no haloes have been available to shine. As a result, we are required to revisit the processes used for enforcement. An Interim Assembly Commissioner for Standards has been in place for some time, and Mr Frawley has performed that task admirably and with probity and integrity. However, it is now time for the Assembly to put that role on a proper footing.

The first thing to note about the report is the recommendation that the Commissioner for Standards should be appointed by open

competition. A person who is employed for the purpose of enforcing standards among public representatives, who is also chosen by public representatives, should be appointed in a manner that gives the public confidence. That cannot be the case if a full and open competition is not in place.

Secondly, the report recommends that the powers of the commissioner must be laid down in law and that a Bill should be presented to the House and, hopefully, passed during the current mandate. Indeed, other Members have referred to that. That is a tight time frame, given that there is less than a year left until the 2011 election. However, I hope that a Bill is achieved in the lifetime of this Assembly, and my party will do all that it can to make that happen. In the interests of openness and transparency, it is required that the commissioner's duties and responsibilities be defined clearly in law.

I also welcome the report's other recommendations. The commissioner cannot currently initiate an investigation unless or until a complaint is made against a Member. The report recommends that that be dispensed with and that the commissioner be entitled to investigate on his own initiative. It also recommends the provision that power be given for the Clerk to the Assembly/Director General to report wrongdoing to the commissioner. Both those recommendations will strengthen the hand of those who are there to protect the public interest.

Throughout the expenses scandal at Westminster, it has been said by many that sunlight is the best disinfectant. That is undoubtedly the case, and the implementation of the report will go a long way to pouring sunlight on the conduct of Members on expenses through the power of the Clerk to the Assembly/Director General to refer Members and other aspects of the report. As I said, the time frame for the proposed Bill is ambitious, and the House's authorities will have an immense amount of work to do if it is to be achieved. I wish them well, and I look forward to examining the Bill when it comes forward.

Mr B Wilson: I welcome the report. I welcome the new Chairman of the Committee, and I pay my regards to the previous Chairman, Declan O'Loan, and the Committee Clerk and staff, who put so much work into the report.

The report's most important aspect is its recommendation that the Assembly should appoint its own commissioner of standards, who would be independent and not subject to any political pressure. At present, there is widespread public concern at the actions of politicians, and that was highlighted again last week by the Laws case. There is great public disillusionment with politicians and with the democratic process. That is a threat to the future of our democratic system. There is a widespread feeling that those who hold public office are not sufficiently brought to account when they misbehave or, if they do misbehave, are let off lightly when they are judged by their peers. Therefore, it is important that the commissioner is fully independent and free from all political influences.

The appointment process must also be open and transparent to regain public trust in the Assembly. The Committee, therefore, agreed that the post of commissioner must have a statutory basis to ensure that he or she will be truly independent of the Assembly. That is essential, and it will allow the person who is appointed to act completely objectively in investigating any complaints. That should increase public confidence in the decisions of the statutory commissioner.

I strongly support recommendation 3, which allows the commissioner to initiate his or her own investigation into the conduct of a Member, and recommendation 9, which gives the commissioner statutory power to call witnesses and documents. Again, those will greatly increase the power and independence of the commissioner and should help to restore public confidence in politicians and the political process.

However, I feel that the recommendations should have gone further. In the light of the evidence that was given by the Chairperson of the Committee on Standards of Conduct at the National Assembly for Wales and Sir Christopher Kelly, the Chairperson of the Committee on Standards in Public Life at Westminster, I feel that we should have recommended changes to our Committee on Standards and Privileges. Such changes would also have increased public confidence. I believe that we should have reduced the number of members. The present Committee is too large, and decisions could be perceived to have been taken along party lines.

The Welsh Committee has only four members, one from each of the parties.

5.45 pm

Mr Ross: I have two issues. First, did the Member raise that and argue it during his time on the Committee? Secondly, it would be a radical reform, and, when it was done at Westminster, there was a radical problem with how it worked, and therefore they needed radical solutions. Does the Member accept that the system that we have in Northern Ireland has worked fairly well, the Committee has dealt well with any complaints, and conclusions have been well reached? Therefore, there is not a radical problem with our system that needs some sort of radical change, and it would be better just to observe how things are done elsewhere and perhaps keep it in our mind and review it at a later time.

Mr Deputy Speaker: The Member has an extra minute.

Mr B Wilson: I thank the Member for his intervention, but my main concern is the public's perception of the Committee, and that would be improved if there were laypeople on it. The idea of our judging our peers is certainly not —

Mr T Clarke: Will the Member answer the previous question? Did he raise those issues in the Committee? If not, why not?

Mr B Wilson: We did not complete the debate on this issue. As Sir Christopher pointed out in his case for lay members —

Mr Ross: Will the Member give way?

Mr B Wilson: Sorry, I do not have time.

There must be a proper process, and robustly independent people must be appointed to investigate complaints of wrongdoing and to ensure that the process is transparent. Sir Christopher also pointed out that the Committee on Standards and Privileges at Westminster had accepted the principle —

Mr Ross: On a point of order, Mr Deputy Speaker. The Member has insinuated that there was no debate on this issue at the Committee. That is not accurate. Will the Deputy Speaker give a ruling on whether it is in order for a Member to say something that is not accurate?

Mr Deputy Speaker: That is a matter for the Committee to take up after the debate. It is not a matter for the House or for me.

Mr B Wilson: Sir Christopher pointed out that the Standards and Privileges Committee at Westminster had accepted the principle of lay members but had not yet implemented it. He argued that many people believe that, even if MPs who misbehave are brought to book, they will not be dealt with in an adequate manner. On the other hand, the Committee's treatment may seem to be unduly lenient to someone who has not seen the evidence and is going only by what they have read in the press, which may not always be accurate.

The presence of lay members on the Committee would reassure the public that it is not a question of Members being soft on each other. I believe that Sir Christopher's case for lay members is strong, and the Committee should have included it in its recommendations. I hope that we can revisit the issue. Having said that, I fully support the Committee's recommendations. They are a good start towards the restoration of public confidence in politicians and the political system. That confidence would be increased with the introduction of lay members to the Committee.

Mr Savage: I rise as a member of the Committee on Standards and Privileges to not only support but recommend to the House the Committee's report on the inquiry into enforcing the code of conduct and guide to the rules relating to the conduct of Members and the appointment of an Assembly Commissioner for Standards. The Committee has taken evidence from a wide range of sources, and I commend my Committee colleagues and the Committee Clerk and staff for the completion of the comprehensive report.

The report contains 16 recommendations, including the appointment of an Assembly Commissioner for Standards. It is important that we as public servants allow ourselves to be open and transparent, subject to rigorous, detailed and extensive scrutiny. Over the past two years, the role of public servants has been brought into absolute disrepute by the poor conduct of a few. That is regrettable. The reality is that the actions of the few have led to the public perception, aided and abetted by the media, that we all have our snouts in the trough.

That “A plague on all your houses” perception only serves to do deeper and more long-term damage to the body politic. It is essential that we as public servants open ourselves up for scrutiny as a confidence-building measure. The report, as laid before the House today, is the first step along the long road of rebuilding and regaining the trust and confidence of the electorate to do the job that we were elected to do.

In ‘The Road Not Taken’, Robert Frost refers to two roads and the decision that one has to make in deciding which road to travel down. He wrote:

*“I took the one less travelled by,
and that has made all the difference.”*

In its report, the Committee is taking the road less travelled by in a bid to earn back the public’s trust and confidence, which, as we all know, will make all the difference, come election time. People must be answerable.

I commend the report to the House. Thank you, Mr Speaker, for allowing me to speak in the debate.

Mr O’Loan: I strongly support the report. I chaired the Committee during the deliberations that led to the report, so I have a paternal interest in it. I hope that the Assembly will endorse it.

I thank the Committee for the manner in which it approached those deliberations. It did so with great seriousness and was heavily engaged and involved. I also thank the Committee Clerk, who, skilfully and knowledgeably, gave us his advice and the necessary information. He was greatly aware of the importance of the issue and of how it was being handled in other places in a rapidly changing environment. All the information about what was happening in that arena and what might be thought of as good practice was expertly placed in front of the Committee.

The issue is critical. There has been a huge loss of credibility among elected representatives because of breaches of what the public see as the fundamental standards that ought to exist among elected representatives. The abuse of the expenses system at Westminster has been the most outstanding example of that. There is no question that that has coloured the image that the public hold of all of us as elected representatives.

Since October 2009, the Assembly has had a new code of conduct in place. The Committee rightly felt that it had to consider anew the mechanism that is in place to enforce the code. The report’s 16 recommendations and the indications of where it might go further offer a substantial and coherent process by which to ensure that the new code will be properly enforced.

I want to comment on some of the recommendations. There is not enough time to do justice to all or, indeed, any of them. The report recommends that the following should remain the same: the existing architecture by which the Commissioner for Standards investigates and brings recommendations to the Committee; the Committee making the ultimate decision on whether the code has been breached; and the Assembly’s role in determining any sanction. However, the Committee strongly considered that issue and any alternatives. Although I certainly share the Committee’s view that to give that power entirely to an individual outside the Assembly would not be the best way forward, for Members to continue to have a major role in policing themselves puts a great burden on them and on the entire Assembly. I hope to return to that point.

It is good that the report recommends that the commissioner can initiate his or her own investigation and that, if there are any potential breaches of the Members’ financial services handbook, they can become part of an investigation.

The necessity or otherwise of an appeals mechanism was discussed earnestly. I support the recommendation that there should not be a formal appeals mechanism and that, essentially, no practical or desirable appellate jurisdiction could be found. If that is to be the case, it is important that the Assembly ensures that there is proper and full procedural fairness in its business. That has major implications.

The report’s recommendations that the appointment, powers and independence of the Assembly Commissioner for Standards should all be set out in statute moves the commissioner’s role onto an entirely new and proper footing. The recommendation that there should be open and transparent competition for the post means that whoever is appointed becomes the Assembly’s own commissioner in a way that has not been the case previously.

I think that that is the right place to move to. The recommendation that we should get on with creating and passing a Bill during this mandate is important, and I hope that we will do that.

Two other matters were referred to that need to be implemented in order to complete the architecture. Two lay members with full voting rights need to be appointed to the Committee, and the number of elected members on it possibly needs to be reduced to five. If we do that — I urge the Committee to go in that direction — the Assembly will have a system for the enforcement of its code of conduct that will stand up to comparison with that of any legislature anywhere.

The Deputy Chairperson of the Committee on Standards and Privileges (Mr W Clarke): Go raibh maith agat, a LeasCheann Comhairle. I begin by thanking all the Members who took part in the debate. The issue that we are discussing is an important one, and that fact has been reflected in the contributions that we heard. I welcome the consensus that we as public representatives must be able to show leadership and demonstrate that we are capable of taking responsibility for having effective means of holding one another to account. The Committee's recommendations will, if implemented, improve public confidence in the disciplinary process for Members.

Other Members have already done so, but I, too, wish to place on record my thanks to all those who contributed to the Committee's inquiry. It can be time-consuming work responding to consultations and appearing before the Committee to give evidence, and the Committee certainly appreciates not just the effort involved but the quality of the submissions received. I will also take the opportunity to thank the Interim Commissioner for Standards and the director for standards and special projects, Tom Frawley and John MacQuarrie respectively, who have assisted the Committee for a number of years now with what, at times, can appear to be a thankless task. Let me assure them that the Committee is very grateful for their diligence and professionalism. I also thank all members of the Committee, including its previous Chairperson, Declan O'Loan, for their hard work on the report. As others have, I thank the Committee staff for all their hard work.

As the Chairperson said, the report consolidates much hard work that has gone before.

Last year, the Committee introduced a new rigorous code of conduct, which has gone a long way to building public confidence in our political system. The report under discussion recommends how best to maintain that code of conduct — a code that is essentially a live document and open to modification. I welcome the recommendation that the Committee should continue to have responsibility for proposing amendments to the code. The Committee has consistently stated that, if new issues arise, it will not hesitate to ensure that the code is amended to reflect those issues. We have done that before, and we will do so again if necessary.

I also welcome the recommendation that the roles of investigating complaints, determining whether complaints are breaches and imposing sanctions should be the respective separate roles of the commissioner, the Committee and the Assembly. Christopher Kelly told the Committee that natural justice required that there be a separation of the roles of investigator and decision-maker. The Committee felt that it was important to ensure that its proposals were consistent with the principles of natural justice, and I am satisfied that that is the case.

Of course, the report's most important and significant recommendations are those on the Assembly Commissioner for Standards. I welcome the recommendation that the commissioner should have statutory powers and statutory independence. There can be no clearer signal that the Assembly is resolute in its efforts to have in place a robust and impartial mechanism for having complaints against Members investigated. Those recommendations will give the public great assurance on where we stand.

Given that we are talking about standards in public life, it is right and appropriate that the commissioner should be appointed by means of an open and transparent competition, consistent with principles of best practice. The Committee will work with the Assembly Commission on that and has agreed that it will also consult the Commissioner for Public Appointments. In the end, however, it will be the Assembly that will appoint the commissioner. Appointing the commissioner by Assembly resolution is an important means of giving him or her the support and legitimacy to get on with what will be a challenging role.

Of course, it is not just the Committee on Standards and Privileges that has worked hard on forming proposals. The Assembly Commission has also played its part, and I thank the Commission for submitting evidence to us and for agreeing to provide the funding for the office of the commissioner.

6.00 pm

As the Chairperson said, it is crucial that the commissioner has the resources to carry out the role. The Committee recommends that the Assembly Commission considers the funding of the Assembly Commissioner for Standards as a priority. However, I should point out that the required resources are unlikely to be significant, particularly in the context of the importance of the commissioner's role.

I turn now to the points raised by Members. Alastair Ross made the important point that the commissioner must be truly independent, and he talked about safeguards in relation to the opportunity to give further evidence once the commissioner's findings have been made known. He also referred to the Floor of the House as the final appeals system. He said that this Assembly has not been subject to the same scandals that have occurred at Westminster, but he felt that we were all tarred with the same brush.

Paul Maskey's contribution mainly focussed on the appointment of two lay members to the Committee. He talked about revisiting that issue in the future. He also said that the House should set the standards and should not wait for other legislatures to legislate and then follow suit. He thought that we should be at the forefront in that regard.

Leslie Cree talked about transparency and the independence of the whole process. He emphasised the importance of holding an open and transparent competition. I agree that that is crucial. The Committee heard evidence from Felicity Huston, the Commissioner for Public Appointments for the North of Ireland, on the principles of best practice when making an appointment. Any appointment must be made on merit and in a fair and open way. I truly endorse that.

In his contribution, Brian Wilson mentioned the reduction of the number of Committee members to take politics out of the equation and to have, in his words, a "more reflective" Committee. George Savage talked about regaining the

public's trust following the expenses scandals. I truly endorse that also. We have a big job of work to do, but the report goes some way towards that. Declan O'Loan also talked about the abuse of the expenses system in Westminster. Again, that had a massive, negative impact on every devolved legislature; everybody's reputation was tarnished. As George Savage mentioned, members of the public see politicians as pigs at the trough, and they become so disillusioned with politics that they switch off. Anything that goes some way towards improving that perception truly must be welcomed.

A number of Members, including Alastair Ross, Paul Maskey and Brian Wilson, raised the issue of the independence of lay members appointed to the Committee. The Committee's report addresses that issue. The Committee on Standards in Public Life has said that:

"the inclusion of lay membership on the Committee would be a useful step in enhancing public acceptance of the robustness and independence of the Assembly's governance arrangements in relation to the conduct of members."

The Committee on Standards and Privileges' report recognises the rationale behind that proposal.

I wish to make it clear that the Committee is absolutely committed to introducing a system for overseeing the conduct of Members that is seen to be both robust and depoliticised. The Committee recognises that altering its composition by appointing two independent lay members and by reducing the number of elected members could contribute to that aim. For that reason, the Committee has already begun to consider the detail of how it might appoint and hold to account independent lay members. However, as has been mentioned, the Committee simply wishes to explore further some of the practicalities with its counterpart Committees in other legislatures before taking a final decision on how such an approach could work in the Assembly. It is looking, in particular, at the House of Commons at present. I hope that that rounds up the main points.

In conclusion, I stress that by accepting the recommendations in the report and appointing a statutory Commissioner for Standards, the Assembly is giving the clearest indication yet that it is serious about transparency, integrity and accountability. We will not shy away from rigorously implementing the code of conduct.

The recommendations in the report will ensure that there is public confidence in how Members are held to the high standards that the code demands. I, therefore, commend the report to the Assembly. I look forward to working with the new Chairperson, and I wish him well in the position. Go raibh maith agat.

Question put and agreed to.

Resolved:

That this Assembly approves the report of the Committee on Standards and Privileges on its inquiry on enforcing the Code of Conduct and Guide to the Rules Relating to the Conduct of Members and the appointment of an Assembly Commissioner for Standards.

Motion made:

That the Assembly do now adjourn. — [Mr Deputy Speaker.]

Adjournment

Eel Fishing in Lough Erne

Mr Deputy Speaker: I remind Members that the proposer of the Adjournment topic will have 15 minutes in which to speak. All other Members will have approximately eight minutes.

Mr Elliott: The difficulties of eel fishing in Lough Erne, County Fermanagh, have been around for some time. Eel fishing may be a fairly unknown profession to many members of the public, but it is important to the small dedicated team that continues to fish for eels in Lough Erne. In many ways, eel fishing is a family tradition that has been passed down from generation to generation in that community. However, the numbers participating in eel fishing in Lough Erne have dwindled over the past number of years. At present, only 17 fishermen have licences for eel fishing on Lough Erne and only 12 are actively partaking.

Eel fishing has been the subject of monitoring and reports for a number of years. The Erne eel enhancement programme was set up as far back as 2001, and a sizeable report was published at that time. In 2005, a report on Lough Erne fishing management referred specifically to eels, and most of what was said in that report was broadly accepted by eel fishermen. However, an EC regulation now requires eel management plans to be provided for all inland loughs that have eel catchments. Lough Erne is transnational, because the border between Northern Ireland and the Republic of Ireland passes through it; therefore a cross-border management plan must be devised by the relevant Departments in Northern Ireland and in the Republic of Ireland.

I understand that most fishermen in Europe are allowed to continue to fish for eels but that the management plans will reduce the number of eels they can catch to ensure that more silver eels escape to the sea in order to try to boost eel numbers in Europe. However, the eel fishery in Lough Erne will be closed altogether, and I understand that eel fishing will be also stopped in the Republic of Ireland.

That situation is different to the one faced by Lough Neagh fishermen. Although Lough Neagh has a different management structure and plan for developing eel fishing, I do not think that the size of catch permitted there has been hindered. However, the management plan, which the Department has submitted to the UK Government and which has possibly been agreed in Europe at this stage, will signal the end of the road for eel fishermen on Lough Erne, County Fermanagh. I am sure that the Minister of Culture, Arts and Leisure will tell us more about that in his winding-up speech.

One particular issue of concern is the estimated pristine eel escapement of approximately 147 tons, as was suggested in a recent report on the north-western river basin. Last year, for the first time, a mechanism called trap and truck was used to catch the silver eels and bring them out to sea before they got to the turbines at Ballyshannon. However, only approximately 7.5 tons were caught at that stage. Therefore, the figures provided seem to be skewed and out of context. I am told that there is no potential for Lough Erne to produce anything close to the figures that have been suggested in the reports.

The second issue of significant concern is how, in the past, the hydroelectric power station at Ballyshannon has damaged almost all the eels that go through it on their way out to sea. Silver eels go out to sea when they are between 10 and 20 years old. However, because there is no easy option by which silver eels can get out to sea, they become caught at the power station in Ballyshannon. It is suggested that most, if not all, eels have been damaged to the extent that they are of no use when they do get out to sea. The trap and truck mechanism is being used for the first time, but it should have been going on for years. Unfortunately, it has not been, and we are where we are. There is a concern that the Electricity Supply Board (ESB) in the Republic needs to do more than just trap and truck to get the silver eels out to sea.

There is concern around the elvers returning from the sea to Lough Erne. I want to know how the Department of Culture, Arts and Leisure (DCAL) monitors the process of the elvers getting from the sea to Lough Erne and the silver eels getting from Lough Erne to the sea through the trap and truck process. I want to know whether DCAL is confident that all eels caught in those processes get to their respective destinations. Fishermen are hugely

concerned that DCAL is not properly monitoring the processes and that, therefore, there may be other outlets whereby eels can be sold to another buyer.

I want to know whether DCAL has had discussions about the fishermen of Lough Erne importing elver eels from other parts of Europe to try to increase and build up that stock. If not, would DCAL be open to such discussions, and would the Minister open negotiations to establish how many elvers a year it would take to build up the stock to the required numbers? Fishermen from Lough Erne have established a contact in mainland Europe who is willing to support that scheme, which is similar, but on a smaller scale, to the process that is used in Lough Neagh. The fishermen are keen to develop that.

Those are the main concerns. Eel fishing is a livelihood, and the fishermen depend significantly on the income that it generates. It has been in those families for generations, and the fishermen will not give it up easily. I am keen for the Minister of Culture, Arts and Leisure to have further discussions to try to establish whether there is a mechanism for reopening eel fishing in Lough Erne and, if so, how that could be managed.

6.15 pm

Lord Morrow: Thank you, Mr Deputy Speaker. You caught me a bit by surprise; I did not realise that it was my turn to speak. However, I support the Adjournment debate topic. I listened with interest to what my colleague from Fermanagh/South Tyrone Tom Elliott said, and I totally agree with his sentiments.

It is ironic that this debate is taking place today, because I understand that the closure of the Lough Erne eel fishery is a result of an EU directive that will come into effect today; I am not 100% sure of that, but I think that it was due to take effect from 1 June. Those of us who are concerned by the closure have to ask why the Lough Erne fishery has been singled out for such treatment. That area of water provides a full-time income for a small number of eel fishermen, yet they are the only people to face such drastic action.

There are three eel fishery basins in Northern Ireland; the north-west, the Neagh/Bann and the north-east. Those are all subject to EU eel management plans. It has been concluded

that eel fishing in the Neagh/Bann basin is sustainable and will continue at current levels, subject to close regulation and monitoring. At least, that is what the paper that I was reading today said. That paper also states that the catchment in the north-west basin, which includes the cross-border Lough Erne fishery, is not sustainable. Therefore, it has been decided that it should close as a commercial eel fishery. In the north-east river basin, there are no eel fisheries, so the only fishery to suffer is the one at Lough Erne.

The Lough Erne fishery is a cross-border operation, yet is it not strange that the rule applies only here in Northern Ireland and does not apply to the southern side of the border? There are 17 eel fishing licences for Lough Erne. As a result of the directive, those licences will all be lost, yet I understand that not one will be sacrificed in the Republic of Ireland.

Additionally, as far as I am aware, there will be no compensation package for those eel fishermen even though it is their livelihood. For most of them, eel fishing is a family trade as well as a tradition, and it will be erased by one ill-conceived sweep of a pen.

The eels in Lough Erne traverse the border on a regular basis. Eels do not recognise borders, so it seems strange that only the northern side of the border is subject to the directive. I am not saying that eels should or should not acknowledge borders, but I am just making a point. Under the new directive, those eels will be able to be caught in Southern Ireland only, which will give those fishermen the monopoly on eel fishing in Lough Erne. That will be to the financial and practical detriment of Northern Ireland eel fishermen and will destroy livelihoods.

It is interesting to note that representatives from DCAL and Agri-Food and Biosciences Institute (AFBI) met the Toome Eel Company and the Lough Neagh Fishermen's Co-operative Society, which owns and manages the Lough Neagh fishery, in developing the Neagh/Bann plan. That plan provided scientific evidence that the conservation target is being met due to prudent management of the fishery, and that was found to be satisfactory. No such management strategy was offered for the Lough Erne fishery, despite it operating on a far smaller scale. Although everyone agrees that there has been a reduction in eel stocks,

completely wiping out eel fishing on the northern side of Lough Erne smacks of being draconian and strikes me as being blatantly unfair.

As I said, there are 17 licence holders for the northern section of Lough Erne, but it is important to note that not all of them are operative. Not surprisingly, those fishermen feel that they are being abandoned and sacrificed on the altar of political expediency to benefit the Neagh/Bann plan and to allow the Republic of Ireland to have free rein over eel fishing on Lough Erne.

Northern Ireland is now the only region in the United Kingdom where eel fishing is permitted. England, Wales and, as of last year, Scotland have banned eel fishing. That would suggest that Northern Ireland is in a somewhat privileged position that should be nurtured rather than wiped out. When I say that Northern Ireland is the only region in the United Kingdom where eel fishing is permitted, I do not include the ban in place at Toome.

However, try telling that to those who have had their eel fishing destroyed in Lough Erne. That, too, is being trimmed, and in relation to Lough Erne is heading towards the Republic of Ireland. It seems strange that that measure has been taken as a result of an EU directive, yet what applies to Lough Erne does not apply across the border. I believe that I have that right, and I look to the Minister for an explanation.

In comparison with Neagh/Bann, the tonnage of caught eels in Lough Erne is low when put beside the amount of eel that would be caught in Lough Erne under the system that operated there. Set beside the Bann/Toome system, it is very small. Of course, we are being told that the eel is an endangered species, and that that is why it has virtually, if not entirely, disappeared in other regions of the United Kingdom. If the eel is an endangered species, surely to goodness the lack of eel fishing in Scotland, Wales and England has replenished the stock sufficiently to allow a small fishery in somewhere such as County Fermanagh to continue to operate.

Can Erne's turnover really be the linchpin that affects that species? Surely it is not beyond reason to assume that a small eel fishery on Lough Erne can be permitted to carry on. As has been said, eel fishing is a family tradition. A number of eel fishermen now know nothing else, and cannot turn their hand to anything else, yet

they find that they are being deprived of what has been a family tradition for many years.

Why can a degree of sensible proportionality not be introduced to ensure the livelihood of the eel fishermen of Lough Erne, rather than this drastic and draconian action? If the issue is the preservation of the eel, which I recognise is important, surely this should have been done differently to ensure that the livelihoods of those fishing on the Erne could have continued. Surely such bans could have allowed eel stocks to be replenished, because they are all understood to spawn in one area, which is in the Sargasso Sea, which lies, I understand, in the middle of the north Atlantic.

Mr Deputy Speaker: Bring your remarks to a close.

Lord Morrow: Yes. As an Assembly, we need to look to the Minister today to ensure that those fishermen are appropriately compensated. However, I am aware that that is not entirely the responsibility of DCAL, and suggest a full Executive approach. I will bring my remarks to a close. There are other things that I would like to say, but I think that my eight minutes are gone.

Mr Gallagher: It just crossed my mind as Lord Morrow was speaking that slipping back and forward across the border in the interests of survival is not confined to the eel population.

The issue of the eels in Lough Erne is a classic case of bureaucracy going mad. We have a decision arrived at by pen-pushers in Europe, relayed to pen-pushers in Westminster, and, unfortunately, relayed to the Department of Culture, Arts and Leisure in Northern Ireland, as I understand. None of them really bothered to go down and talk to the people on whom the decision is impacting, namely, the eel fishermen on Lough Erne.

The River Erne, for those of us who know it well, has for a long time had a wonderful asset of fisheries, both salmon and eel. There have been eel weirs, particularly on the lower River Erne, for hundreds of years. Indeed, there is still a footbridge to the eel weir at Belleek. That is a reflection not just of the activity, but of its importance to the local economy. For well over 100 years the place was famous for its eel exports to Europe. The rights of the current licence holders on the Erne were established in the 1960s by the Government in Northern Ireland. Over the decades since then, the

number of licence holders has fallen. About 10 years ago, there were 27, but there are now 17. It is confidently expected that, before another 10 years has passed, the number of licence holders will have dropped below 10. Under the current arrangements, as Mr Elliott said, licences are surrendered when the holders cease activity or retire.

What do those figures tell us? They tell us that the numbers of eels being caught are dropping and will continue to drop. That should be reassuring to the people in Brussels who have concerns about the conservation of the eel population. Despite the downward trend, however, the EU and DCAL — and, it is suspected, to some degree or another, the ESB — have contributed to the closure of the eel fisheries on the Erne. We are told that it is about conservation, and that is fair enough. Everyone who lives in Fermanagh, in Northern Ireland and much wider afield understands the importance of the conservation of our fish stocks. However, the local fishermen have indicated their willingness to take part in conservation measures, act responsibly and play their part in implementing conservation programmes on behalf of any agency that is interested in working with them.

The fishermen have a number of questions about the close down that have not been satisfactorily answered by any of the parties that appear to be involved in it. They have not answered the question as to why eel fishing in Lough Erne is to be closed down. Lough Neagh has been mentioned as the only other waterway in Northern Ireland where commercial eel fishing takes place, but there is a completely different arrangement there. The conservation programmes that are in place around Lough Neagh are, at least, acknowledged and allowed by the Department of Culture, Arts and Leisure, and, possibly, even supported. However, it is worth noting that no such offer was made to those who earn their livelihoods on the River Erne. As I understand it, there has been no offer to compensate them for the loss of business; there has been only a diktat that, on the decided date, commercial eel fishing will end. The close down will result in a considerable financial loss to the area and a serious financial loss to those who are directly involved. The licence holders' representatives who spoke to me gave me no indication that they have had any offer of compensation.

There are further questions about the closure, which was sudden, and was like the turning off of a tap. No one seems, in the interest of conservation, to have thought about a phased closure. I fail to understand why some agreement along those lines was not promoted by some of the interested parties on the government side. I understand that the decision goes back to a report that was commissioned by the ESB. Its interest in the river is legitimate, and that has also been mentioned. The ESB has an important interest in fishing on Lough Erne. There is a power station at Cliff and Cathleen's Falls, and Tom Elliott mentioned how, when the eels are going out to sea in the autumn, huge numbers are mangled when they are sucked into the turbines.

Given that the Electricity Supply Board (ESB) was an interested party, the Department of Culture, Arts and Leisure should have asked for an independent study to be carried out. That would have been fairer all round.

I want to put it on record that local fishermen seriously contest some of the findings. Even at this late stage, the least they deserve is that the Department of Culture, Arts and Leisure carry out a review of the decision, particularly given the way in which fishermen's incomes and livelihoods have been affected. Some of the fishermen concerned have young families.

6.30 pm

Mrs Foster: I congratulate my colleague on securing the Adjournment debate. It is important that the issue is brought to the Assembly. I am convinced, as are the Members who have spoken, that the eel fishermen in County Fermanagh have been the victims of yet another example of inept European Union regulation, the implementation of which could have been much better.

On 18 September 2007, the EU agreed a regulation to establish measures for the recovery of the stock of European eels. In December 2008, the UK submitted 15 eel management plans for approval by the Commission. Three of those plans concerned river basins located in whole or in part in Northern Ireland. Eel fishermen from my constituency consider that the consultation by DCAL officials was inadequate during the formulation of a recovery plan for their area. I acknowledge that the Minister of Culture, Arts and Leisure and his predecessor facilitated

meetings with officials and the fishermen concerned. Indeed, one such meeting took place in my constituency office. However, the fishermen feel that they were not sufficiently consulted about what was to happen to them. We are, after all, talking about their livelihood.

Reference was made to the fact that the fishermen have not yet seen the scientific data prepared and submitted by the Agri-Food and Biosciences Institute (AFBI) as part of the north-west plan. My party colleague Diane Dodds MEP, who has been working assiduously on the matter and liaising closely with the eel fishermen affected, requested that information from AFBI, which directed her to DCAL. Mrs Dodds made that request to DCAL as late as 15 April 2010 and awaits a reply.

The European Commission was expected to approve the UK eel management plan in late January 2010, but that approval was delayed because of a technicality. Officials from DCAL knew about the delay. I spoke to some of them at the time, and they were acutely aware of the discontent among the eel fishermen in County Fermanagh. The officials were also aware that the fishermen were expressing grave concerns about the process through political representatives such as me, Mrs Dodds and others. The officials from DCAL chose not to intervene in the north-west plan, and, despite the concerns, the European Commission approved the plans on 4 March 2010. Consequently, the fishermen were told that their fishery would not reopen in May 2010. The description of that as a devastating blow is not an overstatement. It was a bitter disappointment to those of us who thought that we could salvage their way of life.

I hope that the Minister will explain why his officials did not take the opportunity to seek a solution to the problems after the EC vote was delayed on 28 January 2010. Those problems had been well rehearsed with him at various meetings and through a range of written communications.

As Lord Morrow said, apart from the experience of Lough Neagh, the Lough Erne eel fishery is the only fishery, not only in the UK but in Europe, that has been closed to secure a recovery in its stock, we are told, for environmental reasons. The fishermen are devastated that their livelihood is being taken away from them through no fault of their own.

Those fishermen have many questions that deserve answers. They have been keen to be involved in the formulation of a recovery plan but feel that their overtures in that respect have not been listened to as openly as they would have liked. Even at this late stage, however, they are keen to seek a solution and resolution. The use of the European Fisheries Fund is one possible option to provide financial assistance to what is not only a traditional fishery but part of County Fermanagh's social and economic heritage. I urge my colleague to consider that possibility in conjunction with DARD officials and to pursue those recovery options so that something good can come out of it.

After a meeting with the fishermen in January, the Minister said that his officials would seek to review the arrangement surrounding the conservation fishery that the Republic's Electricity Supply Board operates. I will be interested to hear how successful DCAL has been in that respect, particularly given that, as Mr Gallagher said, there is a belief among fishermen that the ESB's hydro schemes have had an impact on the fishery's decline.

DCAL has advised us that the recovery plan may not be reviewed before 2012. I know from listening to fishermen who have experience of recovery plans for other fish stocks that they fear that 2012 really does not hold much promise. As far as I am concerned, that emphasises the fact that DCAL needs to be proactive in seeking a solution with the fishermen to determine whether there is something that we can do.

On a final note, I want to offer some glimmer of hope to constituents who may read the Hansard report of today's debate. The European Parliament's Committee on Fisheries is making arrangements to take evidence from the eel fishermen from Northern Ireland and the Republic of Ireland who have been affected by the ban. That is some acknowledgement that County Fermanagh's eel fishermen have been unfairly disadvantaged by an unjust European regime. It is unjust compared with the recovery plans that have been agreed for eel fisheries elsewhere. I hope that that acknowledgement will be reflected by urgent action at local level. I look forward to hearing what the Minister has to say in that respect.

Ms Gildernew: Go raibh maith agat, a LeasCheann Comhairle. A small number of

eel fishermen on Lough Erne continue to be affected by the phasing-out or closure of the Lough Erne eel fishery. Of the 17 licence holders, the youngest is around 50 years of age. When a phased-out approach was suggested a while ago, it was fairly acceptable to the fishermen on Lough Erne. They could see that conservation concerns had to be taken into consideration, and a phasing-out would allow them to plan for the future and deal with the transition period between having an active eel fishery and not having one. However, we have almost moved from boom to bust, although we accept that the boom in the eel fishery has not been that wonderful for a number of decades.

I will try to put the situation into context without repeating what other Members have said. The European eel stock has been in rapid decline for a number of decades, and it does not show signs of recovery. A number of causes have been suggested, including changes in ocean climate; habitat loss; predation; hydroelectric turbine mortality; overexploitation; pollution; and parasites. Several of those factors have had an impact on some of the other fishery stocks that our fishermen target.

I want to concentrate my comments on the eel mortality due to the hydroelectric turbines. The ESB hydroelectric power plant at Ballyshannon has probably had more of an impact on the Lough Erne fishery than has been suggested in the past. Other Members have called for an independent survey or more work to establish the precise eel mortality rate at the ESB power station at Ballyshannon, into which the Lough Erne river system feeds. It is my understanding that the level of mortality that ESB admits to is probably a gross underestimation. In the turbines, eels are killed — mangled, as Tommy Gallagher said, and that is a good way to describe it. We need to consider not just those that are killed but the eels that are damaged to the point at which they are no longer fit for the 4,500 mile journey to the Sargasso Sea. Bruising and internal injury may leave them unable to swim that distance to get back to their spawning grounds. It is a worry that those Kaplan-type turbines are in use not just in Ireland but in other parts of Europe, the United States and the world. That might create a lot of the problems that we have and provided the reasons why Council Regulation (EC) No 1100/2007 was brought into being.

We are aware of the attempts by the Lough Neagh Fishermen's Co-operative, led by Rev Oliver Kennedy and others, to maintain an active eel fishery. That co-operative has had to import elvers into the Lough Neagh system to keep the fishery going. In other parts of Europe — France, for example — large quantities of juvenile eels are taken out of the system and exported. At least in our systems, there is a natural recycling of those eels. They stay in a natural river basin, and they contribute to eel stocks for generations to come. Other member states of the European Union have been able to take out vast numbers of eels and export them to other parts of the world with no natural recruitment or ability for young eels to come back into the system.

More research must be done on the decline in eel stocks and conservation. We recognise the importance of the eel for biodiversity. It is a species in serious decline. We have to look more closely at the causes of that decline and what we can do to stop it. Given that the River Erne spans the border, I have spoken to Minister Eamon Ryan about this issue. Much more could be done by ESB, which plays a part and has a responsibility. The Minister of Culture, Arts and Leisure will have to say that eel stocks are in decline and outline what is being done to protect them. However, we could do so much more to protect eel stocks by ensuring that ESB does all that it can to conserve them and is more honest about the impact that the hydroelectric plant has on them. I ask the Minister whether measures have been introduced to mitigate the impact of the many other factors that make for a decline in eel stocks. The recruitment issue is obviously of major concern to him; however, other factors have also had an impact on eel populations over the decades.

Other Members have spoken about fairness. The Lough Erne fishery was active, and a very small number of people became involved with a view to phasing it out. That has been removed from them, and we want to be fair to the fishermen who are still there and to do what we can.

6.45 pm

It is interesting that there is all-party support on this issue in the Assembly. We all want to do what we can to help the fishermen in the Lough Erne catchment basin. We also recognise that the eel stock is being depleted and that

we need to look to the future. I said in the Chamber earlier today that without fish there will be no fishermen. In this case, if there are no eels we will not have eel fishermen. However, that is not just because of the actions or over-exploitation in the Erne system, other things must be considered. It is important that they are all factored in, so that the Minister has all the available facts in order to make the decisions that he must make.

Mr McHugh: Go raibh maith agat, a LeasCheann Comhairle. I welcome the opportunity to speak in the Adjournment debate, which was secured by Tom Elliott. At this point, nearly everything has been said. I will make a few points that I have picked up on during the debate.

I have spoken to local fishermen, and, as can be seen by which Members are taking part, eel fishing is a parochial issue. However, it has wider connotations for the Minister, in that this sort of issue will continue to arise in all parts of the North and in Europe, because, as Tommy Gallagher said, the pen-pushers work away at such matters every day of the week, and when they get the bit between their teeth they will keep at it until they achieve their purpose, whether or not the matter in question has been fully looked into.

I have spoken on many regulations, and this one does not seem to have the full facts. There are missing links and missing figures regarding what happens to the eels from the time that they leave the Erne for the Sargasso Sea or on their way back. To be honest, very little, maybe nothing, is known about that. Some figures have been compiled, but those who are imposing the regulation have not done enough research and cannot put their hands on the full figures in the way that they have been able to on other issues, such as sea fishing. That is why we should ask that the ban be held until something is done to resolve all the anomalies yet to be investigated.

The Department of the Environment's regulation is not something that we are asked to implement in full; we have discretion. It is for us, as an Assembly, to decide whether to implement the regulation in the way that it is written or to do things differently, as has happened in Lough Neagh and in the South. Sometimes we tread on the people least able to defend themselves; perhaps that is happening in this instance. We are talking about 17 fishermen: local, traditional workers who are unable to defend their position.

Strong lobbying measures were taken by people in defence of their counterparts in Lough Neagh, and there seems to have been quite a difference.

As Tommy Gallagher said, the Ballyshannon dams create two points at which a lot of damage can be inflicted on elvers making their way out of Lough Erne. It is a common belief that little injury can happen to fish. However, a fish can be as seriously injured as any other living thing. It may be that the slightest injury will end their lives, so perhaps we should have that concern rather than entertain the notion that they can continue their migration. The ESB has never accepted that it has greatly interfered with nature by erecting a barrier — in the form of those dams — to eels or other fish, including salmon, making their way to their natural spawning areas. I have not been able to find any figures for the period before the dams were erected. There seem to be figures from the 60s onwards but not far enough in the reverse direction to give us some idea of what happened in those early years.

Fishing has carried on for generations, and there are local fishermen who tell me that there is any amount of eels in Lough Erne; its waters are teeming with them. Therefore, someone, somewhere, has got it wrong. Those to whom I have talked, not just in the Enniskillen area but right up to the border, have a fair idea of what is happening in those areas.

There is a bit of flexibility with respect to the regulation. The local fishery in Lough Erne is the only one that is being closed at the moment; everyone else seems to be able to continue working. I think that there has been pressure from the South to get this closure. Other measures were being taken that the South could not control, which is part of the reason why it applied such pressure to have the regulation implemented on our side of the border.

The fishermen work on a very small scale. Therefore, I would like to know exactly how many eels those 17 fishermen lift. Perhaps other Members have the figures, but I imagine that the number would not be great. Elvers are very small, thread-like creatures, and the adult fish are quite large. However, the fish being lifted are the same size as those lifted 20 years ago, and it is curious that big fish are being lifted if they are all supposed to have disappeared. If the regulation continues, what will happen to the

adult fish in the next 20 years? Will they simply die naturally? If so, that will have an impact on the other stock in the lake.

Full investigation is required, and I ask the Minister to carry out a full and proper investigation. He should look for the full information and demand that those on all sides who produced figures in support of the regulation should stand by them by producing proper and full figures. That has not been done. Time will tell, but, unfortunately, time is not on the side of the families involved. I say to the Minister that this is an opportunity for the Assembly to do things slightly differently and not just rubber-stamp the regulation, as we normally do with much of what is handed to us from Brussels. We do not always look into those matters.

Nature has been bypassed. As Tommy Gallagher said, very little is known about the damage that happens to fish in both directions. However, we know that turbines cause an enormous amount of damage. I have been told that as many as 50% of those fish could be damaged. It is just as important to try to do things right on behalf of a small number of people as it is for a large number of people, but that is for the Minister to decide.

The Minister of Culture, Arts and Leisure

(Mr McCausland): The debate is about eel fishing in Lough Erne, and men have been fishing for eels in Lough Erne for centuries. Therefore, it is very sad that, due to the rapid decline in the European eel stock, this historical way of life for fishermen in Lough Erne has come to an end.

I will outline the background to the closure of the traditional eel fishery in Lough Erne. The rapid decline in European eel stocks has been happening since around 1980, and it shows no signs of recovery. A number of causes have been suggested: changes in ocean climate, habitat loss, predation, hydroelectric turbine mortality, overexploitation, pollution and parasites. However, international scientific advice indicates that the European eel stock is now outside safe biological limits. The decline has happened despite measures taken by individual countries to conserve stocks and protect the eel's natural habitat, including minimal landing sizes, licensing of eel fishermen, regulating the construction of weirs and dams and stocking with baby eels.

The result is that the eel is now the most endangered common migratory fish in Europe.

Following lengthy consultation, on 18 September 2007, the European Commission adopted Council Regulation 1100/2007, which aims to establish measures to ensure the recovery of the European eel stock. It requires member states to develop eel management plans for each of their river basin districts to meet the specific conservation target for silver eel escapement.

Tommy Gallagher told us that that was something the pen-pushers in Europe had passed on to the pen-pushers in the United Kingdom, before it was passed down to the pen-pushers in Northern Ireland — all the responsibility lay with these pen-pushers. I suggest respectfully that, if we are to allocate and apportion responsibility, we should go back to the start: at the end of the day, this was a European diktat. For those who are pro-European, that may create some difficulty. For Euro-sceptics, it creates no difficulty, in so far as they are happy to apportion blame and responsibility to Europe. Nevertheless, that is where the issue emanates from; the regulation is a European diktat.

The regulation demands that it be demonstrated that at least 40% of the adult eels from each river basin are escaping to spawn, compared with the best estimate of the potential escapement in the absence of human activity. As part of the overall UK submission, Northern Ireland submitted three eel management plans. There are no eel fisheries in the north-east catchment, which covers Antrim and Down, and the plan for that area reflects the fact that the conservation target will be met in due course by natural means. It suggests that no other practicable measures can be taken.

The Neagh/Bann plan includes the Lough Neagh eel fishery, which is the largest wild eel fishery in Europe. The Neagh/Bann eel management plan provides a scientific rationale that the conservation target is being met through regulation and prudent management of the fishery, including the stocking of baby eels into Lough Neagh from elsewhere over the past 20 years.

Turning to Lough Erne, DCAL's historic policy, informed by concerns for the status of the stock, was to phase out commercial eel fishing in Lough Erne. No new licences were issued, so, if a fisherman stopped fishing, the total

number of licences decreased. In 2008, 17 licences were issued to fishermen who retained the entitlement to fish for eels in Lough Erne, although not all of those 17 were actively fishing.

The EU regulation requires member states to prepare an eel management plan jointly for river basins that extend from the territory of one member state to another. The north-west plan, which covers the cross-border Erne catchment, was, therefore, developed in conjunction with the authorities in the Irish Republic. Collaborative scientific work indicates that, even with no fishing effort and no turbine mortality, the eel regulation conservation target would still not be met. A suite of all possible measures is required in order that the UK and the Irish Republic can demonstrate to the EC that every effort is being made to at least try to reach the target.

In September 2008, officials from my Department met Erne eel fishermen in Enniskillen to discuss the eel regulation and the development of the north-west plan. Fishermen were asked to submit comments on the north-west plan. Six of the 17 licence holders attended the meeting. Three formal consultation responses were received in writing, and all respondents acknowledged the crisis in eel stocks and the need for action. The north-west plan recommends that traditional eel fishing in the Erne catchment should be replaced by a conservation fishery, to be run and funded by the Electricity Supply Board in the Irish Republic. The hydroelectric power station at Ballyshannon uses two turbines to generate electricity. These turbines have been shown to cause a high rate of mortality for eels trying to migrate to the sea from Lough Erne.

7.00 pm

The conservation fishery, which was established on a pilot basis in 2009, traps live silver eels that are attempting to escape to the sea to spawn. The eels are then transported in tanks by road to the seaward side of the hydroelectric station and released to continue their migration. Under the terms of the north-west plan, ESB must also undertake research into best practice on the safe passage of eels through hydroelectric power stations and other barriers and implement solutions to achieve that.

DCAL encouraged Lough Erne eel fishermen who were interested in tendering for the conservation fishery and provided assistance where possible. A series of letters was issued

and open meetings held in Enniskillen to achieve that. As a result of that engagement, a number of DCAL eel fishing permit holders formed a group to tender for the conservation fishery. Unfortunately, that group's tender was not successful in 2009.

It was expected that the eel management plans would be approved or rejected by the EC at a meeting on 30 June 2009. In the event, only the plans submitted by the Irish Republic, including the trans-boundary north-west plan, were considered and approved. The requirements specified in an eel management plan must be implemented immediately after the plan is approved by the EC.

The Irish Republic opted to ban all eel fishing in its jurisdiction in recognition of the state's inability to meet the 40% escapement target, even with a complete ban on all eel fishing throughout the country. My predecessor, however, decided that eel fishing on Lough Erne should continue until the north-west plan was approved by the EC as part of the United Kingdom's submission. I continued to adopt that approach.

The EC approved the United Kingdom's plans, including those submitted by Northern Ireland, on 4 March 2010. The commercial eel fishing season in Lough Erne could not, therefore, reopen in May. As a result of my intervention, however, the Lough Erne eel fishermen were able to fish throughout the 2009 season in the traditional way. That extension to enable them to fish in 2009 was in spite of suggestions from some quarters that we should stop it immediately and not proceed with allowing them to continue in 2009. We allowed them to continue in 2009 by intervention, which was of benefit to the fishermen.

Efforts have continued to assist fishermen whose livelihoods have been affected by the closure of the Erne fishery.

Mr Deputy Speaker: Will the Minister bring his remarks to a close?

The Minister of Culture, Arts and Leisure: My officials have participated in an initial review of the conservation fishery. The value of the knowledge and experience of the former Lough Erne fishermen has been stressed. My officials have been exploring the possibility of accessing the European Fisheries Fund administered by DARD. Unfortunately, it has not yet been possible to establish any grounds for

eligibility, but that matter is ongoing. There is no precedent at the moment for the payment of compensation, but we are looking at the potential for doing that through the European Fisheries Fund. I will finish there, Mr Deputy Speaker.

Adjourned at 7.03 pm.

Northern Ireland Assembly

Friday 4 June 2010

The Assembly met at 2.00 pm (Mr Speaker in the Chair).

Members observed two minutes' silence

Private Members' Business

Gaza

Mr Speaker: Having been given notice by not less than 30 Members under Standing Order 11, I have summoned the Assembly today for the purpose of debating the motion that appears in the Order Paper. The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer of the motion will have 10 minutes in which to propose and 10 minutes in which to make a winding-up speech. All other Members who are called to speak will have five minutes.

I wish to inform Members that a valid petition of concern was presented today in relation to the motion. Under Standing Order 28, the vote cannot be taken until at least one day has passed. Therefore, the vote will be taken as the first item of business on Monday 7 June. The motion can, however, be debated today. I remind Members that another effect of the petition is that the vote on the motion will be on a cross-community basis.

Mr McHugh: I beg to move

That this Assembly, conscious of the presence of Nobel laureate Mairead Corrigan Maguire on board the MV Rachel Corrie, calls on Israel to conform with international human rights norms and joins with the British and Irish Governments in condemning the disproportionate actions by Israel earlier this week; recognises that every nation has the right to defend itself but that each nation also has a responsibility to respect and comply with international law; and further calls on Israel to ensure that humanitarian efforts in Gaza are facilitated, that an immediate end to the blockade is effected and that the MV Rachel Corrie is given safe passage to Gaza.

Go raibh maith agat, a Cheann Comhairle. It is a great honour for me, in partnership with my

Assembly colleague from West Tyrone Dr Kieran Deeny, to move the motion in the Assembly today. This is the first time that the House has met out of session since it debated the events of 11 September 2001.

My inspiration for introducing the motion is derived from an e-mail that was sent to me by fellow parliamentarian and Fianna Fáil colleague Mr Chris Andrews TD. His expression of outrage, which echoed the concerns of many ordinary members of Fianna Fáil the length and breadth of this island, motivated me to take direct action by introducing the motion to the Assembly today. Our joint motion calls on Israel to respect international human rights norms, facilitate humanitarian efforts in Gaza by immediately ending the blockade and ensure the safe passage of the MV Rachel Corrie on its humanitarian mission to Gaza.

The plight of the Gazans remains of serious concern to the international community, as the widespread condemnation of Israeli actions has shown. It is right and proper that the Assembly adds its voice to those of the British and Irish Governments and the entire international community. The past week's events are the most recent chapter in a never-ending cycle of violence and hatred in the region. The Assembly knows all too well that hatred and aggression reigns in the absence of dialogue that is based on mutual respect and equality. It is precisely because of the history of our own island and the often fractious relationship here that the Assembly is particularly well placed to be a source of inspiration for conflict-ridden societies. We should not fail to appreciate the powerful positive impact that our calls for restraint can have in the global community.

I know that some Members of the Assembly suggest that Israel conducted itself in a proper and correct fashion when dealing with the flotilla. However, I ask them to look around

and see the level of condemnation that exists. An example of such scathing criticism was delivered by the British Foreign Secretary, William Hague, who stated that the Israeli Government need to:

“act with restraint and in line with international obligations”.

Using similar language, the Irish Minister for Foreign Affairs, Micheál Martin, opined:

“Israel has a right ... to defend itself ... but that right does not override and supersede all other rights and the rights of all others.”

However, the condemnation does not end with the two Governments; it extends to the United Nations and its Secretary-General, Ban Ki-moon, who urged Israel to lift the blockade.

I am surprised that the DUP has submitted a petition of concern on a matter that it seemed to indicate is of very little concern. That position is, surely, something of a contradiction.

Mr Weir: Will the Member give way?

Mr McHugh: I will give way at the end. I have 10 minutes that I want to use. You can come in after that as a Member.

A further critical point to highlight is that many Israelis have signalled their disquiet with the actions of their own Government. That palpable anger is illustrated no more clearly than in the recent edition of ‘The Jerusalem Post’, which correctly noted that:

“Negotiation, not confrontation, is the answer”.

That is the crux of the issue. A great many Israelis want peace, but the inconsiderate actions of the present Government, who are seemingly determined to pursue a path of confrontation, are making that prospect more distant. The obvious friction between the White House and the Israeli Government over ongoing settlement activity in east Jerusalem, an occupied territory as a matter of international law, is a further demonstration of the recent inflammatory conduct of the present Israeli Government. Resolving conflict through brute force alone is not a considered strategy, and, all too often, terrorism has been used as a smokescreen to allow the Government to act outside the normally and morally accepted boundaries of the law.

We know from our history that dialogue and discussion lead to more sustainable and advantageous outcomes in the long run. If any part of the world can show how compromise can change hearts and minds, it is here in the North. It should be representatives of the people of these six counties who send the message, simply and clearly, that there is no substitute for dialogue.

A further important issue that must be addressed is the legality of Israel's actions. Contrary to the Israeli Government's protestations that they acted within maritime law, which allowed them to engage with the flotilla, they forget that the flotilla was, in fact, in international waters and had not entered or engaged with the blockade.

The recent Gladstone report, which, to his credit, Irishman Desmond Travers played a significant role in authoring, specifically condemned the blockade of Gaza as a contravention of international law. That is not to ignore the activities of Hamas and the suppression and brutality to which that faction has subjected Gazans, but it underscores the point that a respected group of international jurists reached its own critical conclusions on the matter. When such eminent legal scholars deem the blockade a breach of international law, its enforcement can hardly be justified.

It is necessary to highlight the reasons that people such as our own Mairead Corrigan Maguire have felt compelled to go on that humanitarian mission to distribute aid to the people of Gaza. In the past 24 hours, I have been contacted by many Fianna Fáil members across the North who have relatives or friends who have taken part in that huge humanitarian relief mission, either by land or sea convoy. Indeed, this morning, I spoke to Fianna Fáil parliamentary colleagues who remain concerned by the grave situation.

I have no doubt that that human concern crosses all party political boundaries. First and foremost, it is a tragic story of human suffering. The sad fact is that the activists travel to the Gaza Strip because Israel will not allow adequate resources through the blockade to allow the Palestinian people to rebuild their country, schools and homes. Do not simply take my word for that: groups such as Amnesty International and the United Nations have

criticised the inadequate admittance of needed materials into Gaza.

In common with other democratic forums around the world, the Assembly must take a stand. When it comes to human rights, everybody must stand up and be counted. I commend the motion to the House.

Mr Weir: I rise on a sad and disappointing day for the Northern Ireland Assembly. Many people will look at the reconvening of the Assembly for today's proceedings and ask what on earth is going on in Members' minds. What on earth is happening? I will return to that point.

Apart from the soldiers of destiny whom Gerry McHugh spoke about, there are three reasons why the debate is sad and disappointing. First, yet again, a motion has been brought to the House that ignores the complexities of the Middle East. Its biased philosophy is simply, "Let's kick Israel." I have no desire to give greater credibility to the debate by going into details. My party stated its position in the House on Tuesday. The DUP will certainly not jump on the bandwagon and kick Israel. It is noticeable that when Israeli schools are shelled or suicide bombers attack Israeli citizens, not a word is said about it. The debate, therefore, demonstrates that bias further.

Secondly, I must say that if people genuinely care about the Middle East, there is a much better way to show it than through what is, effectively, a debating-society exercise. If the motion is passed, it will not benefit a single Israeli or Palestinian. The genuine suffering that is occurring in many homes throughout the Middle East will not be alleviated one jot. One must ask whether the real motivation behind the motion is column inches in 'The Irish News', a BBC sound bite or a few seconds' mention on Radio Ulster.

When I was in the sixth form, I looked forward to the debating society's meeting every Friday afternoon. I am sure that other Members who are present did the same. Our debates were great fun and great views were expressed. However, with the best will in the world, they were, at the end of the day, utterly meaningless. The Assembly has today descended into being a school debating society rather than —

Mr F McCann: Will the Member give way?

Mr Weir: I will not give way. The proposer of the motion did not give way to me.

Given the problems in the Middle East, what we are doing is trite; it shows that the motion does not particularly care. It appears to be a publicity stunt.

2.15 pm

Finally, it is sad and disappointing for the credibility of the Assembly. Many wonder about the key issues facing Northern Ireland: the transfer test, the recession, imminent budget cuts. As highlighted by the proposer of the motion, it is almost nine years since we had a special meeting of the Assembly, but do we actually do anything that affects bread-and-butter issues? Today is not the only opportunity that Members had to put forward a motion: we had a Matters of the Day debate on Gaza a few days ago, and there was an opportunity to put a motion forward to the Business Committee.

Dr Farry: The Member said that this is the first special sitting of the Assembly in nine years. For the record, there were two other special sittings during this mandate, both on financial matters. I think that one was in December 2008 and one in July on a monitoring round. Both were items of Executive Business.

Mr Speaker: The Member will have an extra minute in which to speak.

Mr Weir: I give way to the Member's superior memory. However, we are having a debate today on something over which, frankly, we have absolutely no control. There are many grave issues facing the world. Will we have a meeting next week on the problems facing North Korea? Will we send a special team out to cap the well in the Gulf? Perhaps we will look at the problems in Zimbabwe? All those motions could be brought forward. Are we going to have a special sitting? No, we are going to grandstand on an issue that we have no control of whatsoever. One of the unfortunate by-products of our peace process is that in the Assembly —

Mr Speaker: As far as possible, we must get back to the motion. I understand that Members might stray slightly from the motion; however, as far as possible, they should link what they say to the motion.

Mr Weir: Are we to debate all the issues of the world? Passing the motion is significant, because we have a slightly inflated opinion in

this country of the key role that we play in world affairs. I can picture the Israeli Cabinet sitting around the table and receiving a phone call. Is it a message from President Obama telling them what to do? No. Is it Hillary Clinton? No. Is it even David Cameron? No. The crucial call is from the Back Bench MLA Gerry McHugh —

Mr Kennedy: Willie Hay.

Mr Weir: — or even our esteemed Speaker. Passing or not passing the motion will be meaningless. It is the wrong motion, at the wrong time, on the wrong place and in the wrong way. For all those reasons, it is clear that the motion is simply a publicity stunt to highlight the issue. It is the wrong thing to do; therefore my party will vote against the motion on Monday.

Mr O'Dowd: Go raibh maith agat, a Cheann Comhairle. I will start by replying to the previous Member's lengthy contribution about what is debated in the Assembly: the Assembly is the ideal place to have this debate, because the Assembly came into being after a long and bloody conflict on this island. Indeed, it took centuries of conflict to find a peaceful way forward. The Assembly sprang from the Good Friday Agreement, which was a compromise by all sides on deeply held positions on the way forward to bring us all out of conflict. Surely, if a message comes from this Assembly to the warring factions in Israel, Palestine and Gaza that there is an alternative to armed conflict and death and destruction and that they can move forward politically, it is a worthwhile debate.

The Assembly has also been criticised, we must remember, for its numerous private Members' motions, which have no relevance to people's everyday lives, but the structure of the Assembly allows for such debates.

The debate is not about the relationship between the Israeli Government and the Government of the Gaza Strip or the Palestinian Authority. The debate has been brought about by the fact that a flotilla of ships was attacked while bringing humanitarian aid to a part of the world that is under an illegal blockade. The DUP and the other party opposite tell us that they are law and order parties. Do the law and order sections of their party manifestos not apply beyond Aughnacloy, Bessbrook or Larne harbour, or do they believe that citizens' international fundamental rights should be afforded the protection of the UN and other

such institutions? The Gaza Strip is under an illegal blockade.

The ships that were progressing towards Gaza —

Mr Kennedy: Will the Member give way?

Mr O'Dowd: I will give way in a moment.

Members will be aware that the ships moving towards Gaza were under the flags of Turkey and several other countries. The ship on which the attack resulted in deaths was flying the Turkish flag on international waters. Those ships were boarded by armed men, and people died. It is against international law to interfere with the free progress of any ship on international waters, and it is certainly against international law to board ships and for people to be killed as a result.

If the parties opposite are the true law and order parties that they tell us they are, they, too, must be concerned about what happened on the high seas in the early hours of Monday morning. They can dismiss that and say that the Assembly has no power and no authority in international matters, but it does. This point relates to my earlier one. The Assembly came about as part of the resolution to a conflict that many people around the world said was insoluble. Those people said that there was no way through, that we were warring factions and that that was all that we did. However, we proved to the world that when people put imagination to the test, when they test their belief system and when they are prepared to make compromises, they can end conflict. It is important that the Assembly send a message to the Israeli Government, Hamas and the Palestinian Authority pleading with them to move forward in a peaceful direction.

We must also send a message to the international community, including the American Government, which were so helpful in our peace process. They, too, need to hear a message that they must redouble their efforts in the Middle East in order to ensure that there is peace in that part of the world. Indeed, we must also send a message to the European Community, which has a favourable relationship with Israel to the detriment of the Palestinian people. The EU tells member states that they must abide by its human rights accord, and yet it allows Israel to flagrantly abuse the human rights of people in the Gaza Strip and the Palestinian Authority.

Sinn Féin is on record as saying that there should be a complete end to hostilities and a ceasefire between Hamas and the Israeli armed forces, and that civilians in those regions, be they Israeli, Palestinian or others, should be allowed to go about their daily business without the fear of death. No one on this side of the Chamber is simply saying that the situation is entirely Israel's fault.

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

Mr O'Dowd: We are not here to tell the Israeli and Palestinian people how to resolve their conflict, but we are saying that the conflict can and should be resolved.

Mr Speaker: The Member's time is up.

Mr Kennedy: I convey my disappointment that today's debate is being held at all. Although I do not question the tragic nature and importance of this week's events, this House is not the correct place to discuss issues of international relations. Initiating the mechanism of an emergency debate on that issue, therefore, in my view, borders on an abuse of an important instrument at the House's disposal. We have a sovereign Parliament to debate the foreign policy of this country. There has just been an election to that Parliament, and that is where Members of this House, although I do not agree with the principle of double-jobbing, can make their opinions known on that important issue. The motion smacks of a publicity stunt more than a genuine attempt to make progress on the issue. I ask the Members who tabled and signed the motion what effective outcome they hope to deliver today.

Yesterday, Mr Sammy Wilson announced that public expenditure reductions will be the biggest since the 1970s. I am not convinced that the House has made the necessary preparations to make the right choices to deal with that. It appears that local government reform and, certainly, education are in complete disarray. One week ago today, a man was shot dead in broad daylight in our capital city. However, there was no motion to recall the House —

Mr Speaker: Order. Once again, I remind all Members to try to focus on the motion.

Mr Kennedy: The motion highlights the false position in which we find ourselves on this particular issue.

The problems facing the Middle East are complex and historical. Whether we like it or not, those problems will not be resolved by our local politicians making simplistic comments that are based on inconclusive information. Members of this House, more than that of any other, should recognise the negative impact of people's intervening in a region's affairs without full knowledge of the difficulties and circumstances that exist. In short, the motion has the potential to do more harm than good. I fear that it will serve only to reduce the complexities to mere platitudes, and, more than anything, it will illustrate and highlight the differences between Members of this House.

I will talk briefly about the motion. We all recognise that what happened this week was a tragedy. As I said on Tuesday, I support the calls for a UN independent investigation into the matter. Such an investigation can and will uncover the facts and the truth, a truth that may be very different from that which some people in this House and other places assume it to be. We must always remember that Israel has the right to defend itself and that there are those who are clearly intent on wiping the state of Israel and its people off the map.

Extremism and hatred from any quarter make relations extremely difficult.

Mr Weir: If I were to focus on the wording of the motion, I would ask whether there is not a degree of irony, verging on rank hypocrisy, in the party opposite showing genuine concern — rightly — for the fate of Nobel laureate Mairead Corrigan. Indeed, had that party shown proper concern for her views 30 years ago, a lot more people would be alive in the Province.

Mr Speaker: The Member has an extra minute.

Mr Kennedy: The Member's point was well made.

However, all states have a duty to respect international law. All responsible people, including Nobel laureates, have a responsibility to take actions that will not exacerbate the situation in the Middle East or, indeed, put their own or other people's lives in danger. As we go forward, we must ensure that our comments do not fuel hatred or hinder efforts to find a lasting solution. The incident highlights the underlying need to find a lasting solution to the complex issues that exist in the Middle East among the sons and daughters of Abraham. The British Government, the American Administration and

the United Nations are keen to see progress on long-term security for the state of Israel and some sort of acceptable entity for the Palestinian people. We should support them in their efforts, but we should deal with our issues as a priority.

Mr McDevitt: I rise to speak as a humanist and an internationalist, who is standing, like all Members, in a city that is home to Gentiles, Jews and people from the Arab world, the great faiths that are at the heart of the conflict that we are debating today. It is appropriate that we stand, with the rest of the international community, united in concern for and condemnation of what is happening on the international waters off Gaza.

We are following in the footsteps of the United Nations Security Council resolution 1860, and we are standing in solidarity with people who call our region home and who are taking a stand for humanitarian values. It is simply not the case that the blockade of Gaza is justifiable in any way, and it is entirely appropriate that we should seek to show that solidarity.

2.30 pm

In showing solidarity, we must remember the complexities of the Middle East. I am privileged and honoured every year to join with members of the Jewish community in this city during Holocaust memorial day to remember that many millions of people of that faith lost their lives at the hands of evil people. Those who lost their lives include the grandmother of Gerald Kaufman, a great Member of Parliament and a former Minister of the Crown, who in 2009, speaking in the House of Commons, said that his grandmother:

"did not die to provide cover for Israeli soldiers murdering Palestinian grandmothers in Gaza."

The current Israeli Government ruthlessly and cynically exploit the continuing guilt among Gentiles over the slaughter of Jews in the Holocaust as justification for their murder of Palestinians. The implication is that Jewish lives are precious, but the lives of Palestinians —

Mr Speaker: Order. I know that sometimes it is not easy, but once again, I remind Members to try, as far as possible, to focus on the motion that is before the House.

Mr McDevitt: Thank you, Mr Speaker. I believe that that point is very pertinent to the motion

because it goes to the heart of the crisis that is unfolding. The question is whether a security solution can bring about peace; whether a better future can be built for the people of Palestine and Israel through security mechanisms; and whether the Israeli defence forces are the appropriate vehicle through which to seek to counter what Israel perceives as the threat from Hamas. We know from our history and our experience that that is not so.

The blockade of Gaza is illegal, and this is the only way that we will be able to give hope to the people of the Middle East, who look to this Building as a place that has worked, as a place that has crossed the Rubicon between violence and peace. We must acknowledge that in coming here today, we are doing not just the right thing for those whom we represent and those who are very concerned about what is happening in their homelands; we are doing the right thing by ourselves. It is not just us who see the pointlessness of a security response to a political crisis. President Mandela saw it in his day. When he talked about the soldiers of peace he reminded us all that security does not substitute politics and it never will. I am glad that we are able to meet today and that we are able to show solidarity with those who are on a vessel under an Irish flag.

Mrs D Kelly: Following on from the member's comments about a security clampdown and human rights abuses, is it not the case that it was only when the plight of the people of the North of Ireland was brought to an international stage that we saw the suspension of this House, the ending of discrimination and some of the human rights abuses that people here suffered beginning to be put right?

Mr Speaker: The Member has an added minute in which to speak.

Mr McDevitt: The power of politics is unmatched. There is simply no greater force on this globe than the force of politics, and we are the embodiment of that. Today, the question for us is simple: do we stand united in humanitarian concern, not for the regimes, not for the Israeli Government or the Hamas Government of Gaza, but for the voiceless, marginalised, poor people on both sides of that border who are the pawns in this conflict?

Do we show ourselves able to stand on the right side of the United Nations with our two great nations, the Irish and the British nations, both

of which stand against the blockade? Do we send a powerful signal — a signal that will ripple across the seas between us and the West Bank and Gaza — that it is through politics, the power of persuasion, the strength of argument and the opportunity to change societies for the better that institutions like this have been created for the people of this land? That will be the transformative change that the people of Gaza, the West Bank and Israel need.

Mr Speaker: The Member must bring his remarks to a close.

Mr McDevitt: I have little else to add, except to ask those who submitted the petition of concern to think about the positive signal that we could send by uniting in our humanitarian interest.

Dr Farry: The Alliance Party supports the wording of the motion, although we do not endorse everything that has been said so far in support of it or the balance of the debate.

Mr McHugh referred to the Gladstone report on the Middle East. That should be the Goldstone report, named after Richard Goldstone from South Africa. Interestingly, of course, William Gladstone pioneered the concept of humanitarian intervention.

The Alliance Party is somewhat sceptical about the merits of having a special sitting today to discuss this matter. We are not sure whether public opinion is behind it. Although we acknowledge that, as a devolved Assembly, we have no direct responsibility for international affairs, it is important that we look beyond our shores and understand what is happening elsewhere in the world. In particular, we must try to share Northern Ireland's lessons with other societies that are experiencing conflict. Of course, we must qualify that by saying that there are positive and negative lessons from Northern Ireland and that no two situations are the same. Nevertheless, a world of good practice is building up, and Northern Ireland can play a role in that. We should also acknowledge that, although we are discussing the situation in Gaza and the wider context of the Middle East, there are many other places in the world where conflicts are occurring and humanitarian situations unfolding, with serious loss of life. Our thoughts as world citizens should be with them as well.

I want to make a number of points about the motion. First, I acknowledge that the

interception of the flotilla by the Israeli Defense Forces was illegal. The concept of a maritime blockade is at best dubious in international law. It can be imposed by the UN Security Council as part of a resolution or a sanctions regime. However, when an individual state does it, it is acting on the basis of article 51 of the Charter of the United Nations, which gives states the right to self-defence. However, article 51 is open to different interpretations that are hotly contested by international lawyers. In any event, we now have a UN Security Council statement on the issue that supersedes any individual interpretation by a member state. It is obvious that Israel needs to heed the collective view of international public opinion and the international community of states on that matter.

Leaving that aside, it is clear that the use of force to board the ships was disproportionate. We are happy to condemn that use of force accordingly and recognise that there have been similar incidents in which excessive force has been used by the state of Israel against the Palestinian people. Of course, we must qualify that by acknowledging that many attacks have been inflicted on the state of Israel. We are not putting forward a one-way analysis. We also recognise that there is a right for humanitarian assistance to go to Gaza, leaving aside the issue of the illegality of any blockade.

We cannot view the wider question of Israel and Palestine in black and white. It is not productive for parties in the Chamber to, in effect, adopt particular sides in what is a complicated and multifaceted dispute. Clearly, there is considerable support for the Palestinian people and their right to self-determination, particularly in the aftermath of the Six Day War of 1967 and the creation of the occupied territories. It is also important that we recognise Israel's right to exist as a state. It has had a siege mentality throughout its history. Sometimes its actions have been counterproductive, but, equally, Israel has often been vilified, isolated internationally and pushed into a corner. It is important that we support the resolution of a conflict that has major consequences throughout the Middle East and further afield, particularly in the Islamic world. We should offer whatever support we can, particularly to the moderate voices among the Israeli and Palestinian peoples.

For many years, the contours of a settlement in Northern Ireland were clear; the real frustration was getting people from A to B. Similarly,

the solution to the situation with Israel and Palestine is a two-state one, with an Israeli and a Palestinian state having mutual recognition and returning refugees.

Mr Speaker: I ask the Member to bring his remarks to a close.

Dr Farry: We should give our support to a sustainable settlement in that region.

Mr McCartney: Go raibh maith agat, a Cheann Comhairle. Ba mhaith liom tacaíocht a thabhairt don rún seo.

Sinn Féin supports the motion. We are thankful that one Member has taken the time to ask others to debate the situation. I apologise for being late for the initial contributions. There was bad traffic on the Westlink, and I was travelling from the funeral of Barry McElduff's father. I send our sympathy to him and his family.

This week's events highlighted the need to end the blockade and siege of Gaza. Unfortunately, it took the incident on a flotilla, in which people were killed and injured by the Israeli Defense Forces, to highlight that. One and a half million people in Gaza are being denied access to proper medical aid, basic food and water and other amenities that they need to live their lives like any other citizen in the world.

The Israeli bombardment of Gaza destroyed hospitals, schools, homes, shops and other essential facilities. Since January 2009, not a single brick or bag of cement has been allowed into Gaza to begin the necessary reconstruction work. That is the context in which people took to the high seas; that is the context in which people lost their lives. It has been interesting to follow the events in the world media. People all over the world have noted Israel's total disregard for all United Nations resolutions and international law, although there are people here who seem to give Israel their blind support.

Mr K Robinson: I have listened carefully to all the Members who spoke. I wanted to be present to hear some positive comments. I was in Israeli company in Germany one year when a bomb in a discotheque killed many youngsters. I spent two years of my working life in Germany, travelling through the village of Belsen every morning and every afternoon, so I think that we have to set the problem in a wider context, Mr McCartney. Hopefully, we can find a solution.

Mr Speaker: The Member has an extra minute in which to speak.

Mr McCartney: There is a wider context. However, what happened in Belsen and what Mr Robinson experienced should not be used to underwrite Israel's total disregard for international law and basic human rights. People are being denied the right to import bricks and mortar to build hospitals; that is what the Israeli Government are doing. Using the holocaust to justify Israel's disregard of human rights is missing the point. That is what we heard from the Benches that are now empty: total disregard for basic human rights and total support for the Israeli Government, irrespective of what they do. It is what was said today and what was said by many Members during Matters of the Day on Tuesday.

Mr K Robinson: Does the Member accept that I have not made any statement that would support what he has just said? I simply pointed out two facts that help to set the context in which this unfortunate situation is unfolding.

Mr McCartney: Absolutely; and I hope that I have not said anything that suggests that Mr Robinson supported that view. Unfortunately, in Tuesday's debate some Members more or less said that Israel had the right to do whatever it wanted, and they justified that by listing some of the points that Mr Robinson mentioned.

The context of the attack on the flotilla must be seen in that light. Israel's total disregard led people to do what they did. I welcome the return of the Irish citizens who were arrested illegally and are now on their way home. The symbolism of people trying to break the blockade by land and, recently, by sea has the same effect as seeing the people who stood against apartheid. The same arguments were made when sportsmen and sportswomen refused to go to South Africa and people refused to trade with South Africa. Some people told them that that was foolish and wrong. However, the South Africans, who now have a democracy, are the first to appreciate the actions of the people who stood up and broke the economic sanctions. Not yielding to another Government ensured the fall of apartheid, and that is what we have to do.

2.45 pm

What has happened in the state of Israel, particularly in Gaza and less so in the West Bank, is apartheid, at this time in particular.

Some 1.5 million people are held in a siege. Nothing is allowed in or out. It is recognised internationally that only a quarter of the minimum aid requirement is being allowed in under the control of the Israeli Government. That is why people on board the Rachel Corrie are trying to break the blockade, and it is why it is important that we give our support.

People may ask whether it is necessary that we give our support today or at another time. However, international issues have been debated in the Assembly before, and I did not hear any objections then. It is right that we debate it today. People who are involved in a struggle to end injustice, no matter where they are in the world, appreciate support from whatever source. I have absolutely no doubt that the people on board the flotilla and the people of Gaza will be very appreciative if the Assembly passes a motion that supports them and stands in solidarity with them.

Mr A Maginness: In 1976, I supported Mairead Corrigan, as she was then, in the campaign for peace and justice in Northern Ireland. She stood courageously against paramilitary violence, particularly the IRA violence that deprived her of relatives. She formed the Peace People subsequently. I agree with Mr Weir that, if people had listened to Mairead Corrigan in 1976, more people would be alive today and we would have had a more peaceful society. Alas, Mr Weir is not here now, although he should be. If people listen to Mairead Corrigan Maguire now, perhaps lives will be saved in the near future. It is a pity that people such as Mr Weir will not take that point on board.

The motion is very sensible and goes to the very centre of the problem: the blockade of Gaza. That blockade is illegal and contrary to resolution 1860 of the United Nations Security Council. It, therefore, behoves the Israeli state to end the blockade of humanitarian supplies to Gaza. I was invited to Gaza and spent three very disturbing days there in December 2005. I experienced the deprivation of the people of Gaza at first hand, so I feel very passionate about their suffering. That was before the official blockade of Gaza, but, in effect, there has been a blockade ever since the Israelis withdrew from Gaza.

It is important that the people of Gaza are given the opportunity to restore their lives to normality. When I visited Gaza, Fatah was the

governing party. Hamas won the elections legitimately shortly after that. However, Hamas subsequently expelled Fatah and its supporters illegitimately, and it effectively established one-party rule in that part of Palestine. Therefore, I have no time for those who support Hamas because it has established its own dictatorship in that part of Palestine. However, it is right and proper that the people of Gaza are put centre stage and are supported by all of us. We are right to debate the situation, because we have created a model for conflict resolution that the rest of the world looks at and admires. It is right for us to speak to the people of the Middle East and to render them some little support in their attempts to find some type of political solution.

I regard myself as a friend of the Palestinian people. I also regard myself as a friend of the Israeli people, and I have spent a considerable time in Israel. I do not come to this debate with some naked bias. I want to see a peaceful resolution along the lines of a two-state solution. If we support the motion, we will add significantly to the international discourse and debate, and the attempts by people such as Senator George Mitchell, who did so much for us here, to find a peaceful resolution to the historical problems that have bedevilled the Israeli and Palestinian peoples. I want to see the peoples of Israel and Palestine live together in peace. I hope that, by passing the motion, we can contribute to that process.

Ms J McCann: Go raibh maith agat, a Cheann Comhairle. I also support the motion and welcome the opportunity to take part in the debate. I am disappointed. I thought in my naivety that people could put their individual political viewpoints and party politics aside to look at this matter in a humanitarian way. However, I want to illustrate how the people of Gaza have been living and then talk about some of my experiences in Palestine last year.

The people of Gaza have been enduring the blockade for several years. Conditions worsened after the bombing that took place at the end of 2008, which lasted for 22 days. All Members became familiar with that. We all saw it flash across our television screens, and we saw the human devastation and the carnage. When that bombing raid ended, more than 1,000 people, including 300 children, lay dead. Even more were horrifically injured. We need to bear it in mind that the people of Gaza have been suffering for a long time.

I will describe some of the conditions that the people of Gaza are living in. Between 90% and 95% of the water in Gaza is unfit to drink. Israel's continuing blockade prevents the importation of urgently needed materials to repair the sewage treatment works. That has left the drinking water unclean, causing major problems, particularly for young children. Young children have died as a result of the lack of pure drinking water.

International aid and various other humanitarian workers have said for years that aid supplies are all that stand between the vast majority of the people of Gaza and destitution. That is worth remembering. It is essential that that aid gets through.

Gaza has an 80% unemployment rate, and it has a black market economy. The destruction of infrastructure due to the bombing has led to an even greater humanitarian plight. I have followed what the aid workers have been saying for several years. This will become a human crisis such as the world has not seen before if something is not done quickly.

Some Members have asked why the blockade exists. However, the punitive nature of that blockade needs to be exposed. For example, fresh meat, newspapers and canned food are banned, whereas frozen meat and fresh fruit are allowed in. Why are certain foodstuffs banned? That is certainly a punitive measure. Clothes are permitted, but not the fabric for making them. We need to look into those issues to understand the depth of moral depravity behind the attack on the ships this week.

It is crucial that the aid, which includes fuel, electricity and other basic necessities, gets to the people. Seriously ill Palestinian patients, including many children and some people with cancer, cannot go to hospitals outside Gaza to get the treatment they need, so they are dying. They cannot leave to get the treatment; they are not allowed out by the Israeli authorities.

Mr Kennedy: Will the Member give way?

Ms J McCann: No, I am not giving way. People have said enough, so I am saying my piece.

There are 80,000 Palestinian prisoners in Israeli jails, 390 of whom are children as young as 13. The older ones who have been in a while have not seen their parents or other family members for four or five years, simply because the Israeli

authorities have an illegal blockade and will not let the people in and out.

I visited the West Bank and Jerusalem last year. I witnessed at first hand Jewish settlers putting Palestinian families, including young children, out on the streets to live in tents. I had conversations with different people, and one that really had an impact on me was with some Israeli soldiers. Some of them were quite young. We have to remember that those soldiers do not have a choice.

Mr Speaker: The Member should bring her remarks to a close.

Ms J McCann: They do not have a choice about whether they go to war. That has caused those people problems as well. We need to put aside our party politics, look at this in a humanitarian way and support today's motion.

Mr McHugh: Go raibh maith agat, a Cheann Comhairle. It would probably take a lot longer than 10 minutes to respond to everything that has been said, but I ask people to support the motion. It was put forward genuinely by Dr Kieran Deeny and me. Anyone can go and ask him for his side — he has his surgery today, which is why he is not here with me to speak on the motion. I also give my respects to Barry McElduff's father, whom I knew. That is a sad situation for him. I just wanted to say that before I wind up the debate.

I am sorry to say that the debate was, as usual, divided. I gave the reasons why I did this: it is about saving lives. Almost every Member who spoke talked about the humanitarian side of the motion. Danny Kennedy and Peter Weir were outspoken from an opposite point of view about the fact that we have no control over the matter. They said that we do not have a say because it is international business, it is world politics and it is not ours. However, we were happy to take part in world politics from President Clinton back to the Irish Government on many occasions, some of them only a few months ago, to try to keep our place on the road. There was no difficulty with anyone going along with that.

Nevertheless, this issue is world politics. We are big enough in this place to wish to be involved in the conflicts of anyone around the world. We should not minimise ourselves, and there are few Members who feel that we are so small an Assembly that we cannot have our say about any issue that is outside or inside of our

doors. Many day-to-day, bread and butter issues could be dealt with on the basis on which I brought this motion forward if people believe that they are not being dealt with adequately in other parts of our day-to-day workings. Given some of the views out there this morning, it appears to be the case that we are not dealing fully with everything that they want to see resolved. Many people out there are not sure that we have resolved our conflicts let alone have the ability to deal with anything else. That issue must be dealt with by Members in their own localities.

3.00 pm

Some Members' comments were positive. John O'Dowd covered quite a few important issues: the conflict, the Good Friday Agreement and how our compromises are an example to others. That message gets to the door of every Government and anyone who aspires to be in government. The Israelis, Hamas and anyone else in conflict watch what goes on in places such as here. We may be one of the best examples of success in past years. People would have looked at this area a few years ago and said, "This is hopeless. Let us forget about it; we should not even bother going there". That is no longer the case. We have changed and are an example to others, but we should also be able and unafraid to use our learning and experience for the benefit of others.

As has been said in the debate, not everything is known about what happened during the boarding of the flotilla. It seemed at first to have been an air attack, but stun grenades and other means of attacking the ship were launched from the sea rather than the air to quell resistance before the ships were boarded. I believe that we will never know the full details of what took place.

My precise and most important reason for tabling the motion was the involvement of Irish and, indeed, British people in the aid convoy and on the MV Rachel Corrie, which is due to attempt to dock and offload its medical aid in Gaza imminently. The motion is my attempt to raise the issue here in an effort to, perhaps, save lives or make the Israeli Government consider adopting a different approach to the situation, even in the short term.

Conall McDevitt said that we must stand with the rest of the world and show that we support the United Nations in its stance. That is a vital point: speaking out, as we can, is the right

thing for us to do for ourselves and on behalf of others. We have been on the international stage. People have watched us there and continue to watch what we do. We should not underestimate our ability to deliver for other places.

Members, particularly Jennifer McCann, provided examples of what is happening in Gaza. The Israelis will not allow 2,000 items, including pencils, pens and various materials, into Gaza on a normal medical aid run, let alone allowing in cement for the rebuilding of a place that, as Jennifer McCann said, was bombed to bits. If all 2,000 items were removed from a ship, there would be precious little left. I wonder just how much would be left on those aid ships.

Anybody should be able to support, without difficulty, calls for action on other issues such as drinking water and the human crisis threatening the ability of hospitals to look after the sick. Alban Maginness and the SDLP have been very supportive of the motion. Stephen Farry and other Alliance Party Members have also supported it, albeit in a more cautious way. The problem caused by some Members' opposition to the motion is that it shows the international community and the community here that we are divided on an issue that is purely and simply about helping others.

Mr Kennedy: I hope that the Member has understood the point made, certainly by me, that the Gaza situation is complex and needs to be taken very seriously indeed. Diplomatic efforts are the best way to resolve the matter, because further actions might exacerbate an already delicate situation. That is why we question the wisdom of additional ships entering the zone, particularly as they are certain in the knowledge that the Israeli Government will not allow them to proceed.

Mr McHugh: I take the Member's points on board. However, I assure him that, in this instance, the Israelis probably did not expect that world opinion would be against them or that their actions would generate so much bad press. That reaction has had a great effect on them. There have been plenty of attempts to achieve a diplomatic resolution to the problems, but all have failed.

Rather than causing that community to consider a different way forward, as we are doing here today, the blockades harden support for Hamas's position. Although there are entrenched positions on both sides, the Israelis

are in the position of power. It would, therefore, be easier for them to show greater willingness to change their attitude than has been the case so far. The widespread coverage of the situation will bring home that point to them.

I thank all Members for their comments and for taking the time to come back to the Assembly on a Friday to discuss the matter. I assure Members that it was not a cynical exercise, and I welcome the views of those who want a proper resolution to the situation. Everyone must do their best, and I hope that today's debate will benefit everyone.

Mr Speaker: I remind Members that a valid petition of concern has been presented in relation to the motion. Therefore, the vote will be the first item of business on Monday 7 June 2010.

Adjourned at 3.07 pm.

Northern Ireland Assembly

Monday 7 June 2010

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

Members observed two minutes' silence.

Private Members' Business

Petition of Concern: Gaza

Motion proposed [4 June]:

That this Assembly, conscious of the presence of Nobel laureate Mairead Corrigan Maguire on board the MV Rachel Corrie, calls on Israel to conform with international human rights norms and joins with the British and Irish Governments in condemning the disproportionate actions by Israel earlier this week; recognises that every nation has the right to defend itself but that each nation also has a responsibility to respect and comply with international law; and further calls on Israel to ensure that humanitarian efforts in Gaza are facilitated, that an immediate end to the blockade is effected and that the MV Rachel Corrie is given safe passage to Gaza. — [Mr McHugh.]

Mr Speaker: Order. I remind Members that a valid petition of concern was presented on Friday 4 June on the motion that was debated on that day. Under Standing Order 28, the vote could not be taken until at least one day had passed. The vote will, therefore, be taken as the first item of business today. I also remind Members that another effect of the petition of concern is that the vote on the motion will be on a cross-community basis.

Question put.

The Assembly divided: Ayes 40; Noes 40.

AYES

Nationalist:

*Ms Anderson, Mr Attwood, Mr Boylan,
Mr D Bradley, Mrs M Bradley, Mr P J Bradley,
Mr Brady, Mr Burns, Mr Butler, Mr W Clarke,
Mr Doherty, Mr Durkan, Mr Gallagher,
Ms Gildernew, Mrs D Kelly, Mr G Kelly, Mr Leonard,
Mr A Maginness, Mr P Maskey, Mr F McCann,
Ms J McCann, Mr McDevitt, Dr McDonnell,
Mrs McGill, Mr McGlone, Mr M McGuinness,*

*Mr McHugh, Mr McLaughlin, Mr Molloy, Mr Murphy,
Ms Ní Chuilín, Mr O'Dowd, Mr P Ramsey,
Ms S Ramsey, Ms Ritchie, Ms Ruane.*

Other:

Dr Deeny, Dr Farry, Mr McCarthy, Mr Neeson.

Tellers for the Ayes: Dr Deeny and Mr McHugh.

NOES

Unionist:

*Mr Armstrong, Mr Beggs, Mr Bresland,
Lord Browne, Mr Buchanan, Mr Campbell,
Mr T Clarke, Mr Craig, Mr Cree, Mr Dodds,
Mr Easton, Mr Elliott, Sir Reg Empey, Mrs Foster,
Mr Gardiner, Mr Hamilton, Mr Hilditch, Mr Irwin,
Mr Kennedy, Mr Kinahan, Mr McCausland,
Mr McClarty, Mr I McCrea, Miss McIlveen,
Mr McQuillan, Lord Morrow, Mr Moutray,
Mr Newton, Mr Poots, Mr G Robinson,
Mr K Robinson, Mr Ross, Mr Savage, Mr Shannon,
Mr Spratt, Mr Storey, Mr Weir, Mr Wells, Mr S Wilson.*

Other:

Mr Lunn.

Tellers for the Noes: Mr McClarty and Mr Spratt.

Total votes	80	Total Ayes	40	[50.0%]
Nationalist Votes	36	Nationalist Ayes	36	[100%]
Unionist Votes	39	Unionist Ayes	0	[0.0%]
Other Votes	5	Other Ayes	4	[80.0%]

*The following Members voted in both Lobbies
and are therefore not counted in the result:
Mr McCallister, Mr B McCrea, Ms Purvis.*

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

12.15 pm

Mr Poots: On a point of order, Mr Speaker.
Will you clarify whether you have any power to
reject a motion to call a special sitting of the

Assembly, particularly when its subject does not deal with matters over which the Assembly has any power? On Friday, we were debating foreign affairs, which is dealt with at the Mother of Parliaments at Westminster, which Sinn Féin Members are elected to attend and choose not to. We would be much better dealing with education, health and environmental issues than getting involved with an issue on which we have no power to act.

Mr Speaker: Other Members have asked that question. Under Standing Order 11, the Speaker has no role to play whatsoever.

Mr Campbell: Further to that point of order, Mr Speaker, you have been very clear there. Does that mean that, if the required number of MLAs were to submit a requisition for a debate on something completely spurious and outwith any control or remit of the Assembly, we would have to meet?

Mr Speaker: The answer is yes. If 30 Members were to sign a petition of concern to call a meeting of the Assembly, I, as Speaker, would recognise that a fairly large proportion of Members had a deep concern on an issue and felt that to call a sitting of the Assembly was the only way forward. That is made clear under Standing Order 11. I will take a final point of order on the subject from Mr Dodds.

Mr Dodds: Further to that point of order, Mr Speaker, the recalling of the Assembly, although within the rules, smacks of a situation in which the rules may need to be looked at. Will you clarify whether the matter will be looked into? Although it may be in order, the public see it as a ludicrous position, and, therefore, the Standing Order needs to be revised and revised early.

Mr Speaker: It is a matter for the Committee on Procedures to decide how it might deal with Standing Order 11. Other parties or Members may wish to use the same Standing Order to recall the House on another occasion. The House has been recalled in the past when there have been 30 signatories to a motion. The issue needs to be dealt with elsewhere. Under Standing Order 11, the Speaker has no discretion to act when 30 Members present a petition to recall the Assembly.

Dr Deeny: On a point of order, Mr Speaker. I refute completely Mr Dodds's comments. The issue is of great public concern, and should the House not concern itself with global issues of

humanitarian concern? Surely we cannot sit and watch the world through Six County glasses.

[Interruption.]

Mr Speaker: Order. I ask the Member — *[Interruption.]* Order. Let us have some order in the House.

Dr Deeny: We should discuss issues of humanitarian concern.

Mr Speaker: I ask the Member to resume his seat. Let us move on with the business of the House.

Assembly Business

Suspension of Standing Orders

Mr Weir: I beg to move

That Standing Orders 10(2) to 10(4) be suspended for 7 June 2010.

Mr 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 7 June 2010.

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

Executive Committee Business

Employment (No. 2) Bill: First Stage

The Minister for Employment and Learning (Sir Reg Empey): I beg to introduce the Employment (No. 2) Bill [NIA 24/09], which is a Bill to make provision about the procedures for the resolution of employment disputes and the procedures of industrial tribunals and the Fair Employment Tribunal; to make provision in relation to time off for study or training; and for connected purposes.

Bill passed First Stage and ordered to be printed.

Mr Speaker: That Bill will be put on the list of future business until a date for its Second Stage is determined.

Commissioner for Older People Bill: Second Stage

The junior Minister (Office of the First Minister and deputy First Minister) (Mr G Kelly): I beg to move

That the Second Stage of the Commissioner for Older People Bill [NIA 21/09] be agreed.

I am very pleased that the Commissioner for Older People Bill has been introduced and is being debated in the Assembly today. We are delighted that people here are living longer. Older people make a valuable contribution to our society. Some older people continue to work, while others support their family by providing childcare and caring for relatives who are ill. The active volunteer sector in our society is greatly enriched by the major contribution made by older people.

We should all acknowledge our gratitude for the part that older people play in helping our society move forward. However, research indicates that many older people are vulnerable members of our society. The most recent figures available show that 28% of pensioners live in poverty. In the most recently available estimates of fuel poverty, no less than half of pensioners were suffering fuel poverty. In 2007-08, some 62% of older people aged 65 to 74 reported having a long-standing illness. For the 75 and older group, that percentage increased to 67% for males and 72% for females. For the population generally, the figure was 38%. Older women in

particular face specific challenges. Some 27% of women in their seventies and 45% of women over 80 suffer from mobility difficulties. What is more, older people represent an ever-growing percentage of our population. Estimates suggest that, by 2041, some 42% of the population here will be aged 50 or over. Persons of pensionable age will represent 25% of the population, and the number of those aged 75 and over will double to at least 14% of the population. Across these islands, we are predicted to have the largest percentage increase in the number of people aged over 50, 60 and 75.

Given those estimates and the fact that we now have a greater awareness of issues related to older age, the Executive committed in the Programme for Government to provide a strong, independent voice for older people. In doing that, we recognise and pay tribute to the excellent work being undertaken by, for example, our health and social care trusts, Age NI, the Age Sector Platform and many other local groups that provide a first-class service for older people.

To get a clearer picture of what older people need and in order to hear their views and those of their representative groups, the First Minister and deputy First Minister asked an independent firm to look at the case for and the potential roles and responsibilities of an independent Commissioner for Older People. In May 2008, the final report was produced. It recognised the excellent work of regulatory and scrutiny bodies here, such as the Equality Commission, the Northern Ireland Ombudsman and the Regulation and Quality Improvement Authority. However, it concluded that there was no one body that had the concerns of older people as its primary focus. Moreover, none of the existing bodies has the range of functions and powers that we propose to give to the Commissioner for Older People.

For many older people, a commissioner with strong powers will provide them, for the first time, with a body that truly understands the difficulties facing older people and has the powers to bring about change to improve their lives. We believe that there is a clear need and strong support for a Commissioner for Older People, with a range of functions, powers and duties. The Age Sector Platform's 'We Agree' campaign has attracted widespread support for a strong commissioner, and the public consultation on our proposals and the draft Bill

received significant attention and demonstrated strong public support for our proposals.

Ultimately, we want the establishment of a commissioner to mean that there will be someone to stand up for older people, to challenge discrimination against them and promote their participation in public life and to investigate complaints on their behalf. We also want it to mean that there will be someone to encourage best practice in the treatment of older people, to influence and shape government policy in the interests of older people and, ultimately, to help us to achieve a society in which older people's voices are heard and respected and in which their interests are safeguarded and promoted. Therefore, we have prepared a Bill to establish a Commissioner for Older People who will have a wide range of promotional, advisory, educational, legal and investigatory functions, duties and powers to be deployed in the interests of older people, generally and individually.

The commissioner will have regard to the UN Principles for Older Persons when carrying out his or her work and will be independent of government and able to hold public bodies and government Departments to account in how they treat older people. The commissioner will provide a single focal point for older people's issues and be appointed by and have direct access to the First Minister and deputy First Minister. To stand up for older people, the commissioner will have the power to advise Ministers, the Assembly, the Secretary of State and any body or person on any matter concerning older people. The commissioner will be empowered to make recommendations to strengthen existing legislation. They will be able to produce research to help to shape policy and services and report on key issues that affect older people, such as transport, fuel poverty and finance.

The commissioner will have the power to undertake investigations. He or she will have an additional level of scrutiny by being able to carry out formal investigations of complaints that an older person raises against public bodies and of an organisation's internal procedures. In such cases, the commissioner will have the same powers as the High Court, including powers of entry and inspection. The commissioner will be able to bring, intervene in or assist in a court case involving the interests of older people and will be able to provide assistance,

including financial assistance, to an older person in a court case. As an alternative to legal proceedings, the commissioner will also have the power to commission conciliation services to help resolve a dispute more quickly. That is an additional power that has come about following the public consultation.

Establishing a commissioner here is a ground-breaking development. The only comparable commissioner is in Wales. No other European country has a commissioner of this type. It is an example of the Assembly responding to the needs of local people. As I said, we recognise that some bodies already carry out work that assists older people. We have, therefore, arranged that the Bill contains provisions to ensure that, where an existing body has expertise in or responsibility for a particular service, the powers of the commissioner are limited in that area alone.

Where appropriate, we want to ensure that the commissioner works in partnership with other bodies to safeguard the interests of older people and to ensure that the organisations co-ordinate their functions, identify gaps and make recommendations where improvements could be made. The commissioner will be urged to draw up memoranda of understanding with appropriate organisations. In establishing the role, we are determined to make sure that there is no duplication or conflict of responsibilities between different organisations, which could cause confusion and inefficiency, and that public money is used efficiently. Above all, we want to ensure that the older person gets the right help at the right time.

I referred to the efficient use of public money. As we move forward with this legislation and with the establishment of a commissioner, we are continually considering ways to reduce costs and ensure value for money. The sharing of services between the commissioner and other bodies is one example of those efforts. By establishing a Commissioner for Older People now, we are looking at the issue of an ageing population in the longer term and towards ensuring that older people here have the strong voice and protection that they deserve. I commend the Bill to the Assembly.

The Chairperson of the Committee for the Office of the First Minister and deputy First Minister (Mr Kennedy): I am pleased to welcome the Bill on behalf of the Committee

for the Office of the First Minister and deputy First Minister. We considered a Commissioner for Older People on a number of occasions, and we were first briefed on the draft legislation in July 2009. In September, we received a further briefing from Dame Joan Harbinson, the Older People's Advocate for Northern Ireland, on the proposals in the draft Bill. The Department's public consultation was launched on 1 October 2009 to mark the United Nations International Day of Older Persons and, again, my Committee was briefed on the outcome of the public consultation at its meeting on 20 January 2010.

12.30 pm

During the consultation period, my Committee raised a number of issues about the legal powers and status that the Bill would give to a commissioner and about the inclusion of private nursing homes in the list of relevant authorities. My Committee also considered a number of research papers on pensioner poverty and models of how best to move forward.

At its meeting on 3 February 2010, my Committee agreed that it has no objections to the Department making revisions to the Bill. On 12 May 2010, officials briefed the Committee on the Department's final policy proposals for the Bill. After the meeting, the Committee agreed that it was content for the Bill to be considered at the Executive's next meeting and that members or, indeed, the Committee could bring forward amendments to the Bill following its introduction. We look forward to our consideration of the Bill during Committee Stage and to reporting on it to the Assembly.

I want to make a number of comments on behalf of the Ulster Unionist Party.

Mr Dodds: I am grateful to the member for giving way. I welcome the Bill. It is a positive development for the Assembly. Given that it is the Assembly's initiative to set up the post, I have no doubt that Ministers would respond positively to the commissioner's recommendations. The junior Minister mentioned the Secretary of State among others. In view of the fact that matters such as pensions and winter fuel allowances are all set at Westminster, did the Committee consider the commissioner's role vis-à-vis the Secretary of State or Whitehall Departments? What relationship would there be to ensure that the voice of older people is heard in those corridors of power as well?

The Chairperson of the Committee for the Office of the First Minister and deputy First Minister:

I thank the Member for his useful intervention. I have no doubt that it will be reflected in Committee Stage as we consider and scrutinise the full effective nature of the Bill.

On behalf of the Ulster Unionist Party, I broadly welcome the Bill and express the hope that my party plays an important part in scrutinising it to improve its various measures. There may be a slight concern in some quarters that we appoint new commissioners and, indeed, new commissions regularly. However, a clear argument can be made for the appointment of an older person's commissioner who has proper powers to look at issues that are of significance and importance to older people.

One such issue is the Presbyterian Mutual Society, with which, of course, the House is well acquainted. Had a commissioner for older people been in place, it may well have been the case that that individual would have made representations at a senior level on that issue. I must be careful to declare my interest in that matter as a modest saver with the Presbyterian Mutual Society — modest being the appropriate word.

Nonetheless, on such an issue, it would be perfectly possible for an older person's commissioner to raise the concerns of a great many elderly people who are caught up in events that are not of their making and who feel extremely concerned and fragile. One hopes that that issue could be carried forward. I know that the junior Ministers, the First Minister and the deputy First Minister, and other Ministers continue to seek early resolution of the issue. I have no doubt that such an issue would have particular relevance to an older people's commissioner.

Therefore, for that reason, among many, my party broadly welcomes and supports the Bill.

Mr Moutray: I also welcome the Bill. My party has always championed the needs of the older generation. Delivery for older people has always been a key priority. My party is justifiably proud of its record, which includes introducing free travel and pioneering the warm homes scheme.

Since the restoration of devolution in 2007, DUP representatives have been active in delivering for our senior citizens. Indeed, this April, the

party launched a new document on the needs of older people.

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

There is significant demographic change occurring in Northern Ireland. Within the next 20 years, those aged 50 and above will account for 38% of the total population. It is predicted that by 2056 there will only be two working-age individuals for every person aged over 65. It is, therefore, essential that we invest in services for older people today and into the future. The contribution that older people make in our society is hugely significant and must be properly valued. Our senior citizens have played, and continue to play, an integral role in everyday life. Therefore, we need a society in which older people's voices are heard and respected and their interests are safeguarded. We need a society that promotes positive attitudes towards older people and their participation in public life.

There also needs to be a clear, co-ordinated and holistic approach to matters affecting the lives of older people across all Departments and other public bodies. The appointment of a commissioner will also provide a clear point of contact for older people. The commissioner will be someone whom they can contact for advice and assistance on issues affecting them. That matter has been discussed at great length in the Committee for the Office of the First Minister and deputy First Minister, and I welcome the fact that there has been widespread consultation on that. Many took the time to return written responses and to attend the nine public consultation events held last November. The issues and points that were raised certainly helped in the decision-making process and have helped to shape what we have before us.

The Bill clearly assists in the fulfilling of the Executive Programme for Government, which includes a commitment to deliver a strong, independent voice for older people. The Bill will put the wheels in motion for that strong, independent voice. The Commissioner for Older People will be able to safeguard and promote the interests of older people. We only have to think of a few issues that have been brought to light in the past number of years. For example, 3% of older people have been found to suffer elder abuse in Northern Ireland, although that is undoubtedly an underestimate, since those with dementia or living in care homes have not been

included in the study. Additionally, grandparents and other elderly relatives carry out a huge amount of unpaid work, including looking after young children and caring for a spouse. Childcare from grandparents is said to be worth £3.9 billion to the public. Furthermore, elderly people can be refused some forms of insurance, access to financial services and even medical treatment.

We, as an Assembly, clearly need to address those matters, and the appointment of a commissioner will assist in that process. In conclusion, we must ensure that older people are enabled to contribute as fully as possible for as long as possible and be assured that their rights and interests will be adequately protected. I support the Bill.

Ms Anderson: Go raibh míle maith agat. I think that all parties accept and welcome the creation of the Commissioner for Older People as a positive move, and this is a welcome stage in making that a reality.

Older people have made a valuable contribution to our society throughout their lifetimes in their work and taxes and through voluntary work in communities. Unfortunately, as we all know, the standard of living of many of our older people does not meet their needs or reflect the contributions that they have made. Many of them are among the most vulnerable members of our society, and research has shown that more than one quarter of our older people live in poverty, and more than half live in fuel poverty. That is an absolute indictment of this society.

Statistics show that 16.5% of the population in the North are aged 60 or over; that is 290,000 older people. Projections show that by 2026, that figure will have reached 500,000, constituting 25.4% — approximately one quarter — of our population.

Given our ageing population, we need to develop mechanisms now in order to properly value and recognise the contribution of older people to society as a whole. We need to support older people in realising their vital role in communities and, as a society, to look after those older people who need help to have a decent quality of life. Issues such as low income, access to transport, housing, Alzheimer's disease and many other age-related health conditions need to be addressed to ensure that older people's voices are heard and that their needs are articulated and catered for.

Older people should be consulted in decision-making at all levels. The appointment of a Commissioner for Older People will provide an important means of challenging and reviewing policy and decision-making and give a focused role in articulating the demands and rights of older people. Those rights must be at the heart of the Executive's decision-making powers and processes. If the Executive were delivering better on their statutory duty to promote equality of opportunity, as stated in section 75, the policies and programmes aimed at older people would have measurable outcomes that improved their living conditions. However, it is well known by equality practitioners and many others that that duty is highly unpopular among civil servants in central government. Therefore, the commissioner, who will champion older people's needs, challenge discrimination against them, investigate their complaints and promote and safeguard their interests, will have his or her work cut out.

Many other organisations are already doing sterling work on behalf of older people. However, the Bill contains provisions to ensure that there is no duplication of services and, therefore, no hierarchy of commissions. As the Minister outlined, the partnership working with organisations, such as Help the Aged, and the drawing up of memorandums of understanding will ensure that there is no conflict and that the needs of older people are addressed properly and effectively. Organisations that are already doing sterling work in that field will welcome that.

As a member of the OFMDFM Committee, I have monitored the Bill's progress with great interest, as has every other member of the Committee. We have taken evidence and received feedback from the age sector and wider society, and there can be absolutely no doubt that there is overwhelming support for a commissioner who has a wide range of duties, powers and functions. I am delighted that the Bill has reached its Second Stage, and I hope that it continues to make effective progress through the legislative process, because the creation of a Commissioner for Older People will be an achievement of which we can be proud. As Minister Gerry Kelly said, no other European country, with the exception of Wales, has such a commissioner. The Bill is, therefore, a tangible example of how the Assembly is responding to the needs of one of the most vulnerable groups in society.

I look forward to the new commissioner taking office and beginning a campaign that champions the rights and entitlements of older people. I also look forward to Departments' delivering on their duty, as stated in law, to provide equality of opportunity for older people and to actively promote their right to receive that. Go raibh maith agat.

Mrs M Bradley: I welcome the Commissioner for Older People Bill. The Minister spoke about far-reaching powers, and I believe that the powers in the Bill have to be very far-reaching to deal with the issues that affect older people. That is and needs to be the most important part of the Bill. Will the Minister assure the House that the post will not be affected by the cuts that we hear so much about and that older people will not be disappointed in that regard? The Bill means that we are, at last, recognising older people. I know that older people will feel valued today when they hear that that is, at last, happening.

Nevertheless, the Bill needs to go further by dealing with people in homes. A Member who spoke a moment ago said that some older people who live in homes are being abused. However, they are not the only ones. Many older people who live in the community or with their families are also being abused.

We need to be able to give effect to all that I have mentioned on behalf of older people and bring about an increase in pensions, which is the one thing that they need to enable them to live a comfortable life. Older people must be involved in all those decisions.

12.45 pm

I want to know what powers the Commissioner for Older People will have. Those powers should be very strong. For years, my party has been trundling along fighting for this, and, from the moment that I was elected as an MLA, I have fought for a Commissioner for Older People. Therefore, I welcome the Bill. However, I want the Minister to assure us that necessary and far-reaching powers will be provided and that any cuts will not affect the commissioner. We could be here all day discussing the issues that affect older people. Those issues need to be addressed, and we need to get a commissioner in place with the power to do that. I welcome the Bill so far. However, I want to hear from the Minister about those issues.

Mr McCarthy: I, too, fully support the provision of a Commissioner for Older People and give my party's blessing to the Second Stage of the Bill.

The Deputy Chairperson of the Committee for the Office of the First Minister and deputy First Minister said that continuing to have commissioners for this, that, and the other could not be supported, and that we have to carefully consider where we are going. However, as I understand it, having a Commissioner for Older People has been a priority for the Executive since they came into being.

In the early days of the previous Assembly, I was chairperson of the age sector reference group, and spent quite some time discussing and debating the provision with many interested parties, including Age Concern and Help the Aged, which have now come together as Age Northern Ireland. I am delighted that we are now making good progress towards fulfilling the Executive's commitment in the Programme for Government to:

"Deliver a strong independent voice for older people."

Our goal has to be to give older people their rightful place as full and valued members of our community and society. We must never forget the sacrifices that the present older generation made so that the generations to come can enjoy a much better life than that which went before.

I agree with the duties of a commissioner as outlined in the Bill. The commissioner must:

"promote an awareness of matters relating to the interests of older people and of the need to safeguard those interests."

The commissioner must also keep in mind the need to:

"review the...effectiveness of law and practice relating to...older persons... and... services provided for older persons".

The commissioner must always ensure that no inequality or discrimination is suffered by any older person and that best practice is the order of the day when dealing with older people. It is really important that positive attitudes are advanced towards older people, and, indeed, that encouragement is made at every opportunity for their active and real participation in everyday activities.

We totally agree that communications from the commissioner's office, such as where the office is based and what it stands for, should be relayed to older people. The office should also emphasise that the views of older people are paramount.

In conclusion, the Bill, which provides for a dedicated individual to look after the interests of older people, cannot come quickly enough. As I said, time has passed, and, in many ways, older people have continued to be treated as almost second class citizens. That must come to an end.

I pay tribute to the temporary advocate and to the work that her office has done. However, much more has to be done. Over and over, we hear that many older people are continuing to not receive the benefits to which they are entitled. I hope that a commissioner will put that matter right. If it is put right, many problems from which older people suffer, such as fuel poverty, will be things of the past.

I look forward to the Bill progressing through the Assembly.

Mr McCallister: Will the Member tell us some of his ideas that the commissioner could address when dealing with the low uptake of benefits? Despite all the campaigns by various Ministers for Social Development, benefit uptake has been a continuing problem for our older people. How does the Member think that the commissioner's office will address the problem?

Mr McCarthy: I envisage that the commissioner, as a dedicated person looking after older people's every interest, will put that problem high on his or her list of priorities, because, as the Member said, elected Members and organisations have done their best over and over again, and continue to do so, to ensure that the benefits to which older people are entitled reach them. The most recent figure that I read was that some £62 million is still going unclaimed. I hope, therefore, that the new commissioner's office will add another voice to ours to ensure that that figure is greatly reduced and that older people can get the benefits to which they are entitled. I hope that that goes some way to answering the Member's question.

The Chairperson of the Committee for the Office of the First Minister and deputy First Minister: Not really.

Mr McCarthy: I am doing my best.

In conclusion, I hope that, come spring next year, the commissioner will be appointed and that he or she will get down to brass tacks and ensure that older people's priorities come to the fore.

Mr Shannon: I look forward to the creation of the post of a Commissioner for Older People. This is not the first time that the matter has been brought before the House. Although I am happy that we are at the Bill's Second Stage, I would be happier were I standing here today welcoming the commissioner's appointment. However, that is not in the too far distant future, and I look forward to that day.

We are on our way, which is the most important thing. I have supported the principle of having a Commissioner for Older People from the outset, not because I am a decade away from reaching the magic age of 65 but because 16.5% of the population of Northern Ireland — 290,000 people — are aged 60 or over. Some Members who spoke have a vested interest, including the Member who has just spoken, and perhaps one or two more who still have to speak. It is estimated that the figure of 290,000 will rise to 500,000, equating to a 25.4% share of the population, within 15 years.

Mr McCarthy: Will the Member give way?

Mr Shannon: Just one wee second, Kieran. The commissioner's role will increase and become greater over the next few years.

Mr McCarthy: I thank the Member for giving way. I cannot locate it in the legislation right now, but the Bill refers to older people as being people aged 50 and over. Therefore, I leave it up to the Member to decide where he fits in.

Mr Shannon: If it is 50 years old, everybody in the Chamber is in trouble. I view older people as those who are 60 years of age and above.

The issue did not divide the Chamber in the past, and I hope that it will not divide it now. All sides of the House know that a dedicated strategy is needed to safeguard older people's rights and dignities, and that is what creating the post of a Commissioner for Older People is designed to do.

Tha Help tha Aged hae bin in tuch wi' me , whau hae prees'd apon me tha urgency o' makkin shair that ther is sumyin whau haes a determind

roul, as weel as tha poower tae mak tha needit changes which wull mak shair o' aa' better lief fer oor ouler fowk. En A'a hae bin impressed wi' tha nummers that wur broucht tha tither bi' tha Help o' tha Aged which wus sent aff tae me.

I was contacted by Help the Aged, which impressed on me the urgency of ensuring that an individual be given a dedicated role and the powers to make the changes necessary to ensure a better life for our older people. I was impressed by the figures that Help the Aged collated and sent to me. Its correspondence stated:

"The estimated yearly cost of an older people's commissioner is £1.5 million. In the economic climate, we must think of value for money."

Today's focus appears to be even more on value for money, as it will be over the next few years.

The correspondence continued:

"Taking into consideration that there are 290,000 older people in Northern Ireland, and rising, £1.5 million equates to £5.17 per older person per year, which is less than 10p a week and less than 2p a day."

If that is not value for money for a Commissioner for Older People, I want to know what is.

The letter continued:

"Whilst older people will rightly be the immediate beneficiaries, ageing affects us all. Improving the position of older people in our society will deliver better outcomes for society as a whole, now and in the future. If we consider the entire population of Northern Ireland — 1.7 million — as indirect beneficiaries, £1.5 million equates to less than 2p per week per person."

That puts the cost into perspective.

Although we are in the days of making efficiency savings, we cannot save money at the expense of elderly people's dignity. Just this morning, I stood outside my office with a dozen elderly ladies from an arthritis and chest, heart and stoke group who had been informed that the bus that takes them to and from their monthly meetings would no longer be available. For many of those ladies, that is the only night that they get out in the month. They pay £2 each month and have tea and sandwiches at their meeting. Twice a year, they go for a meal together. Now they are expected to find an extra £4 a month to have their night out.

The meetings are therapeutic and offer a chance for the women involved to get together and interact. If the Commissioner for Older People were already in post, those ladies would be able to speak to him or her about that issue. The ladies will not be able to afford to pay for the bus. That is an example of why there should be a Commissioner for Older People. Someone needs to take a stand and say that cutting the bus service is not acceptable and will adversely affect the quality of life of those who use it.

The Minister of Health, Social Service and Public Safety is absent from the debate, but he can read Hansard later. I ask that he do the right thing, reinstate the bus service and find another way to make efficiency savings. The ending of the bus service is an attack on the most vulnerable people in our society. That is not acceptable now, and it never will be. The example that I have provided shows just how urgently a commissioner is needed.

Therefore, I wholeheartedly support the Bill and hope that it passes through the Assembly quickly and before anyone here, and there are quite a few candidates, has to avail himself or herself of the commissioner's service.

Mr Brady: Go raibh maith agat, a LeasCheann Comhairle. I, too, welcome the Bill. Since the issue has arisen, it has been asked why we need a Commissioner for Older People. One of the reasons that we need one is that many older people have felt, and continue to feel, let down by the system and that they are not valued.

The appointment of a Commissioner for Older People will be a very important step in realising the aspirations of older people. The commissioner must have effective powers to acknowledge the contributions that older people make and the diversity of their experience, knowledge and skills. All those factors will have to be an integral part of the commissioner's work.

Older people must be made to feel that they are still important in our society. All too often, they feel isolated and marginalised, which has been borne out in surveys. Some surveys have reported that 73% of older people feel marginalised. They feel isolated, marginalised and not included in the decisions that affect them the most.

The issues that affect older people must be prioritised, and their basic quality of life must be improved. Vulnerable older people must be

afforded the proper support and security that they require to enjoy their lives. Issues that need to be addressed in appropriate legislation include poverty; isolation and loneliness; the fear of crime; personal and community safety; abuse of the elderly, which has already been mentioned; the availability of proper and accessible housing; and insurance.

A Commissioner for Older People must strongly promote older people's rights and dignity, give them a strong voice and include them in the process that legislates on their rights. Older people do not want to be patronised, nor do they need to be. They deserve respect and recognition of their contribution to society. Many older people continue to be actively involved in their communities. Older people ask for no more than their legal entitlement and rights.

The office of a Commissioner for Older People should include a wide range of duties and powers. It should be engaged in advocacy, education and awareness-raising. It should also provide information and advice and be in a position to monitor and review its own role effectively.

The commissioner's powers should apply to the public, private and voluntary sectors, and his or her remit should include residential homes, insurance and access to services and opportunities. The commissioner should be in a position to communicate with older people and seek their opinions. The rights and interests of older people must be taken into account, and they need to be involved in policy development, planning and service delivery.

The commissioner's duties should include influencing policy and service delivery; championing and empowering older people; providing information advocacy and support; enforcing, enhancing and promoting rights; and investigating complaints and matters of concern to older people.

1.00 pm

It has been said that the commissioner will not be in government but will be of government. That is important. It will be incumbent on the commissioner to actively seek the opinions of older people and ensure that their views are heard. The office of the commissioner needs to be properly resourced to ensure its effectiveness; otherwise, it will be regarded

as another attempt to pay lip service to the resolution of important and pressing issues.

There are two important areas that the Commissioner for Older People should, when appointed, address urgently: older people in fuel poverty and the take-up of benefit entitlement. No longer should older people die of cold-related illnesses. That has been happening for several years, and the number of deaths is expected to rise as a result of last winter's cold spell. Large numbers of older people have died of cold-related illnesses because they could not afford to heat their home. That is an appalling statistic in a modern society.

The uptake of benefits and the provision of pension credit must be looked at urgently. Pensioners are not claiming pension credit to the tune of over £1 million a week; that has already been mentioned. The appointment of a Commissioner for Older People gives us an opportunity to redress an imbalance that has been going on for far too long. It gives us the opportunity, finally, to live up to our responsibilities to look after the older generation and provide them with the recognition and dignity that they want and deserve. I commend groups such as Help the Aged and Age Concern, now Age NI, for the tremendous work that they have done, as well as the senior citizens consortiums, particularly in my own area, who have done so much to advocate and champion the rights of older people.

Mr Spratt: I welcome the Bill. I welcome the junior Minister's presentation and the contribution of OFMDFM in bringing the legislation to its Second Stage today.

Age Northern Ireland tells us that 290,000 people in Northern Ireland are aged 60 or over and that that number is projected to rise to 500,000 by 2026. I know, Mr Deputy Speaker, that you tried earlier to reduce the age to 55, which would mean that I would have to declare an interest, but I am not at that stage yet. I want to pay tribute to the considerable work that Dame Joan Harbison has carried out as the interim commissioner for older people. I have always admired the considerable work that the voluntary organisations, churches and other agencies have done year after year for older people and the resources that organisations put into care and activities for them.

I have always admired the considerable contribution that some senior citizens make to

local government. Although she is not a member of my party, I admire Councillor Rosaleen Hughes, who is in the Public Gallery today, as an advocate for older people and for the considerable work that she does on their behalf. She is but one shining example of the work that many other people in her position carry out on councils throughout Northern Ireland.

Mr Dallat: Does the Member agree that, given that it is volunteers' week, there is a need to encourage as many people as possible to sign up as volunteers for the various organisations, including those for older people but also those for people of all ages who experience isolation and the poverty of being alone? As the Bill passes its Second Stage, there is a need to encourage as many people as possible to become volunteers, as the Member has been doing.

Mr Spratt: I am happy to take the honourable Member's point. That should be encouraged, and I know that, at local government level, my council has done so. I encourage everyone to become involved in volunteering.

Mr Shannon: Does the Member agree that the role of pension advisers is critical? Mr McCarthy and others mentioned that earlier. Pension advisers are much sought after in my area. In many cases they are overworked. Is there a more critical role for pension advisers to play in the future to ensure that all moneys and benefits available are collected? As one Member said, some £60 million is returned; that is an indication of the amount of money that should be retained here.

Mr Spratt: The Member has made a valid point. That is an issue that I encounter regularly, as we all do. Older people sometimes come through our doors to enquire about one matter, but, when we check, we find that they are not getting many of the benefits that they deserve. That is one issue that we try to address, as do party colleagues and Members from other parties. Advertising campaigns were mentioned earlier, and they should be encouraged to try to maximise the uptake of benefits.

There is no doubt that a Commissioner for Older People is needed; we have seen that clearly. However, I have some concerns about the Bill, which I have expressed previously. I hope that the Minister will respond to them. I am concerned about legal cases and the appointment of staff.

The Ministers, as well as the majority of consultees, have agreed that it would be important for the commissioner to have the power to bring and support legal cases. That is included in the proposed legislation, but I have some concerns. We are all aware of the terrible, despicable cases of elder abuse that have been in front of the courts in recent times. One cannot imagine what has happened on some of the premises involved. There has been disgraceful behaviour of staff and so on, which has verged on criminal activity on many occasions. If, during an investigation, the commissioner finds a criminal aspect, they should immediately withdraw and hand the investigation over to the Police Service of Northern Ireland. My great concern is that, if the commissioner or whoever is investigating the case on their behalf continues to meddle with the case, real evidence could be lost. If we do not get the legislation right, that is a danger. That could cause problems in proceeding with a criminal investigation and bringing criminal charges against people who, in many cases, should be behind bars and should never get out for some of the acts that they have committed. We should ensure that the part of the legislation around investigations is tied up as tightly as possible.

I am also concerned about judicial reviews. Someone said that finance should not be an issue, but we all know that it is and will be an issue. A recent case involving the Children's Commissioner cost so much money that, by the end of it, there was nothing left to do anything else. Let us be realistic. Let us ensure that no loopholes are left. Judicial reviews are expensive ways of proving points in law. There needs to be an assurance in the legislation that every last resort possible will be used by the commissioner before proceeding to judicial review. In other words, conciliation and all other methods of trying to resolve the issue should be tried with Departments and so on before going into expensive judicial reviews. All that judicial reviews tend to do is make lawyers richer, and I am not sure that they will bring satisfaction to older people, whatever case they may have.

Under the terms of the corporate governance, the commissioner will be given the power to appoint staff as he or she may determine. I am sure that the commissioner, when eventually appointed, will be frugal in everything that he or she does, but that power could be costly for the public purse. I want to ensure that it is set

out clearly in the legislation that the budget available to the commissioner's office for legal departments and so on may well be finite. I do not want someone to be able to add to his or her staff every other week. I am not saying that it will happen, but empires have often been built in the past when legislation has not been tight. We want a structure that will be effective for older people and will serve them well. However, we also want a structure that is right and proper as regards the taxpayers and the public purse.

I will not go into other aspects of the Bill, but I ask the Minister to take those points on board. My party fully supports the legislation, and I commend the Bill's Second Stage to the House.

Mr Elliott: I would like to put on record my thanks to the aged people of Northern Ireland, many of whom have made a valuable contribution to the Province's society, structures and organisations. I, like many others in the Chamber, have ageing relatives. Mr Shannon tried to put us all into the same age bracket before he left the Chamber. I wish to make it clear that we are not all in that bracket. However, the one thing that we all have in common is that, if we are not in that age bracket, we certainly all have relatives in it.

I am aware of the valuable work that Age NI and very many senior citizens consortiums across the Province do to give older people a sense of value in society. Many individuals live a lonely life, and going to their senior citizens group may be their one outlet in the week, so it is a very valuable outlet. I understand the clear merits of having a Commissioner for Older People. I do, however, have some concerns that it may take away some of the Assembly's duties. I do not want a commissioner to let the Executive and the Assembly off the hook as regards decision-making or to enable Members to pass responsibility to an individual or body that they should not.

I want the Minister to explain how the figure of £1.5 million, which it will take to run the office of the Commissioner for Older People, was arrived at. I would be grateful if he could outline that, and I will ask the Committee for the Office of the First Minister and deputy First Minister to look at it in more detail. I do not want to see a Commissioner for Older People take away from front line services. That is the crux of the matter. If money will be diverted from care in the community or, as Mr McCarthy said, from

benefits, it will not do its job. It needs to work in tandem with those aspects.

I am not sure how it will benefit those people to claim their entire entitlement from benefits. For some time, we have had a Children's Commissioner. Members of the Committee for the Office of the First Minister and deputy First Minister know that there is still serious child poverty in the Province, which that commissioner has not been able to get to the root of.

I want to see something that benefits older people without taking away from the system in which it is engaged. Getting that right is a huge challenge for the Assembly. If it is not got right at this stage, it will not be resolved for years to come. We could end up with a lame duck commissioner costing taxpayers money and producing none of the benefits for older people that we envisage.

1.15 pm

I want to see a structure that produces clear benefits and is not a burden on society. My colleague Danny Kennedy mentioned the Presbyterian Mutual Society. Unlike him, I do not have to declare an interest in that. It is an area that a commissioner could have moved on quickly. I hope that a commissioner can deal with those strategic issues and provide assistance for the broad range of our senior citizens in this Province.

There is work to do throughout Committee Stage and further stages of the Bill to ensure that we get the position right. Aspects of the Bill need careful consideration, and it is a huge responsibility on the First Minister, deputy First Minister and junior Ministers to ensure that they get it right. I broadly welcome the Bill, but I draw attention to those caveats. The Bill needs careful consideration during its further stages to ensure that it is workable and viable and does not take away from front line services to the elderly.

Mr Durkan: Like other Members, I welcome the Second Stage of this important Bill. As others said, issues will have to be teased out, not least at Committee and Consideration Stages, so that we can be satisfied that we have made robust provision for a worthwhile and workable entity.

A number of Members referred to the scope of the Bill and to the powers and roles envisaged

for the commissioner. In response to the debate and the future stages of the Bill, I hope Ministers will be able to clarify some of the language of the Bill. For instance, clause 9 is entitled “Actions which may be investigated: restrictions and exclusions”. That is meant to tell us which sorts of actions may be investigated. However, each subsection tells us what cannot be investigated. We are not told what can be investigated but the types of cases that cannot be investigated. The question arises of whether there is sufficient clarity in that clause. Some of the restrictions in that clause are unclear.

Clause 9(1) states:

“The Commissioner may not conduct an investigation in respect of any action in respect of which the complainant has or had —

(a) a right of appeal, complaint, reference or review to or before a tribunal...or

(b) a remedy by way of proceedings in any court”.

Therefore, to take the example that Mr Elliott gave towards the end of his most recent contribution, when he discussed how the Presbyterian Mutual Society’s situation affected older people, it could be argued that, because the case had been or was likely to go before a court, the commissioner would be stranded and unable to move on the issue. However, clause 9(1) also states that the commissioner may not investigate:

“unless the Commissioner is satisfied that, in the particular circumstances, it is not reasonable to expect the complainant to resort to or have resorted to the right or remedy.”

That, again, leaves questions about when it is reasonable to make such an assumption and how it is reasonable to assume it in one case but not in another. Therefore, the danger is that we are creating a law that will put the commissioner in a quandary as they come to adjudicate whether it is reasonable to expect anyone to resort to those remedies, short of investigation by the commissioner.

To further complicate issues of language in the Bill, clause 9 deals with:

“Actions which may be investigated: restrictions and exclusions”.

However, in clauses 13 to 17 there are references to “formal investigations”, which seem to describe something different to the term

“investigation” as it is used in clause 9. Perhaps the Minister will clarify whether clause 9 relates to an informal investigation, in the sense that, on realising that there is an issue of concern for one or more older people, the commissioner can make informal enquiries of the relevant authorities as to a policy’s origin, aim and implications and whether those have been considered. A formal investigation, however, involves more heavy-duty and procedurally weighted enquiries that are outlined in the clauses to which I referred. If formal investigations are to be talked about in one clause and informal investigations are referred to in another, the language must be a lot clearer, because we are creating possible confusion for the commissioner and the relevant authorities, which may then question why the commissioner is asking them and not others about issues in a particular way.

I share the concerns of Members who raised issues about the interface between some devolved and non-devolved matters. A key issue for many older people is pensions and other welfare benefits and how they do or do not apply because of age. We need to ensure that the commissioner here is able to act as an advocate for the welfare, interests and needs of older people at all levels and in every arena that matters, including, when relevant, advanced policy work that the Department for Work and Pensions or the British Treasury conduct. The commissioner’s advocacy role must not be purely confined to the North. Therefore, it is important that the commissioner is clearly afforded that scope and latitude and that we signal that we want the commissioner to have such an advocacy role.

We must also recognise that the commissioner as an advocate, which we want, has the scope to work in an anticipatory capacity in identifying issues that will arise. Much of the Bill, rightly, relates to problems as they are identified by older people, who bring them to the commissioner’s notice. We have to be clear that, to fulfil the broad public interest role that we want to see performed and to be able to make a contribution to good, positive public policy, the commissioner must be able to advocate in anticipation of issues that may arise. In the context of welfare reform measures and pressures that we know are already here, as well as others that are likely to emerge following emergency Budgets at Westminster, the Commissioner for Older People will have to

deal with a lot of concerns and apprehension. Although I have every confidence that everyone in this House will make representations through the appropriate channels, as will people elected elsewhere, and that Ministers will lobby as effectively as they can, it is important, given the proposed commissioner's remit, that he or she is able to act proactively and effectively.

An issue that will come through strongly in the next couple of years as it affects a growing number of older people — it relates to the whole issue of pensions — is the practice of contracted-out deductions being made from the state pension. More and more people approaching pension age have contracted-out pensions. In the 1980s, when the Tory Government changed the pension regime and brought in contracting out, there was not just mis-selling of pensions by pension companies but mis-selling of that change by the Tories. Many people opted to contract out because they were told that it was better for them. However, many people did not opt out; their employers made the decision to opt out. Now, as they come to receive their contracted-out pension, those people are finding that a heavy deduction is being made from their state pension. I have constituents whose deduction is in excess of 80%. In fact, for one woman, the reduction has gone over 100%. In theory, the agency was telling her that she should have owed it money.

The theory behind this is that, when people have contracted-out pensions, they are able to make lower National Insurance contributions and receive some tax relief. However, there is a basic question about whether the rate at which contracted-out deductions are being exacted by the agency here and the one across the water — of course, it stems from Whitehall policy — is far greater than the benefit that people originally received and the concessions that there were. Someone must investigate and challenge that. In the next few years, it will be an increasingly live issue. For many people, it is the new pension time bomb. It would be ridiculous for us to pass the Bill and create a commissioner who is not able to address the issue and must tell people to go to somebody else because he or she cannot do anything, talk about it or even raise the question. We must make the most of this stage and coming stages of the Bill, because there will be no shortage of good work for a commissioner to do.

Mr Molloy: Go raibh maith agat. I support the legislation, which has reached an important stage. The Bill is important because older people are vulnerable in various aspects of life, and they need someone to raise issues and speak on their behalf.

I shall concentrate on issues relating to the Health Service and nursing homes. Often, various agencies' investigations into the services that private nursing homes provide for older people have been restricted. Boards and trusts have little authority to investigate homes, so the commissioner must have power and authority to investigate and follow up the issues that are raised.

I pay tribute to Dame Joan Harbison's work as the interim commissioner and to the fact that she raised so many issues. In addition, she gave advice about the role that the commissioner should play in the future.

The social benefits issue is long-running and goes back to Thatcher's time. She was good at saying how much unclaimed benefit there was. However, when people went to claim it, they found that it was very hard to get. My colleague Mickey Brady mentioned the figure of £1 million a week — £52 million a year — in unclaimed pension credits. In the broader sense, that £52 million a year of unclaimed resources could be spent in the community. There has to be some means, within the social services here and the various agencies, to direct and link one benefit to another, to ensure that people, particularly elderly people, get their full entitlement. That is one area in which a commissioner could start to direct people and follow through on making older people aware of their entitlements in different ways and make the Departments aware of their role in ensuring that people get what they are entitled to.

1.30 pm

It is important for the commissioner to have the power and the teeth to make things happen and to make Departments respond. We should send out a message to Departments that they should not resist those powers and that people should not have to go to judicial reviews and various other means to make their point. Departments should be more responsive and see the needs and concerns of people. I hope that, if a commissioner takes up those issues, more of them will be solved without people having to go to court and without solicitors and

barristers making money out of the situation, and therefore, elderly people will get the money to which they are entitled. Departments must start to facilitate and make the links to give people what they are entitled to receive.

The commissioner must have the power to follow on to ensure that they can make people respond. There is no point in Departments coming to the table with both arms the one length and not taking an active role to support the commissioner. The commissioner's office should be a facility that Departments use to raise issues and to try to resolve them. The Departments also need to be responsive. It was difficult to get the Departments to respond in the past unless people took their cases to court and proved them.

The issue of the Health Service is important. Hospital services, nursing homes, facilities in doctors' clinics and the provision of healthcare for elderly people — the most vulnerable in our society — should get the proper service to which they are entitled. They should not have to battle their way through a system that resists giving them what they are entitled to receive. I welcome the legislation, and I wish the commissioner well.

The junior Minister (Mr G Kelly): Go raibh maith agat, a LeasCheann Comhairle. I thank the Members who contributed to the debate. There was discussion at the beginning of the debate as to when someone becomes an older person. The UN definition is 50 years of age and over. Possibly every Member would have to declare an interest today.

Mr Durkan: I have another couple of weeks to go.

The junior Minister (Mr G Kelly): I am glad that we did not have to go through that process. I welcome the fact that all Members supported the Bill reaching its Second Stage. Nevertheless, some important points have been made, and I assure Members that my ministerial colleagues, officials and I will look closely at everything that was said and respond in a timely fashion. Mark raised some technical points, and I will respond to him in writing rather than spend a lot of time going through them now. However, I will cover a number of the issues.

We all recognise that an ageing population is an issue that cannot be ignored. Right across these islands and further afield, declining birth rates and increased life expectancy will place

an ever increasing burden on our resources and present new challenges as to how we address the concerns of older people.

Stephen Moutray and Kieran McCarthy referred to our PSA commitment. The PSA commitment in the Programme for Government aims to provide:

"a strong independent voice for older people".

That is what we are setting out to do. The Executive recognised early on that they needed to be at the forefront of action worldwide and to begin to provide an alternative way for older people to express their concerns about how society views and treats them.

Providing such a mechanism for older people to articulate concerns was one aspect of a two-pronged approach that also seeks to provide a powerful and public voice where those concerns can be addressed by a strong independent commissioner who will be able to articulate views at the highest level of government and take action on behalf of the interests of older people.

I can confirm to Kieran McCarthy and others that, as the Bill was introduced on 24 May, we are on track to establish a Commissioner for Older People within the lifetime of the Assembly. We had high hopes of being at a more advanced point. However, the process took five years in Wales, which is the only other example that we have, and we can argue that we are ahead of that anyway. It is clear that Members are actively engaged in the process to develop the legislation for the manner in which a commissioner will exercise his or her powers and duties.

I will touch on a number of points that were raised during the debate and some of the issues that were raised during the public consultation process.

During the debate, a number of Members mentioned enforcement powers. The commissioner will have considerable powers to recommend change and to publicly expose unreasonable non-compliance with his or her recommendations. I believe that those powers, together with the authority of the commissioner's office, will give the commissioner considerable power to effect change on behalf of older people.

Mark Durkan, Mary Bradley, Danny Kennedy, Jimmy Spratt and others feel that the powers of the commissioner are a core issue. The commissioner will have a wide range of powers, including those with teeth, such as the power to conduct a formal investigation into a complaint — and we will send off explanations to allow formal and informal investigations — with High Court powers to call for persons, papers and evidence, and powers of entry and inspection. If someone were to try to obstruct the commissioner, those powers will also be backed up with the offence of contempt.

A number of Members, including Danny Kennedy, raised the issue of the commissioner being able to take legal cases on behalf of older people. Others, including Jimmy Spratt, raised the issue of the commissioner being able to assist an older person with his or her own legal case.

Jimmy Spratt also raised the issue of criminal investigations. There is nothing in the Bill that will stop a criminal investigation going ahead. Indeed, if a criminal investigation is started, the commissioner, like any other public body, will pull out and allow that investigation to proceed.

I spoke earlier about the importance of the efficient use of public money, and that issue was also raised by a number of Members during the debate. As we move forward with the legislation and the eventual establishment of a commissioner, we will continually look at ways to achieve efficiencies, minimise costs and ensure value for money. That will include reducing costs through the sharing of services, a point raised by Tom Elliott.

Ministers recognised that the standing of victims in legal cases involving European Convention rights was an issue that emerged from the consultation. However, as Westminster legislation is required to grant victims standing, it is not a matter that can be included in the Bill. In response to the consultation, the Older People's Advocate, Dame Joan Harbison, made the interesting suggestion that the commissioner could use his or her powers of collaboration to work with the Human Rights Commissioner to take a case on behalf of older people generally, which would rely on the powers contained in the Human Rights Act 1998. This is an innovative suggestion and the Department has made a commitment to giving it further consideration as the Bill passes through the Assembly.

The commissioner has a general investigatory power, which extends to any type of organisation. In addition, the Department considers that taxpayer-funded public bodies should be subject to a higher level of scrutiny by the commissioner, and, for that reason, provision is made in the Bill for the formal investigation of public bodies, with High Court powers to call for persons, papers and evidence as well as powers of entry and inspection.

As Danny Kennedy and Francie Molloy said, and as members of the Committee may be aware, the Bill has been amended following consultation to bring all nursing and residential homes in the private and voluntary sectors under the commission's remit as "relevant authorities". That means that the full range of the commissioner's power can be applied to assist older people in such homes, regardless of how their care is funded.

Members will be aware that pensions and fuel poverty are of significant concern to older people. Indeed, that point was raised by a number of Members during the debate, and the Department has included a number of powers and duties in the Bill to allow the commissioner to address those matters. First, the commissioner will have a duty to advise the Secretary of State or the Executive on matters relating to the interests of older people when he or she considers it appropriate to do so. The commissioner will also have a general power to make representations or recommendations to any person or body on any matter concerning the interests of older people. That will ensure that the commissioner can formally raise excepted or reserved matters to the appropriate body, which was a point that Nigel Dodds and John McCallister raised in relation to representations to the Department for Work and Pensions.

On the question of why the Bill refers to the "interests" of older people rather than specifically mentioning their rights, there was support during the consultation for the commissioner to focus on rights. We can confirm that "interests", as referred to in the Bill, include rights. However, it is a broader term than "rights". We have taken legal advice on that. If someone's rights are breached or infringed, it must be in their interest to have the issue addressed.

Martina Anderson and others raised the issue of ensuring that the commissioner's work

does not overlap or duplicate that of existing bodies. During the consultation, views differed on the most appropriate way to achieve that. We believe that the creation of a commissioner will simplify matters for older people who seek help. We expect all public bodies and elected representatives to work collaboratively to ensure value for money and to ensure that there is no duplication of effort and service.

Some consultees argued for the removal of clauses in the draft Bill that limit the commissioner from acting when another body has responsibility. Other consultees wished to have those clauses retained. Colleagues and I have considered the responses and have agreed changes to some limitations by giving the commissioner greater discretion to act in certain circumstances. Members will note that a variety of issues have arisen, some of which I have attempted to address. Members are free to write to me and my ministerial colleagues on any issue of concern with the Bill. We will respond quickly to those concerns.

In 2007, the Assembly called on the Office of the First Minister and deputy First Minister to prioritise the appointment of a Commissioner for Older People, and the Executive's Programme for Government committed to providing a strong voice for older people. We want to provide older people with strong, forward-looking policies and actions that will address the issues that arise with ageing populations. The legislation to establish a Commissioner for Older People is a significant step towards that.

I commend the legislation to the Assembly. I and my OFMDFM ministerial colleagues believe that the legislation will place the Assembly at the forefront of world opinion on how to deal successfully with the real difficulties for ageing populations that all countries will have to confront in the coming decades.

Question put and agreed to.

Resolved:

That the Second Stage of the Commissioner for Older People Bill [NIA 21/09] be agreed.

Dogs (Amendment) Bill: Second Stage

The Minister of Agriculture and Rural Development (Ms Gildernew): I beg to move

That the Second Stage of the Dogs (Amendment) Bill [NIA 20/09] be agreed.

Go raibh míle maith agat, a LeasCheann Comhairle. The aim of my review of dog control legislation was to provide enhanced protection in areas of public safety and animal welfare. In consultation with district councils, their dog wardens and a wide range of stakeholders, I have done just that.

I will deal with dog welfare issues as part of a new welfare of animals Bill, which I will bring forward to the Assembly shortly. It will provide powers to increase the maximum penalties for involvement in the abhorrent activity of dog fighting and will strengthen enforcers' existing powers. Furthermore, it will provide powers to regulate a wide range of activities that involve animals, such as those of dog-breeding establishments.

My main focus in introducing the Dogs (Amendment) Bill relates to public safety and dog control. As part of a review of existing legislation, I published a range of proposals in late November 2009 to address problems with the control of dogs, particularly straying and attacks on people, livestock and other dogs. The Dogs Order 1983, which is the central plank of the dog control system here, has brought many improvements in dog control since it came into operation more than 25 years ago. Between 1999 and the end of 2008, the number of licensed dogs increased by more than 30% to 114,000. Over the same period, the number of stray dogs that were impounded by district councils fell by more than 30%.

Nevertheless, the 1983 Order has not dealt with all the problems caused by irresponsible dog owners. Dog wardens here investigate around 700 dog attacks a year. Those of us who took part in the recent election campaign will be well aware of the risk posed by dogs. At least four candidates as well as a number of other election workers, including a few in my own constituency, were injured by dogs, and the Communication Workers Union can outline the savage injuries that have been suffered by postal workers.

1.45 pm

Names such as Ellie Lawrenson, John Paul Massey and Jaden Mack, children who have been killed by dogs in the past three years, should be to the forefront of our minds. Although, thank God, no fatal attacks have taken place here in recent years, the horrific injuries to six-year-old Sophia Kimpton at a holiday chalet near Dervock in 2007 show that we cannot be complacent. Children are disproportionately vulnerable to attacks by dogs, and I am determined to do whatever I can to help to reduce the likelihood of dog attacks.

As well as the danger of attacks, the number of stray dogs remains high here. In 2008, almost 11,000 stray and unwanted dogs were impounded by councils, and the number of stray dogs per head of population remains much higher here than in England, Scotland and Wales. However, a very large number of dogs is destroyed here every year; almost 3,500 were destroyed in 2008. Although livestock worrying is at a lower level than was reported in the 1970s, it still remains high, and, in 2009, district council dog wardens investigated almost 300 reports. More needs to be done and, as I said in the Assembly in 2007, tackling those issues is, and has been, a priority for me.

My new Bill will do three things: protect the public; promote responsible ownership; and penalise irresponsible owners. It aims to reduce the numbers of stray dogs; make it easier for dog wardens to identify stray and other problematic dogs; and allow dog wardens to respond more flexibly to problems with a dog's behaviour.

Before I set out the key features of the Bill, I thank all those who responded to the consultation exercise that my Department carried out this year. We received nearly 130 written responses and conducted public consultation meetings throughout the North. I appreciate the input of all stakeholders, and the consultation exercise has helped to shape the Bill. I also thank the Chairperson and the members of the Committee for Agriculture and Rural Development for facilitating presentations from my officials on three occasions and for their comments. Those have also helped to shape the Bill.

The Bill contains 18 clauses and two schedules, most of which amend the 1983 Dogs Order. In summary, it introduces the compulsory microchipping of dogs and empowers dog

wardens to attach control conditions to the licence of a dog whose behaviour has led to a breach of the 1983 Order. It increases the licence fee and the level of fixed penalties under the 1983 Order to a more realistic level, and, for the first time, it allows district councils to retain the proceeds from fixed penalties to support their dog warden services. The Bill also introduces a number of new offences, most notably, perhaps, the offence of allowing a dog to attack or injure a dog owned by another person. It increases the maximum penalty for a dog attack that occurs in the dog's home.

The existing ban on dogs of types that are bred specifically for fighting will remain. Dogs such as pit bulls have a high pain threshold and a jaw structure that is developed specifically for fighting. The risk posed by those and the other banned types of dog is, therefore, greater, and the ban remains justified. The law recognises already that, under strict conditions, a responsible owner may be permitted to keep a dog of an otherwise prohibited type. That might apply when, for example, a person buys a puppy that later develops the characteristics of the banned breed. That exemption is available only if a magistrate is satisfied that the dog poses no danger to public safety.

I will introduce subordinate legislation to strengthen the conditions under which an exemption from the ban can be met. That will be primarily aimed at protecting children and would bar the keeping of such a dog at any address where a person under the age of 16 is ordinarily resident and would confine such a dog to a place from which it cannot escape, such as a yard, when a child is present. That package of measures, if enacted, will provide us with the strongest dog control legislation in these islands.

If the Assembly agrees the Bill's Second Stage, the Committee for Agriculture and Rural Development will scrutinise the Bill on a clause-by-clause basis. I will now set out in more detail the Bill's most important clauses.

The Bill extends the exemption from the requirement to have a dog licence beyond guide dogs to all assistance dogs, which are defined as dogs kept and used by a disabled person wholly or mainly for the purpose of assisting that person to carry out normal day-to-day activities.

The Bill introduces a requirement to have a dog implanted with a microchip before it can be

licensed. Rather than setting out in detail the technical issues around microchipping, the Bill empowers my Department to make subordinate legislation to regulate those matters. However, the introduction of compulsory microchipping is one of the Bill's most important features. Microchipping makes it quicker and easier to identify lost or straying dogs and return them to their owner. It will reinforce the licensing system and make it easier to identify problem dogs. It will also make it easier to trace stolen dogs.

The Bill provides for an increase in the dog licence fee. It is an inflation-linked rise to £12.50, which I believe is reasonable and affordable. To meet the needs of people on restricted incomes, the Bill introduces free licences for older people and concessionary rates for owners on benefits.

Attacks by dogs on other dogs are one of the most painful issues for dog owners, and many Members will have received letters from constituents who have been heartbroken over the death of their beloved pet and deeply frustrated by the lack of redress in law. Members will all recall the attack in south Belfast last year when a 75-year-old woman was knocked unconscious by two Rottweilers that attacked her small dog in Ebor Street. Members will also remember Troy, the Labrador that was killed by a pit bull terrier as he defended his owners in Randalstown forest. It is outrageous that an owner who lets an aggressive dog run wild to the point where another person's pet is injured or even killed faces only the penalty for allowing his or her dog to stray. Therefore, the Bill makes it an offence to allow a dog to attack and injure a dog owned by another person.

The law here provides that an attack on a person is an offence wherever it occurs. Nevertheless, the Dogs Order makes a distinction between attacks in public and attacks in the dog's home, which attract a less serious penalty. However, we remember that the deaths of Ellie Lawrenson, John Paul Massey and Jaden Mack followed attacks on private property where the dogs concerned had permission to be, however irresponsible and misguided that was. Therefore, we need to strengthen the deterrent penalties available to the courts. The Bill deals with that issue by amending the Dogs Order to provide that an attack on a person that results in injury shall be considered an aggravated offence, whether it happens in a public or private place.

Currently, in the event of minor breaches of the 1983 Dogs Order, dog wardens have no alternative but to warn the owner, to issue a fixed penalty notice or to prosecute. Those measures are reactive. They do little to protect the public from further behavioural problems with that dog, very little to prevent more serious breaches of the law and nothing to force an irresponsible owner to manage his or her dog more responsibly.

If the introduction of compulsory microchipping is the first key proposal of the Bill, the availability of control conditions is the second. The Bill will allow council dog wardens to protect the public and help to prevent further, more serious breaches of the law by attaching one or more control conditions to a dog licence where owners have failed to keep a dog under proper control. Those controls could make it a condition of the dog's licence that it be muzzled and leashed when in public or kept in a secure place when not leashed, be kept away from certain specified places, or, in extreme cases of aggressive behaviour, be neutered. That will provide a means for dog wardens to intervene early to prevent more serious incidents. The availability of those control conditions will shift the focus onto the actual behaviour and management of individual problem dogs whatever their breed.

The fixed penalties established by the 1983 Order do not send out the right message. I want our legislation to say that it is not acceptable to be an irresponsible owner and to let your dog stray and worry livestock or attack another dog. I wanted to direct the income from fixed penalties to be used to support and strengthen dog warden services rather than be directed to central government funds, as happens at present. Therefore, the Bill allows councils to retain the revenues from fixed penalties for the enforcement of the Dogs Order and raises the level of fixed penalties for offences under the Dogs Order to £50. I feel that those measures are important to tackle the minority of irresponsible owners who undermine everything that is good and positive about dog ownership and to send out the message that casual and careless dog ownership is not acceptable in our society.

Before Members debate the principles of the Bill, I want to say again that, although the 1983 Dogs Order provides a useful framework, we need to build on it to address the serious issues of dog control that we continue to face.

The full package of new measures contained in the Bill will, if enacted, enhance the 1983 Order significantly and put in place a dog control system that is the most robust in any of these islands.

Compulsory microchipping will help dog owners, should their dog be lost or stolen, and help enforcers to identify stray and problem dogs; it should reduce the time that strays spend in council pounds and the number of stray dogs that are destroyed here.

Maintaining the licensing system with licence fees at a realistic level not only maintains a unique registration system but ensures that it meets more of the costs of the dog warden service. Concessions built into the licensing system will protect dog owners who are on restricted incomes and promote neutering. Increasing the level of fixed penalties under the 1983 Order and allowing district councils to retain the proceeds for the support of dog warden services will provide a greater deterrent and further improve dog warden services here. Dog owners will be protected from irresponsible owners by the introduction of the offence of allowing a dog to attack and injure another person's dog.

Finally, the introduction of control conditions giving dog wardens the option of placing conditions on the licence of a dog whose behaviour or management has led to a breach of the 1983 Order will create a system in which targeted, flexible and considered intervention can be made at an early stage in the control of individual dogs.

The Bill will help to protect the public, promote responsible ownership and penalise the irresponsible; it will promote what is good and positive about dog ownership and make people, especially our children, safer. I commend the Bill to the Assembly. Go raibh míle maith agat.

The Chairperson of the Committee for Agriculture and Rural Development (Mr Paisley Jnr): At

the outset, may I say that I was intrigued by the Minister's comments regarding dogs attacking politicians? In my election campaigns I was never attacked by a four-legged dog, but there may have been occasions when others attacked me; I do not know whether the bite was that bad.

I welcome the Minister's opening statement. However, it is important that legislation does what it says on the tin and achieves what we set out to achieve. I will address those

points in my statement that I make on behalf of the Committee for Agriculture and Rural Development.

We support the principles espoused in the Bill. We believe that there is a need to update the Dogs (Northern Ireland) Order 1983, particularly in light of recent attacks on humans, the horrendous practice of dog fighting and the atrocious fact that, in Northern Ireland, a dog will be impounded every 58 minutes and one will be put down every four hours. That is a horrendous record of neglect and irresponsible ownership that needs to be addressed with dramatic legislation.

Although we support the principles of the Bill, we do not believe that they are sufficient to address the issues that I have outlined, and we look forward to the Committee Stage. In the past, the Committee has seen that the Department has a habit of doing the basics of primary legislation but that it often falls short of introducing laws that address the issues and which make the hard decisions that are required. The Committee is not afraid of making those decisions. That has been borne out by the vociferous opposition to the Department's original proposal to increase the licence fee to £50. The Department has revised that to a more acceptable figure, and we welcome that.

The Bill does not adequately address the major issues, and, in the explanatory and financial memorandum, the Department admits that the Dogs (Northern Ireland) Order 1983 has not addressed the problem of dog attacks, straying and unwanted dogs. However, I welcome the fact that the Minister said that the Department will address dog fighting under the animal health legislation. We all recognise that something important and serious needs to be done in that regard.

Although the Bill introduces microchipping and identifies means of directing additional resources towards the district councils to manage the current problems through the increase in the dog licence fee and allowing councils to recoup fixed penalties, it does not address the core problem of dealing with the impoundment of 9,000 stray dogs a year in Northern Ireland, which is another indictment of this community.

2.00 pm

Although the Bill creates a new offence of prohibiting the attack of one dog on another, it does nothing to address the organised crime of dog baiting and dog fighting. Although it introduces control conditions to dog licences — canine ASBOs, as it were — it does not address the fundamental difficulty in that and all other areas; namely, the involvement of rogue or bad owners. I fear that legislating for that will prove to be extremely difficult, but it is, nonetheless, necessary.

As the Minister stated, 9,000 stray dogs are impounded each year by dog wardens throughout Northern Ireland. That could be the tip of the iceberg, because there are no figures to indicate whether that represents the majority or minority of strays. Nevertheless, it is a startling figure. Of those 9,000 strays, 2,300 have had to be put down either because it has been impossible to return them to their owners, in the case of unlicensed dogs, or because it has been impossible to house them in other caring homes.

I appreciate that not all of those dogs have been allowed to stray deliberately. However, the vast majority stray due to poor ownership and control. People for whom dog ownership is too great a burden or too much like hard work simply do not care about what they are supposed to do to be a good owner. It is, therefore, unlikely that that section of society will bother to microchip their dogs or ensure that their dogs are licensed. It is unlikely that that group will care to take action to impose conditions that are placed on a licence. It is also unlikely that those careless individuals will have provided their dogs with an appropriate level of training, which may eventually prove to be the difference between a dog ignoring a child and a dog attacking a child.

A great deal of scientific literature on animal behaviour sheds light on cases of dog attacks. In reviewing that literature, it is interesting to note that a dog owner is directly responsible for the presence or absence of most factors that determine whether a dog will or will not bite. A report by the American Veterinary Medical Association task force on canine aggression and human/canine interaction entitled 'A community approach to dog bite prevention' refers to five factors that are commonly associated with dog biting. One is breed and the parents of

the attacking dog. That refers to aggression as a type of behaviour that has been bred into certain breeds of dogs and the characteristics of the sire and the bitch that produce a dog.

Another factor is socialisation of a dog; how a dog has been desensitised to stimuli, especially that produced by children. The results are poor socialisation, less inhibition to bite and engagement in other undesirable behaviour. Another factor is dog training, which refers to the nature, degree and quality of training that a dog receives. A dog that has been trained to threaten people is an obvious danger, as is a dog that has been poorly trained, not trained at all or is not used to being in children's company.

Dog health is another factor. If a dog is sick, injured or in pain, biting can result for a number of reasons. Of course, the victim's behaviour is also a factor. That can include a baby rolling over in bed. Although it is not directly related, we have heard in the news recently about two children being attacked in their cots by a fox that had entered the home. Certain movement can provoke a dog that is not properly trained. Hitting or smacking a dog inappropriately can also provoke undesirable behaviour; namely, biting.

The Bill does not take any of those factors into consideration. It does not address or control dog breeding despite repeated calls from legitimate breeding establishments to introduce stricter regulations on the industry, to abolish "puppy farms" and to legitimise proper breeding establishments where the health and welfare of animals are paramount.

The Department will say that the 1983 Order legislates for breeding establishments, which it does. It defines a breeding establishment as one that contains three or more unsterilised bitches intended for the purpose of breeding. The Order goes on to state that, in such cases, those establishments must register with the local council, and it imposes the fine of £200 if an establishment fails to register — only £200. The average litter size is six puppies, and the average price of a puppy will be £250, so the potential turnover for breeding from an animal is £1,500. Therefore, a £200 fine is hardly a deterrent. That matter needs to be addressed if we are to do what the Minister says and protect the public, promote ownership and penalise the irresponsible.

The Bill does not address how an animal is to be trained or, more importantly, how an owner

is trained in controlling a dog and becoming a responsible dog owner. Scottish legislation on the matter included dog-handling training as one of the criteria of condition notices, making it obligatory to attend and to complete a training course on controlling dogs in public places. That would not necessarily be an expensive or bureaucratic process, but the outcomes of placing such a condition could be priceless in saving the life of a child or protecting another animal from serious injury from an untrained dog.

(Mr Speaker in the Chair)

We have an obligation to protect our community from dog attacks. We also have an obligation to maintain the welfare of our pets, of which the dog is a primary companion. The Bill has the potential to achieve much, but it requires that the Minister and the Department work closely with the Committee to enhance and to develop the legislation in order to ensure that it is not just a transfer of bureaucratic processes from the Department to local councils but that it achieves the policy outcomes of protecting our families and friends from attacks by dogs; that it deals with the problems of stray dogs by regulating breeding establishments; that it offers severe deterrents to those who seek to profit from the organised crime of dog fighting; and that it brings to an end the needless culling of 2,300 dogs each year in Northern Ireland.

My Committee wants to support a piece of legislation that protects the public. It wants to support legislation that promotes careful, good and beneficial ownership and penalises irresponsible ownership. We believe that by working with the Minister, the Committee can help to shape the Bill to become a good and strong Act that achieves the outcomes that the Minister expressed today. The Committee for Agriculture and Rural Development looks forward to working with the Department on the Bill at Committee Stage.

Mr W Clarke: Go raibh maith agat, a Cheann Comhairle. I also state my appreciation to the Minister for bringing forward the Dogs (Amendment) Bill. It is long overdue and has to be welcomed by society. I declare an interest in relation to the licence fee, as I own a dog.

The Bill endeavours to develop good policy in regard to ongoing problems associated with the ownership of dogs. I agree with what the Committee Chairperson said about responsible dog owners. We need to look more closely at

the fact that anybody can own a dog without any restrictions. We need to play a greater role in scrutinising that. We are discussing the broad principles, and the heart of the Bill, as the Minister said, is about combating attacks by dogs on human beings, particularly on children. The Minister referred to children who lost their lives across the water. Indeed, a week ago, there was an attack on a child in Northampton. Luckily, the child survived and is making a recovery, but such attacks happen on an ongoing basis. It is, therefore, vital that we have the best legislation that we can possibly get.

Another point was made about attacks on other pets. I am aware of an incident in my constituency in which a small family pet was mauled by a number of dogs. I am sure that other Members are aware of similar situations. There is heartache associated with that, when an elderly person is out walking a dog and the dog is mutilated and destroyed in front of their eyes. Therefore, people face the double injustice of losing their pet and experiencing the suffering caused by the incident. I, therefore, welcome that important provision.

As regards urging a dog to attack: on many big housing estates, drug dealers see a dog as a badge of honour and as a weapon with which they can intimidate members of the community by threatening to set the dog on them. I, therefore, welcome the provision to make that an offence.

It is a disgrace that more than 2,000 stray dogs a year are put down. Anything that helps to resolve that problem, microchipping in particular, is essential to the legislation. The Minister outlined that microchipping is a more efficient way of finding a pet and that it saves time and resources for council dog wardens and enforcement officers. I told the Committee that I was a bit concerned about the cost of microchipping and about the fact that people must microchip their dogs before they can get a licence. I would prefer a council one-stop shop system through which people could get their dogs microchipped and licensed. The cost should be built into the licence fee. There has been talk of the possibility of charities carrying out microchipping, and that is all very well. However, I wish to see greater clarity on microchipping and greater safeguards for the community and responsible dog owners to ensure that they are not punished with respect to the amount of money that they must pay for microchipping. People have said that

microchipping will not cost that much and that it is a small price to pay. I wish to see that built into the system to ensure that there is no confusion for responsible dog owners who want to microchip their dogs.

The Chairperson touched on the issue of the licence fee. I thought that a £50 fee was extortionate, and we all objected to it. I thank the Minister and her Department for taking that on board. A fee of £12.50 is more appropriate, and I welcome the fact that people on benefits will pay a reduced fee, the over-65s can get a free licence, and the owners of neutered dogs will have to pay only £5 for a licence. Those are all positive aspects.

I also want to touch on the provision for dog wardens to put control conditions on a licence. Dog wardens can put extra conditions on a dog owner if a dog is in the habit of biting or attacking other dogs in the park. Such conditions will include keeping the dog muzzled or on a leash. That is an important aspect of the Bill.

The Committee Chairperson also talked about dog breeders. Dog breeders told the Committee that they want more departmental guidelines and regulations put in place to eradicate rogue breeders and rogue breeding establishments; namely puppy farms. The breeders said that such farms do the industry a disservice and they wish to see them eradicated. Dog breeding is a rural business, and it must be recognised as such.

The legislation will place extra responsibilities on councils. I welcome the licence fee increase, and it is important that that money stays with the councils. The Committee also talked about dog fouling, which is an extreme problem and one of the biggest issues facing councils across the island of Ireland. Microchipping will also help in that regard, because it will place a greater focus on dog owners by making their dogs more traceable.

I welcome the Bill, a Cheann Comhairle. I look forward to Committee Stage and to working our way through the Bill, clause by clause. Dog ownership is a big issue. I do not think that dogs are born bad; it is the way that they are brought up. We need a greater understanding of that and greater accountability for dog owners. That could be done through some sort of charter that owners would sign up to when obtaining their licences, or through greater guidelines on

how to behave responsibly and to look after dogs and their welfare. It is no good having a dog that is left at home, barking all day and night and annoying the neighbours. We have all experienced that. That is no way to treat a dog. People should not get a dog if it is going to be left in the house, day and night. Those are the types of things that we need to look at through this process. However, I welcome the Bill.

2.15 pm

Mr Elliott: I support the principles of the Bill and welcome the Minister and the Department's bringing it forward. There have been some discussions around trying to bring the Bill forward at this time, because of the compact legislative process involving the Department and the Committee for Agriculture and Rural Development.

There are four main areas covered by the Bill: dog fighting; stopping attacks on people, particularly children; stopping attacks on other dogs; and reducing the number of stray dogs and dogs that are put down every year. As we heard from the Committee Chairperson, that number is sometimes calculated on an hourly, never mind yearly, basis.

I note the Minister's intention to address the issue of dog fighting through animal health legislation. However, I would like to see more reference to it in this Bill, because it is a very important issue. For any dog or animal lover, organised dog fights are soul-destroying to hear of and hugely depressing to witness, as we did recently on some TV programmes.

Stopping attacks on people, particularly children, is one of the main focuses of the Bill, and is something that we must stamp out. If we do not, people will have no faith in the legislative processes of the Assembly. It is something that we must curtail. I also welcome the new legislation to cover dogs attacking other dogs. That is something that should help with regard to public accountability.

Reducing the number of stray dogs and dogs that are put down every year is an issue that needs more identification in the Bill. Unless there is a real onus on local councils to do something, I am concerned that that number is not going to be significantly reduced within the confines of the Bill. It is local councils that are at the forefront of policing the legislation. I welcome the amendment to article 37 of the

Dogs (Northern Ireland) Order 1983 to allow for fixed penalties to be paid to district councils. However, I question how the Bill will result in there being fewer stray dogs and fewer dogs being put down every day, month and year. We need to see more resources going into that practice, because if they do not have the resources, they cannot do it. I am not sure that a £50 fixed penalty fine will greatly assist. A much wider financial power may be necessary to help local councils to do it. I declare an interest as a member of Fermanagh District Council.

Earlier proposals, such as a £50 licence fee, were touched upon. I am pleased that the Minister and the Department took cognisance of what the Committee said on that issue: it would have resulted only in more people keeping unlicensed dogs. That would not have reduced the number of dogs in the community; rather, it would have reduced the number of unlicensed dogs and those that were not microchipped.

Broadly, I support the principles of the Bill. There is quite a bit to go through at Committee Stage, and I am confident that the Department and the Minister will listen to many of the issues that the Committee will raise. I look forward to that.

Mr P J Bradley: I, too, thank the Minister for her presentation, and I thank her Department for the work that has been done so far on the Dogs (Amendment) Bill.

I share the accepted view that the Dogs (Northern Ireland) Order 1983 was weak in not dealing adequately with all the problems that are caused not only by dogs but, in the main, by irresponsible dog owners. My opening question is not made in jest, lest someone thinks that it is. It is genuine, in that I wish to know the Department's definition of a dog. At what age does a pup become a dog? Is it at three months, six months or a year? I simply wish to establish how old a dog should be before the provisions of the Dogs (Amendment) Bill become applicable. In other words, how old must a dog be before its owner can be compelled to license it or to have it microchipped? The answer will be of interest to those who give away little pups as soon as they are weaned. Will those people be in breach of the regulations if the pups are unlicensed or are not fitted with microchips? I do not expect an answer today, but perhaps we could have an answer before the Bill goes back to the Committee.

The Committee was told during a recent evidence-taking session that dog wardens in Northern Ireland investigate about 700 dog attacks a year. That is almost two attacks a day for every day of the year. When the Committee was deliberating the key points of the Bill, there was, as we heard today, too, unanimous agreement that the protection of children should take precedence over everything else that the Bill is designed to do. If the Bill fails to offer 100% protection to our children and members of the public, it will be no different from the 1983 Order, which we are anxious to improve upon.

Clause 1, which deals with exemptions, will extend the exemption from the requirement to have a dog licence from beyond guide dogs to all assistance dogs that are defined as:

"a dog kept and used by a disabled person...wholly or mainly for the purpose of assisting that person to carry out normal day-to-day activities".

I suggest that a disabled person who relies on a dog for companionship and who gets benefit just from having a dog in close proximity be included in the exemption category. The cost of forgoing a charge in such exceptional circumstances should not be a consideration, as the benefits of owning a dog are invaluable to certain disabled people.

There was considerable debate on clause 2 and the cost of the compulsory microchipping of dogs, which has been mentioned. There was also debate about who should be permitted to carry out the installation process. Engaging members of the veterinary profession is considered by some to be the most expensive way to do the work. I have no idea how many dogs there are in Northern Ireland, but I wish to concentrate my remarks on a small percentage of the overall number, namely, dogs that are owned by farmers and livestock owners.

Given that livestock owners have at least three compulsory visits a year for TB and brucellosis testing, it should not be too difficult for the Department of Agriculture and Rural Development to introduce a low-cost microchipping programme to be carried out as its vets and private sector vets financed by the Department make their obligatory calls. Farmers and livestock owners would not require the service every time that a vet visited. Thus, the more or less one-off cost would be minimal. That would allow DARD to lend a level of real

and effective support to the intentions behind microchipping, which are outlined in the Bill.

The Bill provides for an increase in the dog licensing fee to an inflation-linked level of £12.50, and there are references to free licences and concessionary rates, which I welcome. As one who challenged the Minister's earlier proposal to increase the dog licensing fee to £50, which, thankfully, she promptly withdrew, I have no difficulty accepting the more realistic fee of £12.50 that was suggested. In her summing-up speech, however, perhaps the Minister will elaborate on any upper limits that may apply when the inflation-linked principle is introduced. I ask that because I fear that in a few generations, we could find ourselves, courtesy of index-linking, nearing the £50 licence fee that was earlier rejected by so many.

Finally, I repeat my earlier comments on the importance of getting the Dogs (Amendment) Bill right. Its early delivery is important. It is even more important, however, that the end product delivers an unchallengeable document that will protect our children, the public, and the dogs and pets that are owned by responsible animal owners.

Mr Speaker: As Question Time commences at 2.30 pm, I suggest that the House takes its ease until that time. The debate will continue after Question Time, when the next Member to speak will be Mr Trevor Lunn.

The debate stood suspended.

2.30 pm

Oral Answers to Questions

Office of the First Minister and deputy First Minister

Mr Speaker: Question 7 has been withdrawn.

Budget: UK Regions

1. **Mr Spratt** asked the First Minister and deputy First Minister to outline any discussions that have taken place with other devolved regions of the UK following the recent budget announcement. (AQO 1357/10)

First Ministers' Meeting: 24 May 2010

5. **Mr Bell** asked the First Minister and deputy First Minister for an update on their recent meeting with the First Ministers of Scotland and Wales. (AQO 1361/10)

The deputy First Minister (Mr M McGuinness): With your permission, Mr Speaker, I will answer questions 1 and 5 together.

The First Minister and I were pleased to welcome the First Minister of Scotland, the First Minister of Wales and their ministerial colleagues to Parliament Buildings on Monday 24 May 2010. We had a constructive meeting and a wide-ranging discussion, at which we considered the implications of the recent change of Government in London for the devolved Administrations.

We all welcomed the commitment, given to each of us by David Cameron, to constructive engagement with the devolved Administrations. We also discussed the implications of the Budget cuts that were announced that day, as well as options for addressing the current financial settlements and our approach to those. The agreement of a new memorandum of understanding between the British Government and the devolved Administrations in March 2010 reflects our shared commitment to the development of good working relationships between us. The meeting on 24 May was, therefore, another positive step in building on that commitment and in ensuring that the interests and concerns of this Administration

and of those in Edinburgh and Cardiff are fully recognised and addressed by Westminster.

Mr Spratt: I thank the deputy First Minister for his reply. Have there been any discussions between the devolved institutions about the special agreement for £800 million for policing and justice that was agreed prior to the election? Will the Northern Ireland security budget be protected to allow for the dissident threat?

The deputy First Minister: There were no discussions about that issue during the meeting. The meeting involved representatives from Scotland and Wales and was not, therefore, an appropriate forum in which to have a conversation about that issue. That issue was not raised by Owen Paterson in the meetings that the First Minister and I have held with him. We are taking silence as consent that the agreements that had been entered into by the former British Prime Minister, Gordon Brown, are going to be underwritten by the new Administration. It is very important to note that, in a meeting with the First Minister and me in the aftermath of the agreement with Gordon Brown, David Cameron said that he would protect that agreement and hold to it, and that we would continue to move forward to ensure that nothing to do with the financial situation would disrupt the fairly smooth transition from direct rule to the new Administration.

We keep the ongoing situation on the streets under constant review. It is very disappointing that, in recent times, an attack by the UVF resulted in the murder of Bobby Moffett, and, on the nationalist and republican side, armed groups that represent no one but themselves engaged in activities that took the life of young Kieran Doherty. They have engaged in other attacks. From our perspective, however, what is most encouraging about where we find ourselves is the rejection of those groups, for example, by the people of the Shankill Road. I find that tremendously encouraging. I hope that people on the Shankill Road and in other unionist areas of the North also find it encouraging that, at the recent Westminster elections, the nationalist and republican electorate, by its votes for candidates who stood on that ticket, clearly rejected the activities of those unrepresentative groupings. They all need to wake up and smell the coffee; we are not going to allow anyone to drag us back to the bad old days. We are going to respond by making

politics work and ensuring that, as we move forward, we protect all our citizens.

Ms Anderson: Go raibh míle maith agat. We are repeatedly being told that everyone has to share the pain of the £6.2 billion cuts to be imposed by the British Government. Will the deputy First Minister provide Members with a breakdown of the cuts that will be shared by the British Departments in Whitehall?

The deputy First Minister: It is important to realise that the Departments in Whitehall are taking very little of the pain that is being forced on to the rest of us. Whitehall Departments have successfully passed the parcel on to other parts of public services; local and devolved government; quangos; universities; private sector contractors and suppliers; and others who will take the bulk of the pain.

We must remember that Scotland, Wales and the North are expected to save around £704 million in these cuts, with nearly £128 million coming from our block grant. Those are areas where the people who take the decisions have miniscule or no representation. For example, only one member of the Conservative Party was elected in Scotland, eight, I think, were elected in Wales and none were elected here. Fewer than 10 people from the ruling party in London represent those constituencies. Big decisions about our block grants and funding are being taken in a way that raises serious questions about the right of people to take such decisions against the backdrop of having little or no representation in those areas.

We in the North already suffer the highest poverty levels, lowest income levels, and lower economic growth. The budget cuts will have a devastating impact here, yet the wealthiest parts of England will be left largely unaffected by them. Those are issues that we need to raise in our discussions with the British Prime Minister and others.

Mr K Robinson: Has the deputy First Minister ever explored the idea of developing inter-regional support services with his Scottish and Welsh counterparts, so that economies of scale could benefit all the participating jurisdictions that he has mentioned? If he has not, will he give an undertaking to explore that possibility in the future?

The deputy First Minister: I am open about this. At a time of great economic difficulty, we need to

consistently challenge ourselves to see how we can develop areas in which mutual benefits can be realised for the people that we represent, not just in our relationship with England, Scotland and Wales but with the South of Ireland. This is a small island of six million people, and what has encouraged me, since the establishment of this Assembly, is the fact that all parties have been quite willing to face up to issues when mutual benefit can be gained for the people that we represent. That is a sensible approach.

Mr D Bradley: Go raibh míle maith agat, a Cheann Comhairle. Ba mhaith liom mo bhuíochas a ghabháil leis an LeasChéad Aire as na freagraí a thug sé go dtí seo. Ach tá an cheist seo agam don LeasChéad Aire.

Having met his counterparts from Wales and Scotland, has the deputy First Minister formed any view about the advantages or disadvantages of delaying budget cuts for one year?

The deputy First Minister: The representatives of the Scottish Parliament and the Welsh Assembly have their own views about that. It seems that Scotland is on course to defer its difficult cuts until next year. We, as an Executive, are still considering the position. We are seeking more information about how that would have an impact on our revenue and capital. When we have all the information required we will decide the best way forward. It is quite clear from the attitude of all parties and Ministers in the Executive that we are determined to ensure that we protect our front line public services as best we can. We will move forward in that context.

We must also be conscious of the fact that we are in the middle of an economic year. A lot of contracts have been signed, and there are departmental responsibilities for those. The matter will have to be considered very carefully, but Members can be assured that, whatever decisions are taken, they will be taken in the best interests of protecting front line services and the most disadvantaged in our society.

Presbyterian Mutual Society

2. **Mr G Robinson** asked the First Minister and deputy First Minister what progress has been made with the Treasury and the Prime Minister in seeking a final resolution to the Presbyterian Mutual Society issue. (AQO 1358/10)

The deputy First Minister: The First Minister and I have said on numerous occasions that

we take a close interest in the work to find a resolution to the difficult circumstances surrounding the Presbyterian Mutual Society (PMS). We are aware of the distress and anxiety that the issue is causing to a considerable number of our people. The First Minister and I met the British Prime Minister, David Cameron, on 20 May. As a result of that meeting, we are reassured that he recognises the need to push ahead urgently to find a resolution.

We have formally written to David Cameron to ask that he reconvene the ministerial working group to bring forward options for final decisions on the matter. A package of proposals and options remains under consideration. Those include the key features that the Executive agreed at our meeting in April, such as the provision of loans to both a hardship fund and the administrator to facilitate the orderly run-down of the PMS over a period of seven to 10 years. The re-establishment of the ministerial working group will add momentum, and we remain hopeful of securing a satisfactory resolution to the issue.

Mr G Robinson: Does the Minister agree that it is essential, and in the interests of small PMS savers especially, to have a final resolution as a matter of urgency?

The deputy First Minister: I absolutely agree with the Member. The situation has gone on long enough. All of us at Executive level were hopeful that, in the final days of the Labour Administration, Gordon Brown would have seen the sense in moving forward decisively to resolve the issue prior to the Westminster election. Unfortunately, that was not to be. There is now a new Government, and we seek the re-establishment of the ministerial working group. Taking David Cameron at face value in the initial discussion that we had with him in Stormont Castle, it seems that he is as concerned as we are with trying to reach a resolution as quickly as possible.

We know that there is suffering out there and that our people who were small savers in the PMS face difficult times. Many of those people are nearing the age of retirement or trying to put in place packages for themselves. Others have responsibilities to relatives who are ill or in care homes. All of that is an argument for the situation to be expedited as soon as possible. The First Minister and I are determined to get a result as quickly as possible.

Mr Kennedy: I am grateful to the deputy First Minister for his replies. I declare an interest as a modest saver in the Presbyterian Mutual Society. The deputy First Minister has conceded the great concern and distress that the matter has caused a large number of people, many of whom are elderly. Given that the general assembly of the Presbyterian Church in Ireland will meet this evening and all week and that it is scheduled to discuss this important matter on Wednesday, can the deputy First Minister outline any other measures that the Executive and the Assembly can take to expedite the matter?

The deputy First Minister: One of the key points is the re-establishment of the working group. It is almost certain that that working group will be reformed. There will be a duty and responsibility on the working group to ensure, in conjunction with the Treasury and the British Prime Minister, that we move to expedite the situation. The First Minister and I have had regular meetings with Stafford Carson, and we understand fully the problems that the matter has presented for the Presbyterian Church and small savers.

We need to move forward decisively against the backdrop of the new arrangements, namely our relationships with Downing Street and the Treasury, to see whether we can get a result that will deal with the ongoing problems faced by the administrator and the hardship cases that clearly exist. At our recent Executive meeting, it was agreed with full Executive support that we should move forward and deal with the hardship approach and the issues that the administrator will have to deal with over a period of what we think will be between seven and 10 years.

2.45 pm

Mr Neeson: I appreciate the First Minister and deputy First Minister's efforts on this vital issue; however, will the deputy First Minister give me an idea of when he expects the first payments to be made to PMS savers?

The deputy First Minister: To be honest, it is hard to put a time frame on that, in the absence of an agreed approach by the British Prime Minister, the Treasury and the working group. However, all those parties understand that the issue must be expedited, and we aim to conclude it as quickly as possible. The Executive have moved forward decisively. We have suggested an approach to the new Government. It is now a matter of awaiting their

response, which I hope we will receive within the next couple of weeks.

Washington Investment Conference

3. **Mr Boylan** asked the First Minister and deputy First Minister to outline progress on the economic investment conference scheduled for October 2010 in Washington. (AQO 1359/10)

The deputy First Minister: Go raibh maith agat. The economic conference is expected to take place in Washington DC in mid-October. The date of the conference has not yet been formally confirmed by the United States Department of State, which is the lead body in arranging the economic conference, and we are grateful to Secretary of State, Hillary Clinton, and to Declan Kelly, the US special economic envoy, for their willingness to host the event to promote investment here.

Mr Boylan: I thank the deputy First Minister for his answer. What format does he expect the economic conference to take?

The deputy First Minister: As I mentioned, the economic conference is being organised by the State Department. We have been advised that it will be aimed at a small number, probably in the region of 15 to 20, of very senior executives from American companies that have not yet invested here. They will join an equally small number of local chief executive officers and senior representatives from existing American investors. The latter group will talk about the North's business opportunities by using examples from their own positive experiences of running businesses here.

We understand that the conference programme will focus on direct business discussions and will last no more than one full day. It is also likely that there will be an opening dinner on the eve of the conference. It is hoped that Secretary of State Clinton will be available to attend the conference and lead some of the sessions. The conference's key objective will be to allow very senior executives from US companies to hear, at first hand, why an investment here makes sound commercial sense.

Dr McDonnell: Does the deputy First Minister agree that the conference agenda may be a little narrow and that he should try to encourage the Department of State to look at trade and other aspects beyond investment? Secondly, will there be some sort of measurement of the success of

the conference? Are there plans for some sort of measurement? Have we measured the jobs or new businesses that were established as a result of the previous conference?

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

Dr McDonnell: That is my question. I have no doubt that there were many benefits from the previous conference, but can we benchmark what those benefits were, so that we can do the same going into this conference?

The deputy First Minister: When Declan Kelly was appointed economic envoy, one of the first things I said to him was that if I heard there would be another economic investment conference I would probably want to go to the Grianán of Aileach and have a good roar to myself. This is really about jobs and whether we can produce results, and it is fair to say that results have been produced.

The primary objective of the conference in May 2008 was to secure inward investment, and its most immediate impact was the public relations and promotional benefit. That conference hosted the largest delegation of senior US business executives to visit here. Since then, Invest NI has undertaken a comprehensive follow-up programme with key delegates. The conference also provided the opportunity to advance or accelerate some projects that were already in the pipeline prior to the event; for example, projects involving Bombardier, B/E Aerospace and CyberSource.

It takes time for results and investment to flow from such conferences. However, the most notable achievement to date is the New York Stock Exchange's Euronext project, which was announced in October of last year and which promotes an additional 325 jobs. Invest NI remains in contact with many of the companies that visited here in May 2008, and it continues to pursue other investment opportunities. Universal Pictures has decided to come to the Paint Hall in Belfast to make a feature-length movie; and Home Box Office (HBO) has decided to make a pilot series there and said that it would, if the pilot were successful, make a full series. That full series is now being made. I see some Members shake their heads. Perhaps we can get some of them a part in that series if they behave themselves.

[Interruption.]

It would have to be a comedy series if some of them are to star in it.

Working through such investment conferences and ensuring that we have a return for the effort made is important. US Secretary of State, Hillary Clinton, said that she is absolutely dedicated to the promotion of economic investment in the North as a way of underpinning the peace process, and she has gone to the trouble of establishing an investment conference of that nature with the support of President Obama. We should take that seriously.

Mr Kinahan: I thank the deputy First Minister for his answers. He has partially answered my question. When the US envoy, Declan Kelly, was here, two dedicated business groups were set up. Is the conference and the one or two things mentioned all that has been achieved so far? Is there more that we do not know about? Is there more behind what was set up by those two business groups?

The deputy First Minister: There is more to it than the economic investment conference. The suggestion of an economic investment conference came from Secretary Clinton; her decision to appoint Declan Kelly as economic envoy was important. He has certainly hit the ground running; all the parties here know how proactive he is in doing his job. Last week or the week before, the First Minister and I met a very high-powered delegation of senior executives from a US company, which I will not name, that is considering opportunities here. That was set up by Declan Kelly.

There are other opportunities and other engagements in which we are involved. Behind all the talk about the economic investment conference, a huge amount of work is taking place. The prospects for gaining a substantial number of jobs from Declan Kelly's work are good. We must continue to co-operate with him in order to conclude the potential deals that are in the offing.

Public Service Reform

4. **Mr Beggs** asked the First Minister and deputy First Minister to outline progress in relation to public service reform commitments outlined in the Programme for Government.
(AQO 1360/10)

The deputy First Minister: The Executive's commitments on public sector reform are set

out in PSA 20, 'Improving Public Services'. They fall into four broad areas: Civil Service reform; improving access to services; the modernisation of health and social services; and the reform of education and local government, pursuant to the review of public administration (RPA).

In fulfilment of our commitments on Civil Service reform, we have successfully introduced new shared systems for finance, accounting and human resource management. In core ICT areas, we have introduced a new shared ICT network service and introduced an electronic records management system across the Civil Service. Many of the strategic objectives of the Workplace 2010 project are being taken forward through the accommodation strategy. The Minister of Health, Social Services and Public Safety has confirmed that all eight indicators in PSA 20 for which he has responsibility are broadly on track for achievement by 2011. Additionally, progress has been made in modernising local health and personal social services.

Administration costs have been reduced, and productivity and efficiency in health and social care trusts have been improved by increasing bed throughput; more efficient prescribing and procurement; more treatment at home of those with community care needs; and reduced absenteeism.

Education and local government reform under RPA has not progressed as scheduled. Nevertheless, preparatory work, including implementation structures, delivery mechanisms and funding to support change management in councils, is in place.

Mr Beggs: It was interesting to hear about new administrative arrangements and the fact that progress has not been made in some areas. Has the Office of the First Minister and deputy First Minister been energised by Her Majesty's new Government's commitment to distribute power and opportunity to the people, rather than holding it in the hands of government? Furthermore, will the Office of the First Minister and deputy First Minister look to carry out a similar exercise in Northern Ireland, so that more decisions can be made closer to the coalface and so that services can improve and be more effective?

Mr Speaker: Quickly, please; just questions.

The deputy First Minister: I am not at all at odds with what the Member said. It is very important that all Departments and the Executive move forward in a way that allows a far closer connection between the work of government and what happens at grass-roots level. He is absolutely right; there is a huge responsibility on us to do that. However, we do not need advice from others about the need to do so; it is just common sense. Furthermore, every party in the Assembly probably shares that point of view.

Mr Burns: Will the deputy First Minister provide the House with an outline of how the savage cuts that are being planned by the new coalition Government in Westminster will impact on our plans for reform? Are we now more likely to see direct cuts in front line services?

The deputy First Minister: As I said, the Executive will have to deal with that issue, and we already have to face substantial cuts this year. I did not hear the speech that the British Prime Minister made this morning in England. However, over the weekend, people were clearly flagging up the prospect of a tough speech about what will be required in the times ahead to affect the very substantial Budget deficit. We have a responsibility to deal with the hand that we are dealt, and that hand suggests that, over the next three or four years, we will face some very challenging economic circumstances. Obviously, the Executive have to plan for and respond to those circumstances.

All parties here will be conscious of the fact that one of the difficulties with the type of Government that we administer is that a lot of political parties and Departments work in silos. Therefore, as we discussed at the last Executive meeting, given the challenges that lie ahead, it would be sensible for us all to get away from Stormont Castle and Parliament Buildings for a full day to sit down and work out collectively what we can do to minimise the impact of the cuts, which, although we are opposed to them, are clearly coming down the track, and deal with them in a way that ensures the continuation of front line public services. In these circumstances, we have to be conscious that cuts may be detrimental to the most disadvantaged groups in society, and, whatever happens, we have a duty and responsibility to ensure that we defend the services for those people.

Mr Speaker: I will allow Kieran McCarthy to ask a quick supplementary question.

Mr McCarthy: I know that there is only one minute left, but I could entertain the deputy First Minister for the next 10 minutes on cutbacks. There is excessive waste in our Administration. We had the Maze; the RPA is not going ahead, and now we have to repay £60 million to the European Union —

Mr Speaker: The Member should come quickly to his supplementary question.

Mr McCarthy: Where is the £60 million that has to be repaid? Taking it from our Budget will affect the disabled and the elderly. Where will it come from?

The deputy First Minister: The Minister of Agriculture and Rural Development commented on that matter — *[Interruption.]*

Mr Speaker: Order.

The deputy First Minister: It is definitely not a done deal.

We need to recognise that there are things that we can do. Mr McCarthy mentioned the Maze/Long Kesh situation. Absolutely, we can and we will move forward on that. There have been discussions recently about RPA, and although others may have a different view, I hope that that can also move forward. There are things that we can do, and we are trying to address them.

3.00 pm

Employment and Learning

Mr Speaker: The Member is not in his place to ask question 1.

Universities: Pay Restraint

2. **Mr Elliott** asked the Minister for Employment and Learning for his assessment of the assertion by the Secretary of State for Business, Innovation and Skills on the importance of pay restraint in relation to vice chancellors and other senior staff in universities. (AQO 1372/10)

The Minister for Employment and Learning (Sir Reg Empey): While recognising that universities have the right and responsibility to make their own decisions on the remuneration of their employees, I agree with the Secretary

of State for Business, Innovation and Skills on the importance of pay restraint in relation to vice chancellors and other senior staff in universities at a time of significant pressure on public budgets.

In recognition of that important issue, I wrote to the chairpersons of the governing bodies of both Northern Ireland universities in February, asking them and their remuneration committees to be circumspect when determining any potential increases in the salary packages paid to vice chancellors and senior staff. In acknowledging that the universities need to pay appropriate salaries to attract and to retain leaders of the highest quality, I emphasised that that must be balanced against the scale of pay increases and reductions in wider society.

Mr Speaker: Before I call Tom Elliott to ask a supplementary question, I inform the House that questions 5, 6 and 9 have been withdrawn.

Mr Elliott: The Minister said that he has written to the chairpersons of the university bodies. What response, if any, has he got, and is he in a position to detail any of that?

The Minister for Employment and Learning:

Yes, I did get responses. In the main, they were positive, in that there was recognition that in circumstances where there has been a tightening of belts right across the public sector, universities would be circumspect.

I can update the Member in that the University of Ulster's remuneration committee met on 17 May and agreed a proposal put by the vice chancellor that his salary be reduced by 5% and that the pay of the most senior management team be frozen, initially, for 2010-11 in light of the current economic climate and the pressures on salary expenditure in all public and private organisations nationally. Furthermore, Queen's University's remuneration committee has determined that all senior managers of the university, including the vice chancellor, should receive an increase of 0.5%. That is consistent with that of all other staff, who have received 5% in line with nationally agreed pay awards. No agreement has yet been reached for 2010-11. However, it indicates that those institutions are taking seriously the concerns expressed. The Member will recall that there was some negative public comment last year about increases. The message is finally getting through to those institutions and others.

Mr McGlone: Go raibh maith agat, a Cheann Comhairle. In light of the current state of the economy, does the Minister agree that there is a requirement for pay restraint across all services that receive public funding, particularly those that are in receipt of significant sums of money at senior levels? The Minister said that, in the main, the responses were positive. Does that mean that, on the whole, they were not entirely responsive?

The Minister for Employment and Learning:

That is, perhaps, too forensic an examination of what I said. In one case, people decided on a 0.5% increase in pay, whereas others took a different approach. However, that was the only issue.

With regard to the Member's general point, he is correct. I am following up the matter with all bodies connected with my Department, whether they are non-departmental public bodies or whatever. I am doing the same with regard to further education, although the circumstances there are slightly different in so far as those bodies are obliged, in agreement with the Department, to follow national pay agreements and pay policy. Members will recall that, for almost three years, there was an issue concerning lecturers. However, in general, people are realising the seriousness and significance of the current situation.

Even if the chief executives of various organisations do not take increases, it could be argued that the amount of money saved would be relatively minor, but that is not the point. It is a question of leadership and of examples being shown, and if we are in tight times, that principle should apply to the top of organisations and not continually to those at the lower end of the wage scale.

Civil servants come in for a great deal of criticism on this issue. However, people should remember that the vast majority of civil servants, and particularly those who work in my Department, are low paid workers. Only one person at the top of each Department and a few below him or her occupy senior positions. By and large, the bulk of the people for whom I am responsible are low paid.

Mrs McGill: Go raibh maith agat, a Cheann Comhairle. I have heard the Minister's response about what the institutions will do. I also heard him say that he will be following up on the issue. Given that the institutions receive

considerable amounts of public money each year, will the Minister consider reviewing the pay of senior management in both further and higher education?

The Minister for Employment and Learning:

There is a difference between the relationships that the Department has with higher education and further education. Higher education institutions decide the pay, salaries and conditions of their staff through their remuneration committees. As the Member will be aware, most of those decisions are based on national agreements, and that is very much the case with lecturers. On the other hand, further education institutions must follow national pay policy, as a result of their specific agreement with the Department. There is a difference in status between the two systems.

It is not the job of the Department to micromanage the institutions. There are boards of governors in place, and there is no point in having those if the Department does their job for them. In the case of higher education, I have written to the relevant board and body. That body has a sub-committee, which is responsible for remuneration, and the final decision on pay will be up to it. However, I pointed out that where substantial amounts of public money are involved, people expect responsibility on pay, and substantial amounts of public money are involved, with further education institutions receiving between 95% and 100% of their budgets from the taxpayer, and higher education institutions receiving just over 40%. I have made it clear that my Department is considering the issue very closely, and I will be very surprised if there is not a sensible response.

Student Fees

3. **Mr McCartney** asked the Minister for Employment and Learning when the review of student fees will be released for public consultation. (AQO 1373/10)

The Minister for Employment and Learning:

I am considering the final report from the review's independent chairperson, Joanne Stuart. I am very grateful to Joanne for her commitment to that important review. Subject to Executive agreement, I plan to launch a public consultation on future student finance policy for Northern Ireland this autumn. That will allow any emerging findings from the Browne review of higher education funding in England to be

considered as part of the Northern Ireland consultation.

Mr McCartney: Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin.

Will the Minister confirm whether the decision on tuition fees will be taken before the end of the current mandate in 2011?

The Minister for Employment and Learning:

Yes; there will be a decision before the end of the current mandate. There is little point in having a public consultation following Executive agreement if one has already reached a conclusion.

Mr McDavitt: Will the Minister give us an insight into his views on the funding of higher education and research and of the role that students should play in that funding? Does he believe that undergraduate students should fund not only their own education but research in that area? Specifically, what is his response to the recent proposals from the Russell Group? Those proposals include, of course, increasing massively the burden on students of funding their own education.

The Minister for Employment and Learning:

The Russell Group made submissions to the Browne review in England. Although the terms of reference of our review are slightly narrower than those of the Browne review, the position in England will probably be clear when we consider the review of our group here.

As the Member will be well aware, tuition fees were introduced in 2006, I believe. If universities in Northern Ireland were not in receipt of those fees, they would face problems, because fees generate about £80 million for them. Therefore, we are talking about substantial sums of money, and when we put the report out for consultation in the autumn, we will have to take account of all those factors, including the fact that the reason why we support higher education and spend large amounts of money on it is because it is one of the building blocks of our future economic success and stability. In fact, the largest part of my Department's budget goes to higher education, and for that reason, we believe that it will have long-term benefits.

I have been very strong in my support for increased research in the universities and for collaborative research through not only the US-

Ireland R&D partnership programme but other measures. A plethora of projects is under way, all of which are designed to provide the basis for our future economic well-being. Therefore, higher education is an extremely important area of our work, and I hope and trust that during the public consultation in the autumn, we will hear the views of all stakeholders, including the students, who were part of the review process and who were on Joanne Stuart's team when she prepared the report, and make a considered decision in light of the ongoing financial circumstances in which we find ourselves.

Mr Savage: Will the Minister outline to the House the importance of student fees to the Northern Ireland higher education budget?

The Minister for Employment and Learning: As I said a moment ago, student fees account for a contribution of approximately £75 million to £80 million per annum to university operating costs. Therefore, it is perfectly clear that it is a major issue. At the moment, a cap is in place to ensure that fees rise roughly by the rate of inflation only. However, if we were to follow the proposals from the Russell Group and others, fees would be increased. People can work out the arithmetic of that themselves.

There is a strong lobby for the removal of fees. That has consistently been the case in the House. Indeed, when those questions were at their height 18 months to two years ago, we decided to have the review to test opinion and to see what the options were. Of course, contributions from students are only part of the story, and the Member will be well aware that we in Northern Ireland give higher grants to students than any other part of the United Kingdom. We have retained that differential, and it has paid off in the sense that participation from challenged economic groups is much higher in Northern Ireland than in any other part of the United Kingdom. We are very proud of that, and we want to protect it. Those issues must be considered when the review takes place.

3.15 pm

Ms Lo: Queen's is one of the universities represented by the Russell Group. Will the Minister assure the House that if the proposal for removing the cap were to go ahead, middle-income students would be helped to pay their fees?

The Minister for Employment and Learning:

In advance of the public consultation, I will not make policy commitments for the simple reason that there is no point in having a consultation process if the outcome has already been decided. We will certainly have to pay attention to the outcome of the Browne review in England, but we will be in a position to do that because our review process and consultation will happen around the time that that review is published.

Although the deputy First Minister referred to it a moment ago, during questions to OFMDFM, none of us is clear about the total size of the future financial pot in Northern Ireland. My Department has done everything in its power to protect further and higher education from the cuts that were generated in Northern Ireland. Those came before those that will flow from the Chancellor's announcement of a few weeks ago, and we have no idea about what we will be confronted with when the Chancellor indicates his Budget in a fortnight's time. In those circumstances, one has to keep as open a mind as possible.

The deputy First Minister also mentioned that the Executive will have to take a very wide view on where they will go when we know what the total arithmetic will be. Several decisions will need to be taken. We need to decide what needs to be done in-year about the Chancellor's announcement of a few weeks ago. We also need to consider the shape of our finances over the following three years. All those circumstances involve big issues, and, at this stage, we will do well not only to recognise the sensitivities and pressures on students and their families but to recognise the fact that other groups, particularly on the health side and the welfare side, will be challenged. We shall await the outcome of the public consultation and then move to take our decisions.

Universities: Northern Ireland Students

4. **Mr Moutray** asked the Minister for Employment and Learning how many students left Northern Ireland to attend university in other parts of the UK in each of the last five years. (AQO 1374/10)

The Minister for Employment and Learning: The numbers of Northern Ireland domiciled first-year full-time undergraduate students enrolled at universities in Great Britain in each of the past five academic years are: 3,960 in 2004-05; 4,055 in 2005-06; 4,030 in 2006-07; 4,220

in 2007-08; and 4,190 in 2008-09. Those figures represent approximately 30% of the total Northern Ireland cohort attending university in the United Kingdom. It should be noted that outward migration from Northern Ireland has declined considerably since the early 1990s. Of those who gain qualifications through full-time study at universities in Great Britain, close to two thirds typically return to Northern Ireland.

Mr Moutray: I thank the Minister for his response. What measures will he take to try to keep more third-level further education students at home in Northern Ireland?

The Minister for Employment and Learning:

One of the first pieces of work that I carried out was on what motivated students to leave. In 2008, the Department published the outworkings of research by Professor Bob Osborne of the University of Ulster that began in 2007 at my request. There had been a widely held suspicion, which was expressed in the House, that students were leaving because of a chill factor and that there was, therefore, an attempt to push people out. In fact, his research indicated that that was not the case, apart from in 2% or 3% of cases.

What motivates people to leave is their choice of course, and it is not possible to offer every course with only two universities and the Open University here. There is also the fact that, for many people, going to a local university does not offer the wider experience and the student experience of being away from home and in a different place.

For a combination of all those reasons, we have found that most of those students are what the Department calls "determined leavers". In other words, they go because they want to go, not because they are pushed. However, there is another factor, which is that the relatively high demand for our indigenous universities has the effect of driving up the cut-off points for access; in other words, the qualifications and grades that people need are correspondingly higher. One will find that a number of those who go to university in Great Britain do so because their grades are not adequate for here. Yet, on the other side of the coin, some extremely high achievers go to Oxbridge, among other places, because they have the grades. Therefore, it is a combination of all those factors.

The Member will be well aware that I started the 'C'Mon Over' campaign. We went around the campuses of universities in Scotland, England,

Wales and Dublin to advocate the opportunities to students. We brought with us employers with real jobs at a time when we could do it; we had to temporarily suspend that because the jobs dried up. Nevertheless, we went around those campuses and gave students the opportunity to come back. We sold Northern Ireland to them as a place to work and live. Therefore, I assure the Member that we have been taking measures to ensure that we do everything in our power not to lose high-quality talent, which I am sure is the Member's main concern.

Ms S Ramsey: Go raibh maith agat, a Cheann Comhairle. I appreciate the Minister's comprehensive response. Does he agree that Queen's University and the University of Ulster have done a lot of positive work over the past number of years, which has encouraged students to stay here to study? I am glad that the Minister has dispelled the myth that people leave here because of a chill factor in the universities. I think that the universities need to be encouraged to continue the work that they are doing.

I am interested in the 'C'Mon Over' campaign. If we have determined leavers, do they leave for a long period before deciding to come back? I want to encourage the Minister to continue with the 'C'Mon Over' campaign beyond the economic downturn. We need to ensure that people who leave here come back when they have graduated.

The Minister for Employment and Learning:

I will need no encouragement to do that. It is vital. We have held events with the universities, and we have tried to get involved in careers exhibitions on the university campuses. We also held events in Trinity College and in the House of Commons in London. We have done everything that we can to ensure that our students are encouraged to come back. Of course, some come back quite some time after their studies, having had experience of work elsewhere, both nationally and internationally. That is a good thing. You cannot hermetically seal this place and not allow anybody in or out. At the end of the day, people need to gain experience, and bringing back experienced people is a good thing. As far as I am concerned, we will keep the programme going, but the Member will be more than well aware that in the current economic circumstances, I want to bring employers with me who have real jobs that they can offer the students there and then. In the

absence of that, I feel that it would be a hollow exercise.

There is one area of activity in which we can encourage students to come back, and that is research, whether that involves a master's degree or a PhD. As the Member will know, we have increased the number of PhD students. We have also put large amounts of money into research and development. Many students will be attracted to studying under particular academics who are leading specific areas of research. We are not leaving any stone unturned in that regard.

Dr Farry: Contrary to what Mr Moutray suggested, will the Minister confirm that it is not a negative if people from Northern Ireland wish to study elsewhere in these islands or overseas? It is the norm elsewhere for people to travel great distances from where they were born and brought up to have a third-level education. Will the Minister also confirm that when we are talking about attracting people home, we are also talking about attracting people who have gone to universities and been brought up in other parts of these islands to come to Northern Ireland for their careers?

Mr Speaker: I remind Members who want to be called to ask a supplementary question that it is important that they continually rise in their place, and the key word is continually.

The Minister for Employment and Learning:

As I said in answer to a previous question, it is a good thing, because people bring back experience, they broaden their horizons and they see how things are done differently. The other important consideration is that they make important contact with people who may be going through their professional careers at the same time. Those personal contacts are useful. It is also the case that we are quite successful in getting people from outside Northern Ireland to come to universities here, and that is particularly true at the research end. People from 35 countries are studying and carrying out advanced research at the centre for cancer research and cell biology at the City Hospital, for instance. That is important.

There has been a small increase in the number of people from outside Northern Ireland coming here to study, not only from GB but the wider world. The universities have significant outreach programmes in Asia and the United States. The Member will also be aware that, last year,

I appointed an individual who is based in the Northern Ireland Bureau in Washington to bring international links to our universities and further education institutions.

Mr P Ramsey: The Minister's acknowledgement that more than 20,000 students have left these shores underlines that there is a deficit of university places across Northern Ireland. Does the Minister agree that the best way to reduce that deficit is by making a key investment in future university places and that, key to that, would be the expansion of the Magee campus in the city of Derry?

The Minister for Employment and Learning:

Where there is a will, there is a way. As the Member well knows, I am considering a University of Ulster proposal for the Magee campus. I will resist the temptation to give the Member any indication of how that is going to go. However, we are acutely aware that one of the factors that militated against us in attracting students, particularly in the Member's city, was the difference in the regime relating to student fees here and in the Republic. Although the Republic operates a registration fee system, which is less financially challenging than our own, I suspect that at the back of the Member's mind is a suspicion that that may change. The playing field may be more level in a year or so than it is now.

I suspect that we have not heard the last of the question on the Magee campus, as you will well know, Mr Speaker, but, of course, you will be completely impartial in your judgement on that matter.

Mr Speaker: Questions 5 and 6 have been withdrawn.

Further Education: Older People

7. **Mr Spratt** asked the Minister for Employment and Learning what steps his Department is taking to encourage older people to take up further education courses. (AQO 1377/10)

The Minister for Employment and Learning:

My Department is committed to encouraging the participation of older people in further education. The six regional colleges offer a wide and varied curriculum through their main campuses and community outreach centres, which are strategically placed across Northern Ireland. Colleges continue to offer concessionary fees on a means-tested basis, reflecting the ability of the learner, including

older people, to pay. The Department has also asked each college to designate an older person's champion to ensure that all front line staff are fully aware of eligibility surrounding concessionary fees.

Mr Spratt: I thank the Minister for his answer. He will be aware that some courses have been cancelled because of affordability issues with older people. Will he ensure that everything possible is done to encourage elderly people to take up those courses, given that they are the lifeblood of social activities for some of them on a weekly basis?

3.30 pm

The Minister for Employment and Learning:

With regard to the latter part of the Member's supplementary question, I think that we all accept and are aware from our own constituency experiences that issues have arisen — let us be perfectly honest — because of the introduction of the Employment Equality (Age) Regulations 2006, which were designed to help older people. It is interesting to be asked this question on the day when the Assembly has debated the appointment of a Commissioner for Older People.

The truth of the matter is that that legislation had unintended consequences, and the Member knows that. While we were trying to avoid discrimination against older people, we ended up being unable to discriminate in their favour. Consequently, we have made changes. In 2009, I met the Government Minister who then had responsibility for those matters, Bill Rammell. We discussed whether changes in European legislation could assist us in overcoming that particular problem. I still hope that that will be the case.

At the moment, we have several things in place. For example, people who do not have the means can avail themselves of opportunities by applying to the college. I am well aware of the therapeutic benefits to members of the community — I think that is what the Member is getting at — including some people who are very isolated, of having the opportunity to come together. Many courses can give them a focus. Also, many courses, such as those based on IT, can be of great value to individuals. Therefore, I am acutely aware of what the Member is getting at. At the moment, 20,170 adults aged 55 or over are enrolled in further education courses in Northern Ireland. Of those enrolments, 7,793

are on professional and technical courses and 12,377 are on non-professional courses. Therefore, a large number of people are still involved.

Executive Committee Business

Dogs (Amendment) Bill: Second Stage

Debate resumed on motion:

That the Second Stage of the Dogs (Amendment) Bill [NIA 20/09] be agreed. — [The Minister of Agriculture and Rural Development (Ms Gildernew).]

Mr Lunn: I welcome the Minister's presentation of the Bill. It is actually two years and eight months since the Assembly debated the subject. Nonetheless, the Bill is welcome. My party broadly welcomes its provisions. There are one or two areas of concern, some of which have already been highlighted by other Members. I will go through those that cause me concern one by one. First, I want to refer to the Minister's assertion that politicians get bitten by dangerous dogs. I actually agree with her. I noted that Ian Paisley Jnr said that he was lucky enough never to have been bitten by a dog. I can only assume that he knocks all the doors and does not actually put his hand through the letter box. If he did, he would know what happens to one's fingers.

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

I am not a member of the Agriculture Committee. Therefore, I hope that Members will bear with me if I touch on issues that have, perhaps, already been covered in the Committee. I want to raise the question of the licence fee, which has been mentioned by almost everyone. It is currently £5; the suggestion is that there be an indexed fee of £12.50. I do not like the sound of that for a start. To index a fee of £12.50 seems overbureaucratic; however, there we are. I am glad that the Minister withdrew the suggestion of £50. I am sure that everyone else is too. Back in November 2007, when the Assembly last debated the issue, my party suggested a one-off lifetime fee of, say, £100, which would include the cost of a microchip and be transferable with the dog if there were a change of ownership. I still think that there might be some merit in that.

The position of the USPCA is something that we referred to as well. It does excellent work. However, apparently, it still relies on animal welfare legislation rather than dangerous dogs legislation. If it is called to a place where it is obvious that fighting dogs are bred, it can

remove only dogs that show signs of injury or distress. There could be other dogs that are perfectly healthy, unmarked and, perhaps, not blooded. However, it cannot remove those dogs without a court order and the attention of the PSNI. I wonder whether there is merit in trying to strengthen the USPCA's powers, given its willingness to participate in these things.

Under clause 7, I see that the defence of a landowner or land occupier where an attack occurs on that person's land has been extended to include attacks on other people's dogs. The whole concept seems strange to me. What if one is in the countryside, strays on to someone's land by accident and is bitten by a savage dog? Dogs are no respecters of land boundaries. I wonder about the whole concept. I imagine that, although the owner of the dog might be immune from prosecution in those circumstances, the dog would still have to be put down if it had acted dangerously out of control in a public place. I assume that, even though the attack occurred on private land, it is still a public place.

I am also slightly worried about how trespassing is to be defined. As we all know, plenty of rights of way run through farmland. Is a person who is on a right of way but on someone else's land trespassing? I would not have thought so. It seems to place quite an onus on a dog to recognise a boundary, and, if someone else's smaller dog is just inside or just outside a gate, in one situation an offence is committed, but in another it is not.

Ian Paisley Jnr spoke about what is to be termed "threatening behaviour by dogs". That is an important point, because even a dog on a lead that has been trained to act in a threatening manner — we all know that they exist and that people train their dogs to behave in that way — scares the wits out of people, including children. If such dogs are off the leash, which they obviously should not be, they can still be very threatening but may not be prepared to bite. I wonder whether there is any way in which to extend the wording — I have forgotten what the wording is — to include "threatening behaviour" as well as "being dangerously out of control".

Another Member referred to clause 8, which, through proposed new article 30B of the Dogs (Northern Ireland) Order 1983, includes the various options open to dog wardens, such as muzzling and so on. The notion of holding

compulsory training for dogs is far from stupid. Dog-training classes have a dramatic effect in some cases, and I do not see why we could not add another paragraph to the list of options to include the possibility of issuing an order that makes dog-training sessions compulsory. Ian Paisley Jnr referred to "canine ASBOs" — something along those lines.

In the same list, one of the options open to dog wardens in the case of male dogs is to have them neutered. I am no expert on dogs, but there are plenty of dangerous bitches out there as well. The UK legislation allows for female dogs to be spayed in the same circumstances. I wonder why we have not done so.

Another issue that was raised in 2007 when we debated the issue was the difference in legislation between the North and the South. I do not know whether the law has changed in the meantime, but pit bulls were not illegal at that time in the South. That made enforcement in border areas quite difficult.

That brings me to my final point, which was at the heart of our motion in 2007: the definition of "dangerous dogs". As far as I can see, the definition will not be changed in any way by the legislation and will still cover just four breeds: one is a pit bull type, and the other three are the Japanese tosa, the dogo Argentino and the fila Brasileiro. I do not think anybody in this country has ever heard of at least two of those, and certainly no one has ever seen one. There was a feeling that there might be a Japanese tosa or two around Northern Ireland, but no one is quite sure. For instance, there is no mention of the Japanese Akita — I have never seen one — which, I believe, is every bit as ferocious as the other dogs mentioned. Rottweilers, Dobermanns, German Shepherds and Alsations are also widely recognised as having dangerous tendencies, yet they are not mentioned. Alsations, not pit bull-type dogs, are responsible for 50% of the dog attacks on humans in the UK. A pit bull type is not a breed of dog; it is just the description of a type of dog, and it can be cross-bred in many different ways.

The Minister referred to the case of John-Paul Massey from Liverpool, who was savaged to death by a pit bull-type dog. The Chief Constable of Liverpool at the time of the incident commented that the decision about whether to classify that type of dog as dangerous was extremely complex, and, as a result, expert advice had to

be brought in. Expert advice has been routinely used in the Province where owners have protested against an order to destroy their dog. There have also been cases of perfectly docile family pets that have never harmed anybody being put down because a vet or expert decided that they were a dangerous pit bull type.

I am glad to see the Bill at last; it will be a useful piece of legislation. However, we must consider it further, and I look forward to its Consideration Stage, when we may table an amendment or two. I also look forward to the Minister's response today.

Mr Irwin: I welcome the opportunity to contribute to today's debate. The progress in updating the legislation, which is 25 years old, is encouraging. It is good practice to ensure that legislation on an issue as important as dog control is up to date and adequately deals with modern situations.

We have all read the horror stories of attacks on children and even babies by dangerous dogs. In too many cases, children and babies have died as a result of such attacks. That is a serious situation; therefore I welcome the Bill's stricter provisions to protect children. The Minister must pursue that priority urgently. More than 700 people were attacked by dogs in 2009; that is a sobering statistic. The small section of dog owners who are not acting responsibly is a blight on society. All too often, dog owners act without due care and allow dogs to roam public areas where young children are present.

I support the provision to allow dog wardens to attach conditions to a licence where a breach of the law has occurred. I hope that the powers available to dog wardens will enable them to check the compliance of such conditions on an ongoing basis. Putting conditions on owners is one thing, but those conditions must be abided by.

I welcome the fact that it will be an offence to allow a dog to attack and injure another person's dog. That is particularly important, as there have been countless incidents across the Province where breeds of dogs that have a reputation for being vicious have been let loose by their owners and allowed to attack other people's pets in parks and those responsible have not been given an adequate penalty. That is scandalous. It has been shocking to hear accounts of such attacks. In many cases, the person whose dog is attacked tries to fend off the attacking dog and gets injured in the

process. The Bill must send a clear message that such irresponsible action will not be tolerated.

The rise in the dog licence fee has caused some concern among dog owners. However, I feel that the increase is not outlandish. We must take note of the fact that, for dog wardens to be able to enforce the updated legislation, local councils must be able to cover the inevitable increase in cost that will come from having increased powers.

3.45 pm

I know of a recent case involving Armagh council — my local council — in which an expert from England deemed a dog dangerous. My constituent was brought to court 11 times, and, at the end of that period, the magistrate said that the dog could be taken home if it was neutered and muzzled. Councils must have powers put in place, because no one should have to go to court 11 times before being told whether they can keep their dog. It cost that dog owner several thousand pounds, and he was still allowed to take his dog home at the end of the process. It is important that that is not allowed to happen.

I welcome the fact that concessions in the licence fee will be available to the elderly, those on benefits and those with neutered dogs. There is a nagging feeling that we are asking for more money from the very people who wish to comply with the law, rather than solely tackling the irresponsible dog owners who point-blank refuse to license their animals. However, it is important that the Assembly is responding to a very real issue and updating out of date legislation. That fact must be welcomed. For the sake of our children's safety and for responsible dog owners across the Province, I look forward to the new arrangements being implemented.

Mr G Robinson: I welcome the Bill. As the Minister knows, I have taken an active interest in the topic. I appreciate that much more needs to be done to beef up the legislation, and the Committee is actively pursuing the Minister and her Department to tighten up a lot of the concerns that the Committee Chairperson alluded to. The Bill will encourage responsible ownership and act as a deterrent to owners who do not keep their dogs under control. I especially welcome the provision for conditions to be imposed on dog licences where the dog control laws have not been adhered to.

It is essential that dog owners remember that, along with the pleasure that is gained from having a dog, they have responsibilities to the wider community. As the Minister said, we continue to have problems with dog attacks and with straying and unwanted dogs. Therefore, I am pleased to see that microchipping will be a legal requirement for licensing. Microchipping will enable the return of dogs that are genuinely lost to their rightful owner, and it will allow for the tracking down of irresponsible owners who do not make adequate provision for keeping their dogs confined. Microchipping should also help to reduce the number of unwanted strays that must be dealt with, as owners will be identifiable.

It is most welcome that a dog's history will be carried forward to any new owner who lives outside the council area in which a licence was issued. Carrying forward a dog's history will help to clamp down on the sale of fighting dogs, which are sold into a relatively small market. As a BBC report last year highlighted, criminals can import dogs with relative ease. However, a microchipped dog can be traced, and, hopefully, any dog that has not been microchipped can be fully and properly investigated. I support the Second Stage of the Bill.

Mr Savage: I very much welcome the Bill, which will go some way to alleviate the situation with problem dogs. The Bill changes the system for the licensing of dogs. Many Members will be aware that several stakeholders have long been of the opinion that the microchipping of dogs should be mandatory. Therefore, it is welcome that the Bill puts such a condition on the licensing of dogs. Microchipping is a practice that responsible dog owners have been undertaking for many years, and, as a result, few owners will have a problem with the provision. The exemption of dogs to which chipping would present a health risk is no excuse for not microchipping.

Providing a lower fee for the licensing of dogs that have been sterilised is a very good and worthwhile idea. Sterilised dogs have a lower chance of straying, and sterilising reduces the number of unwanted dogs. In Northern Ireland, we have a particular problem with unwanted dogs. We put down a staggering number of dogs every year. Giving an incentive to sterilise is a good idea and will help to reduce and eliminate that problem. Providing the lower rate

to pensioners for their first dog is also a socially responsible measure.

Clauses 6 and 7 will, for the first time, make it illegal to set a dog on another dog. It is surprising to me that that is not the case already. Although I am sure that such an action would break other laws, it is good to clarify the law. Clause 8 allows dog wardens to impose conditions on the licence of a dog. That measure enhances the power of councils to regulate dog ownership and gives them the necessary powers to crack down on irresponsible dog owners.

I support the Bill and look forward to it completing the necessary stages without delay.

The Minister of Agriculture and Rural Development (Ms Gildernew): Go raibh maith agat, a LeasCheann Comhairle. I am very grateful to Members for their contributions to the debate. They were valuable and informative and, I am pleased to say, broadly behind what I am trying to do in the legislation. Some issues that Members raised also reflected concerns that stakeholders raised during consultation on the policy proposals underpinning the Bill. I will try to respond to the key points. However, I will also read the Hansard report and follow up in writing if necessary. I thank Members for their contribution to the debate on the Dogs (Amendment) Bill and for the questions and issues that they raised. Although the 1983 Dogs Order provides an existing framework for the control of dogs, the full package of new measures in the Bill will put in place a dog control system here that is the most robust of any in these islands.

The North will be the only part of these islands, either North or South or in England, Scotland or Wales, where there will be a requirement for all dogs to be microchipped. That will not only help dog owners here, should their dog be lost or stolen, and help enforcers to identify stray and other problem dogs but should reduce the number of stray dogs that are put down here and the time that strays spend in council pounds. The Bill will make the North the only part of these islands where it will be an offence to allow a dog to attack and injure another person's dog. Dog owners here will be protected from irresponsible owners by the introduction of that offence. It is interesting to hear Members articulating the fact that they are surprised that that is coming into being only now. That

underlines the fact that the 1983 Dogs Order did not go far enough, and that is why it is important to bring this Bill forward.

In addition, although the Control of Dogs (Scotland) Act 2010 will introduce a system of control orders similar to the control conditions introduced by our Bill, no other part of these islands will have such a system. The introduction of control conditions, giving dog wardens the option of placing conditions on the licence of a dog whose behaviour or management has led to a breach of the 1983 Order, will mean that we will have a system here that can intervene in an objective, targeted, flexible and considered way in the control of individual dogs.

A licensing system operates in the South but nowhere else on these islands. Again, maintaining the licensing system here, with licence fees at a realistic level, not only maintains a unique registration system but ensures that it meets more of the cost of the dog warden service.

A number of Members, including the Chairperson of the Committee, asked why the Bill does not deal with dog fighting. Dog fighting is an offence under welfare of animals legislation, and I am bringing forward new powers in a new welfare of animals Bill to increase the maximum penalties for involvement in that abhorrent activity and to strengthen the existing powers of enforcers. For example, I plan to make it an offence to train any animal for a fight and to make, supply or possess any recording of an animal fight without reasonable excuse. I also plan to make it an offence, for example, to have in your possession a treadmill or equipment for training a dog for fighting, even if there is no dog there. If someone has equipment for training a dog to fight and it is clear that that is what it is being used for, he or she will be committing an offence.

I want to make a distinction between the two issues. This legislation is about responsible dog ownership and the control of dogs. The people who train dogs for fighting and the people who go along to see dog fighting are involved in a criminal activity. The PSNI has to enforce the law on that; it is not a job for local councils or for our dog wardens. Dog fighting is a criminal activity, and it has to be dealt with as such. In a new Bill on the welfare of animals, which, the Committee will be glad to hear, is coming close behind this Bill, I will include increased

penalties for anyone involved in dog fighting. There will also be clauses that will mean that an offence can be deemed to have been committed before suffering occurs. Trevor Lunn mentioned dogs being blooded; if a dog has not yet suffered but there is enough evidence that suffering is likely to occur, we will be able to act. It is hugely important that we take time to get the legislation right and that it is fit for purpose.

A number of Members talked about putting all the dog-related legislation in one package. The idea of a catch-all piece of dogs legislation that covers everything from dog fighting to fouling may initially seem to make sense. However, the central objectives of the Bill and of the 1983 Order that it amends are the improvement of the control of, mainly, domestic dogs and the reduction of the harm caused by poorly controlled dogs. It makes sense to try to address those issues with a clear focus. There is other legislation that deals with other aspects of dog ownership, such as the welfare of dogs in kennels or breeding establishments. It makes sense to deal with related welfare issues in legislation that specifically focuses on animal welfare.

Willie Clarke raised the issue of dog fouling, which is treated as an environmental nuisance and is currently dealt with under the Litter Order 1994. In future, the issue will be provided for in the Environment Minister's draft Clean Neighbourhoods and Environment Bill.

A few Members raised the issue of puppy farming. Although dog breeding is currently regulated by the 1983 Dogs Order, I propose to introduce powers in the Bill on the welfare of animals that I hope to bring to the Assembly shortly to allow the Department to regulate a range of activities that involve animals, including the activities of dog-breeding establishments. That will be progressed through subordinate legislation, and specific proposals will be subject to consultation as part of that process. That is an area on which I get a lot of correspondence, not just about puppy farms but about the regulation of circuses. It would do us well to set a wee bit of time aside and deal with the issue through subordinate legislation to ensure that we get it right. Improvements in the standards of dog breeding here will assist legitimate local breeders in marketing their dogs elsewhere; it will be like a quality mark for dogs that are bred here. For the less than legitimate breeders, there will be increased penalties.

A number of Members, particularly Willie Clarke and George Savage, raised the issue of microchipping. Microchipping can be carried out by anybody who has the appropriate training and equipment. The training takes only a couple of hours and is available from a number of sources, including microchip providers and database operators. Many councils that operate rehoming centres from their dog pounds already microchip dogs that they rehome, and they will, no doubt, continue to do so. Therefore, if someone picks up a dog from a pound, it will be microchipped and the information about that dog will be on it.

My officials are also discussing how microchipping can be rolled out with councils and with the charities that already provide microchipping for free or at a reduced rate. The Dogs Trust has already stated that it plans to make 500 free microchips available for every district council. That will be a huge help for people who may have had their dogs for four, five or 10 years and want to get them microchipped. In the first instance, the council will be the best place for those people to go.

People who own a lot of dogs, such as those who operate hunt kennels or trade as commercial breeders, may find it more economical to train a member of staff to carry out the procedure, which is simple, straightforward and not difficult to do.

4.00 pm

Dog owners can have their pets microchipped by their veterinary practitioner, which may prove more expensive. However, there will not be a requirement that microchipping must be carried out by a vet. Compared with the cost of dog ownership over the lifetime of the dog, microchipping is a very small investment that will repay owners by speeding up the reunification process should their dog stray, saving on dog pound costs charged by the local authority and helping to identify and to return stolen dogs. The Dogs Trust alone has microchipped more than 31,000 dogs since 2000.

PJ Bradley made a point about vets coming out to farms and microchipping dogs while there on other business. That approach would have equality implications. To allow a vet to microchip a dog while he or she is out at a big farm — comprising 300 or 400 acres of land and in receipt of a large single farm payment — while other people, who are trying to get by on or just

above the poverty line and, perhaps, do not fit into any concession category, have to bring their dog out to get it microchipped, would not stand up to an equality impact assessment (EQIA). That is a non-starter.

A number of Members, particularly Willie Clarke, mentioned control conditions. Those are important. Trevor Lunn mentioned a one-off licensing fee. The requirement for people to renew their dog licence every year gives the local dog warden the ability to monitor a dog's behaviour. If, when a licence is being renewed, the dog warden is aware of complaints about a dog, he or she can inform the owner that, because the dog has shown problem or aggressive behaviour, restrictions will be imposed on that dog licence. The Bill will enable us to introduce control conditions that will help to manage poor dog behaviour and irresponsible dog ownership. The Bill states:

"The control conditions which may be imposed on a dog licence by a notice under article 30A are —

(a) that the dog be securely fitted with a muzzle sufficient to prevent the dog biting any person when in a public place;

(b) that the dog be kept under control when in a public place;

(c) that the dog (when not under control) be kept securely confined in a building, yard or other enclosure;

(d) that the dog be excluded from any place, or any type of place, specified in the notice";

— the notice that attaches the conditions to the licence may specify that that includes a park or school grounds, for example —

"(e) that the dog (if male) be neutered before the end of the period of 30 days from the date on which the notice takes effect."

It is important to note that where a dog warden has reasonable cause to believe that one of a number of offences under the Dogs Order 1983 has been committed, the Bill empowers the warden to attach appropriate control conditions to the licence of the dog concerned. Such breaches may include straying, failure to control a dog on certain roads or land, setting on or urging a dog to attack or allowing a dog to attack a person, livestock or another person's dog.

P J Bradley raised the issue of the licence fee. The Dogs Order 1983 established the block

licence as a concession for those who breed or show dogs or who own hunting or working dogs. Even with the increase in the fee — the first increase since 1983 — keeping three or more dogs on a block licence will be cheaper than licensing them separately.

Some Members talked about the numbers of stray dogs that we have and the numbers of dogs that are put down. The number of dogs that are licensed has risen steadily; in fact, it has risen by more than 30% over the past 10 years. The Bill improves the resources that are available to council dog warden services by increasing the licence fee, raising the levels of fixed penalties and allowing councils to use the income from fixed penalties to fund dog warden services.

I was intrigued by some Members' responses to the proposal to raise the cost of a dog licence to £50. A number of proposals were put to the Department, some of which went to full cost recovery, while others did not. The proposal to increase the cost of a licence to £50 was just that; it was made to get the debate going. It was never my intention, nor did I decide, to bring in a £50 licence fee. That proposal was made as part of the consultation.

Tom Elliott mentioned the £50 fee and said that he was glad that I had U-turned on it. However, no decision had been made. He thought it was great that fixed penalty payments would go to local government as that would give dog wardens more resources to deal with the problem. We have to accept that the cost of the dog warden service is being borne by all ratepayers and not just by dog owners or irresponsible dog owners. We want to get the balance right and resource councils properly to deal with the issue and take stray dogs out of circulation. However, they need resources to do so; and a fee of £12.50 with concessions for the elderly and for people on benefits is a better starting point. Five pounds was never going to cover the costs, and prior to that, a licence cost 37 pence. It has not gone up incrementally; it has gone up in jumps.

Mr McCarthy: The Minister has acknowledged that implementation of a £50 fee was, in her Department's view, not a scare tactic but that it scared elderly people in particular at that time. Have the Minister and her Department learned lessons about looking at easier or better

methods of informing people of proposals in the future?

The Minister of Agriculture and Rural Development:

It is important to point out that the £50 fee was never meant to be a scare tactic. It was one part of a proposal. The scare tactics came about when irresponsible members of the media portrayed it wrongly. I felt really aggrieved that something that was set out as a proposal, among a package of proposals, was misconstrued by the journalist in question.

The same news item, which I watched that night, claimed that dogs would have to be muzzled in public. There is nothing in the Dogs (Amendment) Bill that suggests that all dogs must be muzzled when in a park or public place. It is one of the control conditions to be used if a dog shows behaviour signs that are worrying, or if a dog could be a risk in a public environment. However, it is for individual dog wardens to deal with dogs in an appropriate manner in their area.

That is where the scare tactics were identified by the journalist in question. I think that he tried to get a story out of the Bill and he scared people. We immediately said if the idea of a £50 fee was skewing the rest of the Bill and the good proposals, we would deal with that straight away and take it out of the equation. We want people to talk about what is in the Bill and what will work for them. That is why I did what I did. The fee was only ever a proposal.

A better funded dog warden service will enforce dog-control legislation more thoroughly and increase the number of licensed dogs. Compulsory microchipping will mean that dogs bought from commercial breeders or from pounds or shelters will be permanently identifiable, and that will make licence evasion harder. If an unlicensed stray dog is picked up by a dog warden, the dog will have to be microchipped and licensed before being returned to its owner. That will also bring more unlicensed and un-microchipped dogs into the licensing system.

Many Members rightly mentioned the number of stray dogs that we put down. I agree; we destroy too many stray and unwanted dogs. The number of dogs destroyed has fallen by 80% in the past 10 years to just over 1,300 in 2009, which is still too many. However, it is a significant improvement. The Bill will make the North the only part of these islands in which dogs must be microchipped. That will help reunite lost

or stolen dogs with their owners as well as helping enforcers to identify strays. It should also reduce the number of strays destroyed here even further.

It is also probably good news for Gerry Anderson, because every time I turn on his radio show, he is talking about someone who has lost their dog. If someone has a wee dog who they love to bits, they will do anything to get that dog back if it goes missing. It is very traumatic, and microchipping will help avoid the situation.

There has also been some discussion about breeds as opposed to deeds. Members are right; there are four banned breeds, one of which is more common here than the other three. It is hard to identify them. That is why the control conditions enable any dog that shows aggressive behaviour to be dealt with, regardless of whether it can be firmly classed as a pit bull. The same rule applies for aggressive German shepherds, Alsations, Rottweilers or Labradors. We want to be able to deal with dogs that show aggressive behaviour in a way that minimises the risk to the public, especially children.

Any dog that attacks is already regarded by law to be a dangerous dog, so I do not get hung up about breeds. However, I am keeping the four banned breeds in the Bill because I know that I could not sleep at night if a pit bull that had not been picked up by the system was involved in a fatal accident with a child. I will not remove the banned breeds. I will strengthen the legislation that gives me the power to deal with banned breeds, and I will deal with the deeds. That is the area in which the Bill will help to protect children.

The Chairman raised the issue of training. Training of the dog, or the owner, or both, was considered as a possible control condition in the consultation proposals. However, we could not get consensus on a favoured approach to training, and the proposal was dropped. However, it may be one of the issues that the Committee will want to tease out in further detail at Committee Stage. Given that we could not get consensus, we felt that it was important to move on to get to the point that we are at today.

I am just running my eye over my notes to see whether there is anything that I have missed. Today's debate has been good, and I am pleased that so many Members got involved in

the discussion. I am very keen that the Bill goes through as quickly as possible. The Welfare of Animals Bill will be a bigger piece of legislation, and there are important elements in it. It is great that we have got to this stage today. The Committee is now in a position to scrutinise the Bill, clause by clause, and in great detail to ensure that we get it right.

To sum up, children are my key consideration. Their size makes them disproportionately vulnerable to attacks by dogs. They are more likely to be attacked, and the effects of a dog attack on a child are more likely to be severe or fatal. Reducing the likelihood of dog attacks will protect children specifically. The Bill will allow council dog wardens to protect the public. It will help prevent further, more serious breaches of the law by attaching the control conditions to a dog licence where owners have failed to keep that dog under proper control. Those controls could make it a condition of the dog's licence that it is muzzled or leashed when in public; kept in a secure place when not leashed; kept away from specified places; or neutered in cases of very aggressive behaviour.

The Bill provides a means for dog wardens to intervene early to prevent more serious incidents and reduce the risk of serious attacks. It also increases the deterrent effect of fines and penalties. That is not something that we often like to deal with as an Assembly, but it is important that we increase the fines and penalties. Specifically, we must increase the maximum penalty for an attack that takes place on private property, which is where most severe and fatal attacks occur.

I thank the Chairperson, Committee members and, indeed, other Members for participating in today's debate. My officials and I look forward to working closely with the Agriculture and Rural Development Committee as it begins its detailed and important scrutiny of the Bill. I commend the Bill to the House.

Question put and agreed to.

Resolved:

That the Second Stage of the Dogs (Amendment) Bill [NIA 20/09] be agreed.

Roads (Miscellaneous Provisions) Bill: Consideration Stage

Mr Deputy Speaker: I call the Minister for Regional Development, Mr Conor Murphy, to move the Consideration Stage of the Roads (Miscellaneous Provisions) Bill.

Moved — [The Minister for Regional Development (Mr Murphy).]

4.15 pm

Mr Deputy Speaker: Members will have a copy of the Marshalled List of amendments detailing the order for consideration. The amendments have been grouped for debate in my provisional grouping of amendments selected list. There are two groups of amendments, and we will debate the amendments in each group in turn. The first debate will be on amendment No 1, which requires certain permit regulations to be subject to Assembly approval. The second debate will be on amendment No 2, which inserts a definition of “film” into the Road Traffic Regulation (Northern Ireland) Order 1997.

I remind Members who intend to speak during the debates on the two groups of amendments that they should address the amendment in each particular group on which they wish to comment. The questions on stand part will be taken at the appropriate points in the Bill. If that is clear we shall proceed.

No amendments have been tabled to clauses 1 and 2. I propose, by leave of the Assembly, to group those clauses for the Question on stand part.

Clauses 1 and 2 ordered to stand part of the Bill.

Mr Deputy Speaker: We now come to the first group of amendments for debate, in which amendment No 1, which requires certain permit regulations to be subject to approval by the Assembly, is the only amendment.

Clause 3 (Permit regulations)

The Minister for Regional Development

(Mr Murphy): I beg to move amendment No 1: in page 4, line 4 leave out subsection (10) and insert

“(10) No regulations to which this subsection applies shall be made unless a draft of the regulations has been laid before, and approved by a resolution of, the Assembly.

(10A) Subsection (10) applies to—

(a) the first regulations under this section;

(b) regulations under this section containing any provision which creates a criminal offence or increases a penalty for an existing offence.”

Amendment No 1 arises from a recommendation made by the Regional Development Committee, having sought advice from the Examiner of Statutory Rules during the Bill's Committee Stage. I thank Committee members for their helpful recommendations, their detailed scrutiny of the Bill with all interested parties and their timely consideration of the Bill.

Amendment No 1 to clause 3 concerns the delegated powers of the Bill, which currently provides at clause 3(10) that the first permit regulations to be made would be subject to the affirmative resolution procedure, but subsection 11 provides that any other regulations are to be made by negative resolution. The Regional Development Committee has recommended that an amendment be made to widen clause 3(10). Consequently, the first set of regulations under subsection 10 and any subsequent regulations that create a criminal offence or increases the penalty for an existing offence may not be made unless a draft of them has been laid before the Assembly and approved by resolution.

I agree with the Committee's recommendation and therefore propose to amend clause 3(10) to provide for permit regulations that create an offence or increase a criminal penalty to be subject to Assembly approval.

The Chairperson for the Committee for Regional Development (Mr Cobain):

As the Minister has indicated, the Bill was introduced on 18 January 2010 and its Second Stage was agreed on 26 January 2010. During the Bill's Second Stage debate, I indicated the Committee's support for the principles of the Bill. The Bill stood referred to the Regional Development Committee on 27 January 2010 and my Committee completed its Committee Stage in order that its report was printed on 26 May 2010.

During the Bill's Committee Stage, the Committee for Regional Development sought evidence from a range of stakeholder organisations and a number of Departments. The Committee also took evidence from departmental officials. All of that evidence was taken on board when producing the final report.

In addition to the two amendments being debated, the Committee sought and received clarification from the Department for Regional Development on a range of issues, including the cost of issuing permits for works on roads; the need for notice periods before works on roads commenced; the guidance, as against regulations, to be developed for events on roads; managing the impact of works on roads to peak-time traffic flows; the impact of permit scheme proposals on the extension of gas and other utility networks; and the meaning of “special events” in relation to the closure of roads.

The Committee also recommended that the operation of a permit scheme to enable the works on roads is monitored on an ongoing basis and reviewed after three years to ascertain whether the co-ordination of works on roads has continued to improve. This debate is not the time to go into any details of those topics, and I will save my further remarks for the Bill’s Final Stage. However, before I address amendment No 1, with Mr Deputy Speaker’s indulgence, I take this opportunity to thank those who responded to the Committee’s call for evidence and the Department for its co-operation during the Bill’s Committee Stage.

Amendment No 1 relates to the proposal to introduce a permit scheme to carry out certain works on roads. It arose as a result of advice received on the delegated powers of the Bill. Evidence flagged up the need for the first regulation to be made under clause 3(10) and for any regulations containing a provision to which clause 3(3)(e) applies to be laid before the Assembly and approved by resolution.

Clause 3(3)(e) deals with the creation of criminal offences, and the Committee is of the view that the Assembly needs to approve any regulations that introduce new criminal offences or increase the penalty for an existing offence in relation to permit schemes to carry out certain works on roads. The Committee made that recommendation, and the Minister agreed to the amendment of clause 3(10) to reflect that view. I welcome the Minister’s agreement to that amendment.

Miss McIlveen: As Deputy Chairperson of the Regional Development Committee, I am pleased to contribute to the Consideration Stage of the Bill. As the Chairperson and the Minister have already indicated, the Committee Stage commenced in January 2010, and the Regional

Development Committee ordered its report to be printed on 26 May.

During the Committee Stage of the Bill, the Committee for Regional Development received evidence from a range of stakeholder organisations and a number of Government Departments. We also took evidence from departmental officials. All of that evidence was useful in the Committee’s scrutiny of the Bill and it was reflected in the final report. I echo the Chairperson’s thanks to everyone who assisted the Committee in producing that report. I also give special thanks to the Committee Clerk, Roisin Kelly, and her Assistant Clerk, Trevor Allen, and their staff for their help.

In addition to the two amendments for discussion in this debate, the Committee explored a wide range of issues with the Department, including the cost of permits for road openings, the impact that a permit scheme may have on businesses and industry, and the management and co-ordination of road openings. The Committee also considered proposals for the closure of roads for special events, as well as the issues which may be included in the guidance to be developed on road closures for such events.

The first amendment relates to the proposal to introduce a permit scheme to carry out certain works on roads and was recommended by the Committee to ensure that a resolution of the Assembly was needed to approve those regulations that would introduce new criminal offences or increase the penalty for an existing offence in relation to permit schemes to carry out certain works on roads. Given what has been said already, I welcome the Minister’s agreement to the amendment.

Mr Leonard: Go raibh míle maith agat, a LeasCheann Comhairle.

I support the amendment. There is no need for me to repeat the remarks of the Chairperson and Deputy Chairperson about this worthwhile process, which is brought to fruition today. The Bill is the result of the application of common sense to the permit scheme and special events. The second amendment relates more to events.

Everyone knows that a lot of issues surrounding the permits have a bearing on people in local communities. If the permit scheme can improve communication between applicants and the public authorities, that is well and good. I hope that it will serve the community to a much

greater effect. If there are going to be new criminal offences or increases in penalties for existing criminal offences, it is obvious that they should come before the Assembly. Again, that is common sense. It is good that the Minister has agreed to that amendment. We support the amendment.

Mr McDevitt: The SDLP is also happy to support the first amendment to the Bill. I was not a member of the Committee at the time of the Bill's Committee Stage. However, I offer a general welcome to all the Bill's provisions.

Mr Deputy Speaker, I seek your guidance about amendment No 2. Would you prefer that I spoke on that later, or can I raise it now and come back to it?

Mr Deputy Speaker: Please keep that until we discuss the second group.

Mr McDevitt: In that case, I reserve the right to speak on the second group.

Mr Lunn: I agree with the other Members who have spoken, and I will not repeat what they have said. I agree with the Chairman, the Deputy Chairman and those who have spoken. I have only recently been conscripted onto the Regional Development Committee, so I have not been involved in most of the Committee's scrutiny of the Bill. I did not join just last week, like Mr McDevitt, but unfortunately I have not been the best attender in the world. I offer my apologies to the Chairman, and I will make up for that in the future. I have no objection whatsoever to the passage of the Bill.

The Minister for Regional Development:

LeasCheann Comhairle, I am grateful to Members for their contributions to the debate on the amendment. I concur with the Chairperson and Deputy Chairperson of the Committee in their expressions of appreciation to the Committee staff, those who gave evidence, and staff in my Department and in Roads Service who worked with the Committee on the Bill and the amendments that have come through from the discussions at Committee Stage. I commend this amendment to the House.

Question, That amendment No 1 be made, put and agreed to.

Clause 3, as amended, ordered to stand part of the Bill.

Clauses 4 to 10 ordered to stand part of the Bill.

Schedule 1 (Schedule to be inserted as Schedule 3A to the Road Traffic Regulation (Northern Ireland) Order 1997)

Mr Deputy Speaker: We now come to the second group of amendments for debate. There is only one amendment; amendment No 2, which inserts the definition of "film" into the Road Traffic Regulation (Northern Ireland) Order 1997.

The Minister for Regional Development: I beg to move amendment No 2: In page 7, line 13, at end insert

"and for the purpose of this paragraph 'film' includes a recording on any medium from which a moving image may by any means be produced."

Amendment No 2 was also initiated by the Committee, its having taken account of a submission by NI Screen at Committee Stage. Like amendment No 1, it does not involve any change of policy but will remove any ambiguity. I thank the Chairman and the Committee, and I am happy to move the amendment because I am in complete agreement with what is proposed.

The Bill contains no definition of the word "film", and during the Committee's stakeholder consultation, NI Screen, on behalf of the film industry here, sought the inclusion of a definition of "film" to make it clear that filming for television programmes and commercials will be covered. My Department always envisaged that the Bill would cover such occasions of filming. Therefore, I am content to support the inclusion of the proposed definition, which is already on the statute book, appearing in section 5(1)(b) of the Copyright, Designs and Patents Act 1988.

The Chairperson of the Committee for Regional Development:

As the Minister indicated, amendment No 2 relates to the closure of roads for special events. The Committee supports the development of the film industry in Northern Ireland, and it welcomes the inclusion of making a film in the arrangements for road closures for special events. As a result of representations on behalf of the film industry here, the Committee recommended, and the Minister agreed, to insert an inclusive definition of the word "film", which will ensure that the making of television programmes and commercials are covered. A number of suggested forms of words was discussed. Some were more long-winded than others, and the Committee was content with the amendment that we are discussing. I welcome

the Minister's agreement to table amendment No 2.

Miss McIlveen: As already outlined, amendment No 2 relates to the closure of roads for special events. The Committee was pleased that provision for film production was included in the arrangements for road closures for special events, particularly taking into consideration Northern Ireland's growing appeal to the film industry and its positive impact on our economy. Therefore, having taken submissions on behalf of the film industry and having had discussions with the Department, the Committee is delighted that the amendment was tabled, and it welcomes it.

Mr Leonard: There is a general and a particular point to be made about amendment No 2. Special events will continue to be important to our communities and to the economy. All of Ireland, north, south, east and west, has become very popular for film-makers. There must be provision for it, so the particular point of including a broader definition is welcome, because it caters for a wider group of activities that the Bill will cover. Sinn Féin supports amendment No 2.

Mr McDevitt: The SDLP, too, supports amendment No 2. With your indulgence, Mr Deputy Speaker, I shall make a few brief remarks on some more general points, because I did not have an opportunity to do so during the Bill's earlier stages.

With respect to sporting events, as someone who, along with thousands of others, has occasionally traipsed the roads in the spirit of trying to keep fit, I think that the Minister will probably join me in hoping that the sooner that we can offer Belfast City Council the power to close the roads for its marathon the better.

I welcome amendment No 2's clarification of the word "film". However, I would like the Minister's assurance that the Bill makes provision for other types of public art, such as mass photography using a public space, which is something that has gained a lot of currency in recent years, or a piece of installation art that may be transient but might require the temporary closure of a road. Will the Bill afford local government adequate provision to accommodate such requests from, hopefully, a large number of globally renowned artists who wish to use our streets to make their art?

4.30 pm

The Minister for Regional Development: I thank Members for their contributions to the debate and for their support for amendment No 2. Part of the rationale behind the amendment was that there was a grey area with regard to events. As Billy Leonard said, events-based tourism is becoming increasingly important to us. I took part in a wonderful event in my area on Saturday, which required the use of the public road. It was a hugely popular event and showcased all that is best about the community in south Armagh. It included a triathlon, a road race and running.

Local councils are keen to become involved in assisting such events and, therefore, it is important that they have the authority to facilitate events planned by communities. Those events, in turn, contribute to the economic well-being of the community.

The definition of the word "film" is already on the statue books. It is an inclusive definition and includes what is mentioned but does not exclude anything specifically that might be associated with the form of film. We cannot anticipate every single application, but it provides scope for local government to consider applications from people who are interested in promoting the arts or other forms of film. I am satisfied that there is sufficient scope in the definition to allow people to take that into consideration. I commend the amendment to the House.

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

Schedule 1, as amended, agreed to.

Schedules 2 and 3 agreed to.

Long title agreed to.

Mr Deputy Speaker: That concludes the Consideration Stage of the Roads (Miscellaneous Provisions) Bill. The Bill stands referred to the Speaker.

Employment Bill: Further Consideration Stage

Mr Deputy Speaker: I call the Minister for Employment and Learning to move the Further Consideration Stage of the Employment Bill.

Moved. — [The Minister for Employment and Learning (Sir Reg Empey).]

Mr Deputy Speaker: As no amendments have been selected, there is no opportunity to discuss the Employment Bill today. Members will, of course, be able to have a full debate at Final Stage. Further Consideration Stage is, therefore, concluded. The Bill stands referred to the Speaker.

Committee Business

Standing Committee Membership

Mr Deputy Speaker: As with similar motions, the motion will be treated as a business motion. Therefore, there will be no debate.

Resolved:

That Ms Margaret Ritchie replace Mr Declan O'Loan as a member of the Assembly and Executive Review Committee. — [Mr P Ramsey.]

High Hedges Bill: Extension of Committee Stage

The Chairperson of the Committee for the Environment (Mr Boylan): I beg to move

That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 17 December 2010, in relation to the Committee Stage of the High Hedges Bill [NIA Bill 15/09].

Go raibh maith agat, a LeasCheann Comhairle. Tugaim tacaíocht don rún le fad a chur leis an Bhille um fáilte arda.

I support the motion to extend the Committee Stage of the High Hedges Bill. This is the fourth Bill to come before the Committee for the Environment in recent weeks. Although many Committee members recognised the importance and urgency of the Bill during the debate on its Second Stage, the Committee would not be doing its job correctly if it did not take sufficient time to take evidence and identify all the issues raised by those who will be affected by the Bill.

Within a couple of days of putting out public notices to call for evidence, the Committee was contacted by several individuals, and we must be in no doubt that there is huge public interest in the Bill. With that in mind, and on behalf of the Committee, I ask the House to support the motion to extend the Committee Stage of the High Hedges Bill.

Question put and agreed to.

Resolved:

That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 17 December 2010, in relation to the Committee Stage of the High Hedges Bill [NIA Bill 15/09].

Private Members' Business

Fuel Prices

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

Ms J McCann: I beg to move

That this Assembly expresses concern that our fuel prices are higher than in Britain and the Irish Republic; and calls on the First Minister and deputy First Minister and the Minister of Enterprise, Trade and Investment to open up discussions with the major fuel suppliers and the British Treasury to ensure that consumers are not being treated unfairly in terms of pricing mechanisms and taxation.

Go raibh maith agat, a LeasCheann Comhairle. I welcome the opportunity to propose the motion. I am sure that there is no one in the Chamber who has not heard someone express concerns at the rise in the price of petrol and diesel.

Fuel prices have risen steadily over the past year. On average, it is now £12 more expensive to fill a car with petrol and £10 more expensive to fill a car with diesel than it was this time last year. The situation in the North is unique, because although prices are still slightly higher here than they are in Britain, the price differential is even more acute when it is compared with the South of Ireland. Indeed, petrol here is 5.58p a litre higher and it costs an extra £7.50 to fill an average car with diesel.

The Assembly's Research and Library Services provided Members with an AA report from last month, which shows that the North of Ireland has the highest price for unleaded petrol and diesel when compared with Britain. There is also a problem with localised pricing and a distortion in the prices of fuel supplied by some of the larger retailers in different areas. For example, petrol is cheaper in Sainsbury's in Coleraine than it is in Craigavon, and Tesco customers in Bangor pay 120.9 p a litre for petrol while those in Belfast pay 123.9p.

The price of fuel is made up of the wholesale price of crude oil, the cost of refining it, taxation, demand, competition and exchange rates. Government tax on fuel, including VAT, makes

up almost 60% of the cost to customers at the pumps and, if any significant change is to be made, it must be made in that area. The pre-tax price of petrol and diesel is quite low, and once the 60% tax is added, it makes up almost two thirds of the final price.

Sinn Féin has argued for a special case to be made in the North for other taxes and for corporation tax to be brought into line with the South. A special case should also be made in the North for fuel taxation. We have a unique situation here, because people can drive to the South and get petrol and diesel much cheaper. We must also have a harmonisation of the two tax systems. This is a single island, and we need an all-island tax system.

As I said, we have already debated the need for a separate corporation tax. We need to have that debate and at least explore the issue. Moreover, we must understand that the profits from increases in fuel prices, particularly in fuel duty, do not reach the hands of the Executive here. They go to the British Treasury, which can do what it wants with the money. Therefore, it would be much better if that money were to come to the Executive here to help our communities in other ways.

More people here are dependent on their cars, particularly in rural areas, where public transport systems are less than adequate. When you compare cities such as Belfast to other European cities, we are playing catch-up on public transport. The majority of commercial businesses use the roads for transport and haulage, and those costs are added to the prices that consumers pay.

I want to mention home heating oil. Although the major suppliers of oil to homes for heating are not affected by taxation, we should investigate why prices here are much higher than those in the South of Ireland and in Britain. As we know, gas and electricity are already regulated, and it is time to consider a proposal to regulate oil. I know that the Utility Regulator has said that that is not possible because of the vast amount of oil distributors.

Mr Neeson: Will the Member give way?

Ms J McCann: Sorry, I cannot. I have a lot to get through. If I have time at the end, I will give way then.

Although there is a vast number of oil distributors, there are only four major oil importers: BP, DCC Energy, NuStar Energy LP and LSS Ltd. There is potential to enter into discussions with the main oil importers to regulate that industry.

The Assembly has discussed fuel poverty many times. However, the targets for 2010 in the Programme for Government have not been met. In fact, more households than ever before about 50% are in fuel poverty. Most people in areas of disadvantage and deprivation probably live in fuel poverty. We need to look at ways to tackle that. We need to consider what fuel poverty means. It means that older people are sitting in cold homes and acquiring serious health problems as a result. The North of Ireland has the highest proportionate figure in the UK of older people who die as a direct result of fuel poverty. Although we have discussed the issue many times in the Chamber, we need to keep saying it, because recent figures from NISRA show that in 2008, when energy prices were high, there was a 60% increase in the number of cold-related deaths in the North. We need to look at the problem in those terms. When prices go up, more elderly people die because of the cold.

It is important to think about families that have very young children and are income poor. Those children get up in a cold house to get ready for school in the morning and come home to a cold house at night and are unable to study. Some children have to eat cold meals because people do not have enough money to put in their gas meters or electricity meters to cook food. Therefore, when we talk about fuel poverty, we should also remember that some young children are being denied the life opportunities that other children and families might take for granted.

This is not happening in another country; it is happening in our own communities in areas that Members represent. Before the next cold winter, we should try to tackle the issue much more proactively. I appeal to the Executive to do that. I and other Members have previously discussed the introduction of a social tariff for people who are most vulnerable to fuel poverty, especially the elderly and low-income families with young children.

A report on energy brokering was launched today in the Long Gallery. I welcome that report. It puts forward a number of proposals, including

one that has been debated in the Chamber before: that social housing landlords could buy energy in bulk for their tenants, thereby keeping costs low for social housing homes.

4.45 pm

The report also recommends that local and central government procurement bodies link their energy purchasing, thus creating a better deal for domestic consumers under that price arrangement. That means that when buying energy for this Building, for example, government could use its purchasing power as leverage to allow social housing landlords to buy energy for their tenants more cheaply. That would cascade down to the people who are in most need and who are most vulnerable to fuel poverty.

The Executive should look to the example of Kirklees in England, where the local council targeted entire estates with vulnerable households and made homes there more energy efficient. That costs less in the long term. It is about thinking of innovative ways to do this.

I hope that Members will support the motion. It is only a first step. We can look at transparency in the way that prices are arrived at, and at some form of tax harmonisation in the North and South of the island.

Mr Neeson: Will the Member agree that not only is there no regulation of home heating oil, there is no regulation of coal and bottled gas? Does she agree that those should be regulated?

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

Mr G Robinson: I am struck by the variation in petrol prices in Northern Ireland, never mind throughout the United Kingdom. At times, I have seen differences of 15p a litre in Northern Ireland while on my journey to the House, and I ask myself why. I also ask myself why the major oil companies are allowed to accumulate such massive profits and why the Westminster Government and Treasury charge such a disproportionate amount of tax on fuel, the equivalent of 60%.

It is obvious that the major supermarkets keep prices low to ensure that they stay competitive, but, at times, even that produces widely varying prices from the same retailers, depending on the area of Northern Ireland. Therefore, it is not a huge surprise that some people seek to capitalise on high fuel prices by smuggling

and fuel laundering. I am also acutely aware that, at times, it is advantageous for private motorists and businesses in Northern Ireland to buy their fuel in the Republic. I have heard of people driving across the border with a boot full of jerrycans to fill them and their vehicles with fuel. All that results in a net loss of funds to the Treasury, and given that around 70p per litre goes into its coffers, that is a significant loss of revenue.

In some ways, we cannot blame motorists for trying to acquire cheaper fuel. High fuel prices hit us in Northern Ireland harder because of our reliance on moving our goods by road — this is after the goods' journey to get here either by air or sea. The May 2010 AA fuel price report shows that Northern Ireland has the highest fuel prices in the United Kingdom. I am also concerned that the dearest fuel is in some rural areas, the very areas where people are more heavily reliant on their vehicles because of the lack of public transport.

It would be beneficial if the level of taxation that is applied on fuel in Northern Ireland were looked at by the Treasury and the outcome reported to the Assembly and the Executive for further consideration and debate. I support the motion.

Mr Cree: I am pleased that we can discuss the issue of fuel prices in Northern Ireland and the impact that they have on the daily lives of our constituents, both domestic and in business. The motion covers the price at the petrol and diesel pumps and the price of home heating oil. I assume that it also applies to electricity and gas, but they are both subject to regulation.

Wherever I go in my constituency, the same issue comes up time and time again: putting fuel in our cars and oil tanks is getting more costly. However, there is much a more serious issue than making small changes to our daily lifestyle — some people in Northern Ireland now have to choose between food and fuel.

Oil is the first choice for home heating for 72% of domestic consumers in Northern Ireland. This winter was the coldest in decades, and although we have benefited from warm weather of late, the fact remains that the rate of fuel poverty in Northern Ireland is almost three times that of England and over one third more than that which obtains in Scotland and Wales.

Northern Ireland is heavily reliant on private cars for transportation, particularly in rural areas where the public transport system is more limited than in cities. Some 77% of households in Northern Ireland have access to a vehicle, and three quarters of people in Northern Ireland travel by car at least three times a week. Between May 2009 and May 2010, the price of filling a tank of petrol went up by £12 and the cost of a tank of diesel went up by £10.57. That is a staggering increase, which hits hard at household budgets. However, it appears that consumers in Northern Ireland are experiencing more pain than those in other parts of the United Kingdom, and only some of that may be due to increased transportation costs to Northern Ireland.

I am also disappointed by the local variances across Northern Ireland, which, in some places, can amount to a difference of 11p. The previous Member to speak mentioned that. It is of great concern, and I call on local petrol stations to price in an equitable manner that is fair to, and respectful of, the consumer.

International markets, by their nature, are difficult to regulate, and that is not the role of the state. It is my understanding that there has been a growing trend of speculative buying and selling in the marketplace, which has increased the cost of fuel well above the cost of production. The Government also receive significant revenue from the duty and tax on fuel; it is a tax on a tax. Government duty and tax account for more than 60% of the final cost to consumers.

Since 2008, the Conservative Party has advocated a fuel stabiliser. Indeed, the fuel stabiliser was a Conservative Party manifesto commitment. Such a measure would cut fuel duty when oil prices rise and vice versa. It would ensure that businesses and homes are less exposed to volatile oil markets and would create a more stable environment for low-carbon investment. That is entirely the sort of measure that would be of benefit to the consumer and would provide a longer-term cushion.

The Consumer Council's website offers an excellent resource to the consumer whereby you can click on where you live to find out the price of fuel in your area on a weekly basis. I advise all consumers in Northern Ireland to avail themselves of that valuable resource. It is most interesting.

Last month, it was recorded that Northern Ireland had the highest price of petrol and diesel in the whole of the United Kingdom. A more strategic approach to energy in Northern Ireland is needed in the longer term. There is a distinct need to promote and develop energy efficiency for our homes and businesses. The warm homes scheme is useful in improving loft insulation and cavity wall insulation, in addition to a number of other heating measures. We have been saying for years that such measures help, but a great number of houses still lack such insulation.

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

We also need to plan for the future. We need to invest in alternative energy sources, and in the longer term, we need to restructure the entire infrastructure of energy provision in Northern Ireland. The Minister of Enterprise, Trade and Investment needs to commit more resources so that Northern Ireland takes the lead on alternative energy in the United Kingdom. I support the motion.

The Chairperson of the Committee for Enterprise, Trade and Investment

(Mr A Maginness): Although the Committee is interested in fuel and fuel prices, it has not taken a basic position on the regulation of fuel prices. That is a matter for discussion, not just during this Assembly debate but in the Committee at a future date.

I thank the proposer of the motion for raising this important issue. It is a timely motion, and it reflects our overdependence on oil in particular. The price of petrol, diesel and home heating oil has adversely affected Northern Ireland more than other parts of these islands. It is a matter of grave concern to our constituents, 70% of whom rely on home heating oil as their basic source of heat. There is a tremendous dependence on oil in this region.

We have to draw lessons from that, first by seeking ways of reducing that overdependence. As Mr Cree rightly pointed out, we should urge the Department of Enterprise, Trade and Investment to provide renewable energy sources as alternatives to oil. That is a very important message not only to the Department of Enterprise, Trade and Investment but to the Administration. It is something to which the whole Government should address their mind. That is a medium- or long-term solution to our problem. The immediate problem is the high

pricing of petrol and home heating oil: at least 60% of the price of petrol and diesel is due to VAT or excise duty on fuel. The grave volatility in the wholesale price of crude oil in the international markets is an unsustainable and intolerable situation for the ordinary consumer. Since Government accounts for 60% of that price, they are imposing a substantial burden on the ordinary consumer. They have to address that.

Mr Cree referred to a proposition to have a fuel stabiliser. That is an important contribution to the debate. We should be seeking reassurance from the Government at Westminster, which has ultimate control over taxes and fiscal policy, that a fuel stabiliser should be introduced to keep prices stable. That is a sensible proposal. It is needed in this region in particular, because we have at least marginally higher prices than other parts of the UK, and we have a higher price than that enjoyed in the Irish Republic. It is important that we tell the Westminster Government that we have a special concern about fuel prices and urge them to introduce a fuel stabiliser.

The Northern Ireland Consumer Council does a very good job as a watchdog on fuel prices. It should be commended for its tremendous work for the consumer.

Mr Neeson: I welcome the opportunity to debate the topic, and, of course, I will be supporting the motion. Bearing in mind the release of a report today on energy brokering, the timing could not be better. The report was prepared by the Housing Executive, the Consumer Council and Bryson Charitable Group and contains some very good suggestions. It gives examples of how significant reductions in costs can be provided for consumers by bulk buying, not only in the UK but in other parts of Europe.

It gives examples not only from the UK but from other parts of Europe. It is worth considering that document to see how we can learn from people who live in other countries.

5.00 pm

According to the AA's monthly fuel report for May 2010, Northern Ireland has the highest price for unleaded petrol at 122.1p a litre, compared with the national average of 121.5p a litre. Northern Ireland also has the highest cost for super-unleaded petrol at 129.4p a litre, compared with the national average of 128.6p a litre. For

diesel, the cost is 123.7p a litre, compared with the national average of 122.9p a litre.

The Committee Chairman referred to the excellent work of the Consumer Council. In its May 2010 report, the council found that there are actually large variations in petrol prices between towns in Northern Ireland. In places such as Bangor and Coleraine, the cheapest price for unleaded petrol is 115.9p a litre. However, in places such as Strabane, it is 126p a litre, while in Derry, it is 120.9p a litre.

There can also be variations in each town. In some towns, there are differences of up to 4p a litre. The cheapest price in Londonderry is 120.9p a litre, and the most expensive price is 124.9p a litre. Therefore, the council recommends that consumers always keep an eye on their petrol gauges so that they can get to the cheapest filling station in their towns rather than having to panic buy at the nearest one when they are about to run out of petrol. Shopping around can save a great deal of money over time.

The Consumer Council also estimated that in May 2009, it cost £48.79 to fill a car with petrol. However, in May 2010, that had increased by £12. During the same period, the cost to fill a tank with diesel had increased from £50.99 by more than £10. Obviously, Government duty plays a major part in that because it accounts for 60% of the price of a litre of petrol. There are growing demands from some quarters that the Westminster Government reduce that duty to help out hard-pressed taxpayers. Therefore, the Government are the big beneficiary of those fuel prices.

According to the Northern Ireland Oil Federation, there are several ways that consumers can cut down the costs of home heating oil to ensure that they are not hit for large sums in the depths of winter. One way is to plan ahead and to buy oil when it is cheapest, which is during the summer. Consumers can make savings of up to £60 on December prices if they buy oil in July or August.

Home insulation is another big issue that is connected to home heating oil. Home builders have a responsibility to take into account the best ways to reduce costs for consumers. Earlier, I mentioned the lack of regulation for home heating oil. Certainly, there is a strong case for proper regulation for house coal and bottled gas. I know that a large number of

people throughout Northern Ireland use coal and bottled gas to heat their homes.

Mr McLaughlin: Go raibh maith agat, a LeasCheann Comhairle. In supporting the motion, I assert my view that the Assembly, in dealing with the issue of fuel prices, must be guided by the consideration of three principles. Of course, the Assembly does not have total devolved authority on the matter, which means that engagement with Westminster, particularly the Treasury authorities, will clearly be involved. One principle is the diversity of energy supply, which colleagues from different parties addressed; competition in energy costs is the second; the third is regulation to protect consumers' interests, particularly if there are strong concerns about profiteering.

Sinn Féin has called for initiatives on the bulk buying of oil and gas to achieve cost savings on behalf of consumers. Although we welcome the opening up of the energy market, which allows Firmus to compete directly with Phoenix, we are concerned that pay-as-you-go households will not have access to guaranteed cheaper fuel because of the failure to put in place the necessary switching systems. I know that they are being put in place, but it is regrettable, since the issue was addressed some 18 months ago — not only by the parties present in the Chamber but by the industry itself — that the regulator has yet to come forward with the mechanism to allow that to happen.

We need to maximise whatever control or influence we have to bring about diversity of fuel supply and regulation across the board. I agree with Sean Neeson. The fact is that, apart from electricity, energy supplies are not regulated in the same direct fashion. It would be useful to ask for some indication through the Committees, particularly the Committee for Enterprise, Trade and Investment, of the regulator's views on the expansion of his role and remit.

Given our housing stock, there are various straitjackets on people's ability to follow the market or to avail of opportunities for cost savings: sometimes houses have not been adapted; sometimes residents rely on solid-fuel open-fire appliances to heat their homes. Although gas might provide an advantage over oil, people may not have the wherewithal to convert to it or to take advantage of it. Such issues can only be addressed strategically to

alleviate the fuel poverty that affects so many in our community.

Parties have demonstrated that fuel prices is an issue that they would like to see addressed. The fact that the Assembly does not have total autonomy in that area should be an incentive for us to seek those additional powers and, if necessary, to engage in negotiations to allow, in that specific sectoral area, greater flexibility in how the Assembly responds to the pressure from our constituencies. Each and every party has experience of the issue and has had to deal with it in its constituency services.

I know from personal experience that, given the difference in price in petrol and diesel, many — including well-known unionist politicians — travelled to filling stations on the other side of the border. It made sense. At one stage, the difference was such that every third fill-up was virtually free.

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

Mr McLaughlin: It made sense. I am not making a political point — *[Interruption.]*

Mr Deputy Speaker: Your time is up.

Mr McLaughlin: The logic is that we continue to look at island-wide opportunities for synergy and harmonisation. I think that unionists have demonstrated that flexibility. Follow through.

Mr Kennedy: I want to express my broad sympathy with any motion that draws attention to the impediment that high fuel prices impose on the Northern Ireland economy and on individual motorists. The motion specifies action for the First Minister and the deputy First Minister and for the Minister of Enterprise, Trade and Investment.

In 2008, the now Chancellor of the Exchequer, George Osborne, first announced Conservative plans for a fuel duty stabiliser. The idea was rather simple: when oil prices are high, the fuel duty will be lowered, and vice versa, to keep prices stable and to protect motorists. In April 2010, 'The Daily Telegraph' estimated that, with current pump prices at a then all-time high of £1.20 a litre, the Conservative plan would probably have reduced the price of petrol at the pump by as much as 10p a litre. The new Conservative Secretary of State for Transport, Mr Philip Hammond, has vowed to end what he called the previous Government's war against

the motorist, and, since taking office, he has confirmed his intention to introduce the fuel price stabiliser pledge that was made before the election. I think that we all welcome that.

A report published by the University of Ulster in December 2009 warned that fuel poverty is expected to increase in Northern Ireland as improvements in energy efficiency are negated by increasing fuel costs. People in Northern Ireland suffer from much higher fuel poverty than those in other parts of the United Kingdom. In fact, fuel poverty here is three times as high as it is in England. That stems from a number of factors, such as low income, energy-inefficient households and expensive fuel costs. All those factors must be addressed collectively rather than individually. Fuel poverty can have serious implications on the health and well-being of certain groups in society, particularly the elderly, children and people living with chronic illness. Fuel poverty deeply affects Northern Ireland, and we need to find a long-term solution to it.

The issue is about more than simply the price of fuel. We need to make homes more energy efficient. Schemes such as the warm homes scheme are critical to countering fuel poverty. We also need to become more open to sourcing energy from renewable and sustainable sources that are not affected by the international markets to the same extent as oil is. Energy will always be a vital commodity. Therefore, Northern Ireland must learn to harness local resources. We must increase people's awareness and shift the emphasis on to developing renewable energy. The speculative buying and selling of oil in the world's commodity markets, which has the overall effect of pushing up prices, is outside the control of the Assembly and sometimes of the national Government.

If the difference in fuel prices across Northern Ireland is addressed, that may yield some local results. Coming from south Armagh, I sometimes worry that it has become the diesel laundering capital. Indeed, it sometimes appears that there is more diesel and oil in south Armagh than there is in Iraq. I am concerned that diesel laundering has forced many legitimate operators out of business and encouraged a reliance on the black market and the black economy. We, therefore, need to ensure that we address those issues. Even the Members who tabled the motion must accept that there was and may yet be a link between illegal operators in areas such as south Armagh

and republican paramilitaries. We must be honest enough to admit and address that. I broadly support and commend the motion.

Dr McDonnell: I, too, welcome the motion and commend the Members who tabled it. The issue has been with us for a number of years. Sometimes it eases a bit; sometimes it gets worse. The great difficulty is that fuel prices are on an ever upward spiral.

5.15 pm

I tried to amend the motion to include specific mention of the appointment of a fuel regulator or tsar. Unfortunately, that amendment was not accepted. However, the tone of the debate so far is in sync with my call for a tsar, and, therefore, I do not feel that there will be any resolution to our fuel problems until someone is in place with the authority to deal with those. Whether he or she takes that authority from the Westminster Parliament or from this Assembly is not really relevant. We need somebody to stand up for the consumer on the price of fuel. Although the Consumer Council does quite a bit, we need somebody with much heavier clout.

The immediate economic effect of rising fuel prices is that transport costs go up, which affects everybody, including the private and public sectors and the health and education sectors. For example, ambulances burn fuel, and fuel is required to meet the Health Service's other transport needs, just as it is required to run school buses and school support services.

In the time afforded to me, I want to concentrate briefly on fuel poverty. It is the biggest scandal of all that in the world in which we live, with all its levels of sophistication, people are living in fuel poverty. No one specific factor leads to fuel poverty. However, the climate and lower household income in this part of the world add to it. High energy prices and poor energy efficiency are also major contributory factors. In 2006, it was estimated that one in three households, which is around 35% of households or 343,000 households, were forced to live in fuel poverty. Given the recent steady rise in fuel prices, allied with rising unemployment and a lack of money, it is expected that up to 50% of households could now be experiencing a degree of fuel poverty. The most vulnerable groups are the elderly, disabled people, those living with a long-term illness, or families with at least one child under the age of 16.

If we are to seriously tackle fuel poverty, we must look critically at pricing mechanisms and at how and why fuel prices in Northern Ireland are much higher than those in Britain or the Republic of Ireland. It is quite clear that, as consumers, we are being disadvantaged through pricing mechanisms and the tax regime. There can be no doubt that fuel companies and, in particular, oil companies, charge as much as they can get away with. On the taxation side, the Government try to charge as much as they can get away with. Other Members have said that more than 60% of the cost of diesel, petrol and other oil goes on duty, and I have seen figures that suggest that the duty is almost 70%. However, it is in the same ballpark, and it means that it costs me perhaps £60 to fill my car with petrol, of which the Government will directly take £40 to £41, with only £19 or £20 going on oil.

We cannot throw the full burden of blame at the oil companies. The Government have to do something about stabilisation and, when prices go up, levelling the duty. However, the latest duty increases implemented by the Government have seen yet a further rise in price, and I am quite sure that this Government will top that up again. On top of the price of fuel, the duty and the tax are crippling the public sector, such as the Ambulance Service and the Fire and Rescue Service, the business community and those involved in haulage and transport.

Mr Deputy Speaker: Bring your remarks to a close, please.

Dr McDonnell: All that runs counter to government efforts to get us out of the recession. I fully support the motion and add my call for a regulator or fuel tsar to monitor and hold the fuel and oil industries to account.

Ms Anderson: Go raibh maith agat, a LeasCheann Comhairle. I greatly appreciate the opportunity to speak in this debate on an issue that affects everyone on this island. We are currently facing a record peak in oil prices, which is placing a huge burden on domestic and business users alike.

Last week, the Consumer Council revealed that in May 2009 it cost £48.78p to fill a 50-litre tank with petrol and £50.99p to fill it with diesel. However, as my colleague Jennifer McCann said, at the beginning of May 2010 it is £12 more expensive to fill a 50-litre tank with

petrol and £10.57p more expensive to fill it with diesel.

As a representative for Foyle — I have not said “Standing up for Derry” for a while — I want to make particular reference to the statistics revealed by the Consumer Council in April that showed that Derry was the most expensive place in the North to buy petrol. That is not whingeing, that is a fact; and it is the second most expensive — *[Interruption.]* — you may laugh, but it is no joke — place to buy home heating oil. We in the North have more winter deaths than Sweden and Germany, where it gets really cold, and I suspect that a disproportionate number of those deaths take place in the north-west, particularly in the city of Derry.

As the motion suggests, there is a huge disparity between what people in the North of Ireland pay at the pumps compared with those in other parts of the island. For example, petrol is almost 6p a litre more expensive in the North than in the South; diesel is more than 15p per litre more expensive. Such price increases impact significantly on hard-working families and businesses of all sizes. They particularly affect those living in rural areas who have no transport alternative except the private car.

Given that 60% of that price is Government taxes, surely steps should be taken to harmonise the price of fuel on the island of Ireland. We should, as was suggested, pursue the idea of a regulator or commissioner to hold those people to account, because what they are getting away with is a scandal.

We recently saw the benefits that an all-Ireland energy market can bring in lower electricity costs as a result of Airtricity entering the market here. We need to show a similar all-Ireland approach to the fuel market and look at progressive ways of harmonising costs across the island, because that makes economic sense.

Of course, that must be coupled with reducing our dependence on the car and increasing the numbers using public transport. Increased demand for car travel will continue to force up the price of fuel. That is a fact. Therefore, Government and public transport providers must focus on improving the coverage, cost and choice of services; alternative sources of fuel should also be explored. The University of Ulster is doing much good work on the possibility of creating a hydrogen highway on the island of Ireland. However, that is for the long term.

What is needed now are direct discussions between fuel suppliers and the Belfast, Dublin and London Administrations with a view to reducing the burden on the consumer here. With the political will, such discussions and programmes of action could emanate from the British-Irish Council and the North/South Ministerial Council.

Pressure must also be maintained on energy companies to introduce social tariffs, which were suggested as a means of reducing fuel bills for vulnerable consumers. Fuel poverty in the North is estimated to be at 40%, compared with 12% in England, 23% in Scotland, and 21% in Wales. Despite that, social tariffs were introduced in England, Scotland and Wales five years ago to compel energy companies to redirect a percentage of their vast profits to reduce bills for the most vulnerable households. It is scandalous that social tariffs were introduced in England, Scotland and Wales, where fuel poverty is only a fraction of what it is here, yet similar steps have not been taken in the North of Ireland.

I welcome the fact that all those who spoke in the debate supported the motion.

Mr Deputy Speaker: Bring your remarks to a close, please.

Ms Anderson: However, it is an absolute shame that no Minister is here to respond to the debate.

Mr McHugh: Go raibh maith agat, a LeasCheann Comhairle. I will restrict my remarks largely to the issue of petrol prices. There has been an increase of as much as 20p in recent months from almost £1 a litre at one point. That goes to show that some people can raise prices for consumers whenever they wish.

The price of petrol in Northern Ireland is roughly 122p a litre; in Yorkshire, it is 120·7p; in south east England, it is 122·1p; and the UK average is 121p. There is a difference of six pence between the prices here and those in the South of Ireland. There is an upward trend in prices all the time, which is what really annoys the public.

There has been a decline in the number of fuel retailers. In 1992, there were 18,000 in the UK, whereas in 2008, there were 9,264. That represents an average of 450 closures a year. In the North, there are 550 fuel-selling retailers. Four per cent of those retailers are

large supermarkets, including ASDA, Tesco and Sainsbury's — approximately 22. Those supermarkets hold 24% of the market, which accounts for 132 stores.

Large supermarkets hold the most control over pricing here. For example, in the same week, Sainsbury's priced petrol at 117p a litre in its Coleraine outlet and at 121p a litre in its Craigavon outlet. Large supermarkets can buy fuel in bulk, and they are able to hold larger volumes of fuel and sell the fuel in a shorter space of time.

The total volume of fuel sold by service stations in rural areas is low and entails a cost penalty due to the distance travelled from the refinery or terminal. The cost penalty is incurred at rural sites, because they require frequent deliveries, sometimes of less than full loads. In addition, the loss of Morrisons has removed some of the competition.

Sixty-seven per cent of the cost of fuel is due to Government duties and tax, which affects every region. The difference between duty and tax in Britain and the Republic of Ireland accounts for most of the price difference between the Six Counties and the Republic. Another reason for the high price of fuel is the natural volatility of fuel markets. As a result, small retailers are forced to buy high-cost fuel. Although large supermarkets can afford to sell fuel cheap due to high demand, smaller retailers cannot afford to sell at lower prices, which means that, in some areas, supermarkets can keep prices high and do not pass on cheaper fuel prices to consumers.

There is an increasing cost incurred by complying with regulations in environmental legislation, which includes changes and updates in tanks, lines and pumps. Smaller retailers struggle to justify the capital expenditure based on projected turnover and profitability levels.

That fuel in Northern Ireland is only six pence more expensive than it is in GB is down to supermarkets and the nature of the fuel market, the competition and transport costs. The solution is to peg fuel excise rates to those in the South of Ireland, as that accounts for the vast majority of the price difference. I know that some people will not agree with that.

Mr Kennedy: No, naturally.

Mr McHugh: Naturally.

The vital issue for us all is impact on the overall economy, and I agree with a lot of the comments that were made about that. There is also an impact on the poor and the elderly. Sometimes, those people live in the cold and switch off the heat altogether. That is becoming more common. Many of those consumers live in Housing Executive properties and do not have a choice about how they heat their homes; it was imposed on them. Those people do not even have the option of buying small amounts of fuel.

Regulation was mentioned, and maybe the price of small amounts of fuel needs to be regulated as well, because people who buy such quantities are fleeced and charged up to three times what they should be.

During the Enterprise Committee's visit to Europe, members saw that we, as a local area, need to be moving in the direction of renewable energy. Go raibh maith agat.

5.30 pm

Mr Adams: Tá mé fíor-bhuíoch de mo chairde as an rún seo a chur síos.

I support the motion. High fuel prices have a direct and adverse effect on jobs, food prices, transport costs, domestic and business costs and families. As we have heard, wage levels here are lower than those elsewhere in these islands, and there are greater levels of poverty. That means that fuel poverty is a significant problem for many people, particularly those who are elderly, have young families or who are sick or suffering significant hardship.

A case in point is that of cancer patients. Recent research by Macmillan Cancer Support revealed that cancer patients who are receiving treatment are twice as likely to fall into fuel poverty than those who do not have the disease. However, nothing is being done to help them. There is no onus on gas and electricity companies to provide a cheaper tariff for those patients, nor do they provide a cheaper tariff for those on low incomes.

The Assembly needs to ensure that social tariffs are introduced to compel energy companies to redirect some of their vast profits towards reducing bills for those who are least able to pay. Even in these difficult economic times, fuel and energy companies continue to make enormous profits. Therefore, every effort must be made to utilise existing resources better,

to examine what practical measures are open to the Executive and Departments and to talk directly to the British and Irish Governments about how they can help.

A small example is the way in which, within our own governance, winter fuel payments are distributed. That annual payment amounts to between £125 and £400 to everyone over 60 to help with fuel bills. However, it is not means-tested; it is paid to everyone over that age irrespective of their income. It is even paid to those who have retired to live in other countries. Why should the very well-off receive the winter fuel payment when cancer patients, who, because of the effects of their treatment often need to use more fuel to stay warm, receive nothing? It is a very important issue. I thank my friends for proposing the motion. Go raibh míle maith agat.

Mr Butler: Go raibh maith agat, a LeasCheann Comhairle. I thank everyone who contributed to the debate. I sense that there is consensus and I hope that the House will not divide on the matter.

Although the motion dealt primarily with petrol and diesel prices at filling stations across the country, fuel poverty was raised as was the difference in pricing between the two jurisdictions on the island and how fuel is cheaper in the South than in the North. The cost to businesses was also mentioned; Members will recall that the Utility Regulator recently carried out a review of the high cost of electricity to businesses. It was pointed out during the debate that the price of home heating oil is not regulated in the North.

I will go into some Members' contributions in more detail. Renewable energy was mentioned, as was our dependence on electricity and petrol, and fossil fuels such as gas, to heat our homes and use in our transport systems. The Enterprise, Trade and Investment Committee recently visited some renewable energy projects in Europe to see how we could implement similar schemes in the North and on the island of Ireland and reduce dependence on fossil fuels.

Positive signals are coming from the single energy market. It is hoped that Airtricity will enter the electricity market.

There are claims that it is going to offer 10% to 15% reductions to the charges levied by NIE. Members mentioned people switching suppliers

and the fact that pay-as-you-go gas customers cannot switch as readily as others. There appears to be a consensus on this issue. MLAs are being confronted with these problems on a daily basis, but we do not have much control over fuel prices.

Jennifer McCann mentioned the AA report when she moved the motion. That states that we pay some of the highest prices for unleaded petrol and diesel on these islands. She quite rightly mentioned taxation, exchange rates and the wholesale price of crude oil and how that impacts here in the North. She also mentioned fuel poverty and its impact on families.

George Robinson made a good point about the variation of prices across the North. As Martina Anderson said, Derry seems to be getting the worst of that because of the high prices there. Sean Neeson said that the Consumer Council has a good website that enables people to shop around to try to get the best prices. I am not too sure that driving from Derry to Belfast to get fuel would work out cheaper. However, things can be done to try to minimise costs as much as possible.

Leslie Cree mentioned people having to make a choice as to whether they pay for fuel for their cars, heat their homes or put food on the table. All MLAs will have heard of such experiences. We have spoken in the Committee for Enterprise, Trade and Investment about trying to get a focus on renewable energy and wean ourselves off the dependency on fossil fuels. Alban Maginness, the Chairperson of that Committee, also mentioned renewable energy and said that we should look at ways of finding alternative sources of energy for our homes, businesses and transport.

Some Members, including Leslie Cree and Alban Maginness, mentioned the fuel stabiliser that the new Tory/Lib Dem Government talked about. I think it was Danny Kennedy who mentioned the fact that there are moves afoot to action that. We will wait and see how that will impact on us.

I was at the launch of the energy brokering report in the Long Gallery today, as was Sean Neeson. The report has some good examples of how, for example, local councils are trying to get people who use home heating oil to use savings stamps schemes. Jennifer mentioned brokering schemes to bulk-buy fuel for whole estates. Therefore, actions, which would not take a lot of money to implement, can be taken.

The Executive and Assembly should back those ideas.

Mitchel McLaughlin spoke about the supply of fuel, competition and the question of bulk-buying. As he said, the reality is that the Assembly does not have much control over fuel prices; those agreements are very much made in the private sector. We need to have more regulation around fuel. Alasdair McDonnell also referred to the need for regulators, especially for the oil industry. We have that for electricity and gas, but there is no regulation of diesel, petrol, home-heating oil, coal or bottled gas.

The motion calls for the First Minister and deputy First Minister, along with the Minister of Enterprise, Trade and Investment —

Mr Kennedy: I am grateful to the Member for giving way. I am interested in his winding-up speech, the end of which he appears to be approaching. However, he has not dealt with the point that I attempted to raise about the large number of rogue fuel operators — coming from south Armagh, I speak from experience — whose proceeds, in part at least, help to fund paramilitary organisations. Is that the elephant in the room of which no one dare speak? Does the Member have any thoughts on how that significant issue might be addressed?

Mr Butler: I do not think that the motion is about that issue. When there is a border in Ireland, people will always exploit it, either legitimately or illegally.

Mr Kennedy: Therefore, it does not matter?

Mr Butler: The motion is not about that. It is about what the Executive can do about the fuel prices that people pay at petrol stations right across the North of Ireland.

Mr Kennedy: Therefore, the Minister of Justice has no role to play?

Mr Butler: It is not about that. That is just a distraction from the whole issue. We have had a good debate, and it is wrong to make a political point by suggesting that republicans are, or were, involved somehow. It has been going on — *[Interruption.]*

Mr Deputy Speaker: Order. I ask that the debate be conducted through the Chair.

Mr Butler: The Member made some good points. I do not know whether he is one of the

unionist MLAs who, as my colleague Mitchel McLaughlin mentioned, go across the border to avail themselves of the cheaper prices in the Twenty-six Counties. Perhaps he is, and that is legitimate business.

Gerry McHugh referred to the decline in the number of retailers that sell fuel, and that has not done anything for competition or supermarket prices. Towards the end of the debate, Gerry Adams mentioned that cancer patients, for example, have to deal with high fuel prices on top of all the other costs that they face. He also said that winter fuel payments are available to everyone over the age of 60 and that some people get those payments even though they do not live in Ireland. Winter fuel payments should be means-tested so that we help the people who are in most need, such as cancer patients.

All in all, we have had a good debate, and the House should pass the motion. I hope that the First Minister, the deputy First Minister and the Minister of Enterprise, Trade and Investment will follow up on it so that something realistic is done.

Question put and agreed to.

Resolved:

That this Assembly expresses concern that our fuel prices are higher than in Britain and the Irish Republic; and calls on the First Minister and deputy First Minister and the Minister of Enterprise, Trade and Investment to open up discussions with the major fuel suppliers and the British Treasury to ensure that consumers are not being treated unfairly in terms of pricing mechanisms and taxation.

Adjourned at 5.43 pm.

Northern Ireland Assembly

Tuesday 8 June 2010

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

Members observed two minutes' silence.

Executive Committee Business

Safeguarding Board Bill: First Stage

The Minister of Health, Social Services and Public Safety (Mr McGimpsey): I beg to introduce the Safeguarding Board Bill [NIA 25/09], which is a Bill to make provision to establish the Safeguarding Board for Northern Ireland; and for connected purposes.

Bill passed First Stage and ordered to be printed.

Mr Deputy Speaker: The Bill will be put on the list of future business until a date for its Second Stage is determined.

Student Loans (Amendment) Bill: Second Stage

The Minister for Employment and Learning (Sir Reg Empey): I beg to move

That the Second Stage of the Student Loans (Amendment) Bill [NIA 22/09] be agreed.

The Bill proposes amendments to the Education (Student Support) (Northern Ireland) Order 1998 by extending the Department's regulation-making powers under the 1998 Order and the Education (Student Loans) (Northern Ireland) Order 1990, to the extent that it exists under savings provisions. That allows provisions to be made to exclude publicly funded student loans from any individual voluntary arrangements (IVAs) in Northern Ireland which borrowers may enter into during the lifetime of their loans.

Student loans are currently excluded by provisions in the Higher Education (Northern Ireland) Order 2005 from bankruptcy debts, so that, upon discharge from bankruptcy, the borrower remains liable to repay his or her student loan. During the passage of the 2005 Order, it was considered whether student loans should be excluded from IVAs. IVAs are a form of insolvency that enables an individual to enter into an arrangement with a creditor or creditors whereby those creditors agree to accept less than the full value of the debt as satisfaction for the whole amount. In 2005, IVAs were relatively uncommon. In line with England, the Department decided not to legislate at that time with respect to IVAs and to keep the situation under review.

At that time, the financial effect on the Student Loans Company, which administers payments and collections, was negligible. The Student Loans Company had dealt with only 11 IVAs in the United Kingdom, covering student loans to the value of £41,000. However, the number of IVAs has increased recently, and, by the close

of 2007, the Student Loans Company had dealt with more than 3,000 IVAs with a value in excess of £17 million. Although the number of IVAs taken out to date by people domiciled in Northern Ireland is significantly lower than the corresponding take-up in England and Wales — so far, they amount to only £11,000 in value — that is likely to increase because the procedure has risen in popularity and a precedent has been set to allow student loan debt to be included in an IVA.

The Department now considers it anomalous to exclude student loans from bankruptcy but not IVAs. Student loans are made on non-commercial terms, including low interest rates and the obligation to repay being linked to a student's income. Additionally, as student loans are paid from and subsidised by public funds, it is not considered appropriate to allow borrowers to reduce or limit their repayment liability by entering into individual voluntary arrangements. Members should also note that the Bill will restore parity with England, where similar provisions have been introduced.

The Department conducted a public consultation on the legislative proposals that lasted more than 13 weeks — from 23 July 2009 to 23 October 2009. The consultation document was circulated to more than 200 organisations, in accordance with guidance from the machinery of government division of OFMDFM and the Department for Employment and Learning's equality scheme. The Department received 13 responses to the consultation, none of which elicited any objection or alternative to the proposals.

Finally, I turn to the Bill's content. The Bill has only one clause, and it amends the Education (Student Support) (Northern Ireland) Order 1998 and the Education (Student Loans) (Northern Ireland) Order 1990 by extending, regulating and making powers to provide that a student loan made to a Northern Ireland borrower who enters into an IVA in Northern Ireland will be exempt from that IVA. I welcome the contribution Members will make to the debate at Second Stage.

The Chairperson of the Committee for Employment and Learning (Mrs D Kelly):

I thank the Minister for his explanation of the Bill. He has gone into some detail, and I do not propose to repeat everything that he said. Members are aware that the Bill's First

Stage was on Tuesday 25 May 2010 and the Committee Stage begins tomorrow, Wednesday 9 June. Committee members considered a draft version of the Bill when they received it on 19 May 2010. Departmental officials will attend the Committee's meeting tomorrow to brief members on the Bill, and I thank the Minister for making those officials available and for his co-operation thus far.

As I indicated, the Committee Stage of the Bill begins tomorrow, and the Committee has considered a draft version of this short, amending Bill. Members have highlighted no initial difficulties around its provisions, and they are aware that there were no objections in response to the Department's consultations on individual voluntary arrangements in respect of student loans, which ran for 13 weeks from July to October last year. However, as should be the case for any Minister awaiting the Committee Stage of a Bill, the outcome should not be taken for granted. The Committee will make full use of Committee Stage to undertake the necessary scrutiny. It has always been the Committee's approach to work closely with the Minister and his Department when possible to ensure that Committee views are heard and respected. Where appropriate, partnership and constructive dialogue will continue to be the Committee's chief aims in its relationships with the Minister and his Department.

Members will be aware that two sorts of student loan to those in higher education are paid from public funds: mortgage-style loans for living costs for students prior to 1998 and income-contingent repayment loans for fees and living costs for students since 1998. Members will also be aware that student loans are, at present, by provision in regulations, excluded from a borrower's bankruptcy debts. That means that, upon discharge from bankruptcy, the borrower remains liable to repay the student loan. Individual voluntary arrangements were created by the Insolvency (Northern Ireland) Order 1989 and are intended to be a more flexible alternative to bankruptcy, avoiding some of the restrictions applied to a bankrupt. Currently, the treatment of student loans under an IVA differs from their treatment under a bankruptcy. The Department considers that to be an anomalous situation.

Members are aware that student loans are made on non-commercial terms, with low interest rates and the obligation to repay being

linked to a borrower's income level. Also, as student loans are paid out of and subsidised by public funds, the Department does not consider it appropriate to allow borrowers to reduce or limit their liability to repay by entering into IVAs.

The Student Loans (Amendment) Bill extends the Department's regulation-making powers under the 1998 Order and the 1990 Order, to the extent to which it exists under savings provisions, to allow provisions to be made to exclude student loans from IVAs. The Department rejected the option of doing nothing. The Bill will ensure the consistency of treatment of student loans under a bankruptcy.

The Bill contains two clauses, with the second setting the short title. The first clause contains the Bill's provisions. It amends the 1998 Order and the 1990 Order by extending regulation-making powers to provide that a student loan made to a borrower who enters an IVA will be treated in a way similar to how it is treated currently under a bankruptcy.

As I have indicated, the Committee will undertake the appropriate scrutiny of the Bill and will report its findings to the Assembly in due course.

The Deputy Chairperson of the Committee for Employment and Learning (Mr Weir): I

support the Bill. We do not have what would be described as a packed Assembly today. I am reminded of the phrase used by my colleague Jim Wells, who, in such circumstances, says that he speaks to a hushed Assembly. Looking across the Chamber, I can see clearly that we are hushed. In many ways, that shows the merits of the Bill and its uncontroversial nature. A year or two ago, if someone had said that a student loans issue would be debated in the Chamber and that it would be uncontroversial and would not provoke a great deal of interest, most people would have thought that they had gone slightly mad.

The broad thrust of the Bill is meritorious. There is a degree of learning for all members of the Committee for Employment and Learning. Indeed, the key phrase is "lifelong learning". A few weeks ago, had I been asked what an IVA was, I would have thought that a new republican splinter group had been set up.

Two key principles are at play. First, there is the protection of public money. The events of the past few weeks and of the weeks to come bring sharply to mind the need to protect public

money and to try to get the best possible value from it, as we have moved into a situation in which there are greater financial pressures on society and on this institution in particular, given the potential budgetary cuts. Protecting public money is appropriate.

Whatever one's views on student loans, it is acknowledged that they have inbuilt safeguards as regards the interest that is paid and when they kick in. Only those who have reached a particular level of earnings have to pay them. Consequently, given that public money is involved, providing additional preferential treatment for a very small group of former students, as would be the case were IVAs to remain exempt, is not good protection of public money.

Secondly, the Bill is about having a level playing field in three aspects. First, all those who are able to obtain student loans, whether they benefit from or are burdened by them, should be on a level playing field. It would be grossly unfair to the vast majority of people who have student loans if one special category that had preferential treatment and terms were to be created. It would create a loophole. I note that the Minister indicated that, when this issue was last considered in 2006, there were about 11 IVAs throughout the UK. That number has now grown to 3,000. Given the impact of recession, bankruptcy and financial pressures, given the increasing number of people who go through the system with student loans and given the fact that, in recent years, we have seen an increase in access to higher education and, consequently, the number of people who have student loans, it is clear that, if the loophole is not closed, it will simply grow and become a practical problem as regards public finances. Therefore, there must be a level playing field.

10.45 am

There must be a level playing field for those who get themselves into financial difficulties. It would be utterly incongruous if, with regard to student loans, we were to distinguish between people who are bankrupt and those who have entered into individual voluntary arrangements. In many ways, this is parity legislation, so we must also take the level playing field into account for arrangements that individuals have with the Student Loans Company. As I understand it, the student loan arrangements will, to some extent, depend on the location of the university. The Minister referred to parity: for

example, two people may live next door to each other, and one will go to a university in England and the other will go to Queen's University or the University of Ulster. If the loophole is not closed, the student who goes to a university in Northern Ireland will be in a different position to the student who goes across the water. That is fundamentally unfair.

We must provide a level playing field for all categories of student. The situation has not been exploited too much, but, where there is a loophole, we must ensure that it is closed off and that there is a level playing field. I look forward to hearing evidence during the Committee Stage, and I hope that the relatively uncontroversial nature of the Bill continues. The Bill's principles are sound, and, therefore, I commend it to the House.

Mr Butler: Go raibh maith agat, a LeasCheann Comhairle. The Chairperson and Deputy Chairperson of the Committee are in broad agreement with what the Minister has brought forward to close the anomalous situation with regard to student loans. Stranmillis University College, Queen's University, the University of Ulster and the student unions agree that consistency is required.

Although the legislation will deal with a loophole, it is worrying that the Student Loans Company dealt with IVAs with a value of more than £17 million in the UK. Here, they amount to only £11,000 in value. Nevertheless, it raises the issue of student loans and of students getting into debt. The Bill does not deal with that situation, but it needs to be examined in other ways.

The Committee will discuss the Bill in more depth tomorrow. However, the loophole should be closed. There is a difference between students who stay here and those who go to Britain. Although the figure here is currently only £11,000, we should consider whether there are underlying reasons why students are increasingly getting into debt.

I welcome the fact that the Minister is examining the situation. I hope that, after the Committee Stage of the Bill, it will be passed in the House.

Mr McCallister: I support the Bill. I welcome the work of the Minister and the Chairperson of the Committee. The Committee will scrutinise the Bill after it passes its Second Stage. Students from Northern Ireland have obtained 17,000

qualifications, and the future benefits to our economy must not be understated.

The main purpose of the Bill is to protect the public purse; that must be achieved. The Minister and Members made effective arguments. To include student loans with other borrowings and debt would be unfair, and it would not be an effective use of our limited public resources. As the Chairperson of the Committee mentioned, student loans attract a lower rate of interest, and there are various mechanisms by which students can pay off those loans when they are more able to do so. It is important that that is recognised.

It is also vital that we have parity with other parts of the UK. The last thing that we want, as Mr Weir mentioned, is for an imbalance to be created between students who choose to stay in Northern Ireland and those who go to England or Wales. It is important that we do not disadvantage either of those groups.

As other Members have said, the principles of the Bill are sound and uncontentious. I am sure that the Committee will give the Bill the scrutiny that it requires, table any amendments that it feels to be appropriate and work with the Minister on the Bill. The Ulster Unionist Party supports the principles of the Bill.

Ms Lo: The Alliance Party also supports the principle of the Bill. It is a reality that the majority of students will need to access students loans and, by the time they graduate, will be in debt of between £12,000 and £20,000. However, many students also recognise that the student loan scheme is a good one that offers a very low rate of interest. Indeed, I remember my oldest son telling me that his student loan had probably the lowest rate of interest that he would ever have on any form of borrowing. Many students also appreciate that they do not need to begin to pay back their student loans until they earn over £15,000 a year.

The money for student loans comes from public funds and must be protected. All debts incurred must be paid back in full so that future students can benefit. Therefore, it is important that we remedy the anomaly of student loans being paid back through bankruptcy but not being paid back through IVAs. It is a matter of fairness to all students. The Alliance Party supports the Bill.

Mr P Ramsey: Like others, the SDLP supports the Bill in principle. Given that student loans

are non-commercial, attract an interest rate that reflects the value of money at the time and use public money, it is appropriate that they should be exempt from individual voluntary arrangements in the same way as they are exempt from bankruptcy proceedings.

I understand that 48 successful IVAs have been taken out in relation to student loans, and I would like to know more about the circumstances of the young people who opted for the IVA route. The term IVA sounds more like an injection than a dissident republican group.

If there are circumstances in which people should not be forced to repay student loans, we should be aware of those. I ask the Minister and his officials to give the Committee further information on why people were forced to go down the route of taking out IVAs. I do not expect that answer to be given today, but it would be useful to have that information as the Bill progresses through Committee Stage.

During Question Time yesterday, the Minister referred to the Russell Group's important recommendations. A change in policy on student loans, as recommended by the Russell Group, will put greater pressure on the public purse and recipients of student loans. That is very pertinent to today's debate. The wider issue of university funding is a debate for a different day.

The SDLP's position is that we need to ensure that universities can continue to produce world-class teaching and research. I will not mention the Magee campus of the University of Ulster, but, given the regional economic imperative, we must continue to provide a collective regional contribution rather than place a greater financial burden on individual students. The Committee looks forward to scrutinising the Bill, and we support the Bill's passing Second Stage.

The Minister for Employment and Learning:

I am grateful to the Member for Foyle for not mentioning Magee. I do not have individual details about what happened to the students who have so far availed themselves of the IVA system in Northern Ireland. Officials will bring to the Committee's attention any information that they can glean at the appropriate stage.

As Members said, the Bill has fairness at its core through its measures to protect the public purse. Members have also drawn attention to the possible anomaly that one student could be able to make an IVA because they were located

here while that student's next-door neighbour would be prevented from doing so because they attended a university in Great Britain. Such an anomaly is not sustainable.

The main points of the Bill are to protect public money and to avoid abuse. Not much abuse currently takes place in Northern Ireland, but that is no reason to say that there is no need for a measure against abuse. Prevention is often as important as chasing down a series of cases. None of us appreciates fully the extent of the straitening economic circumstances into which we are entering, so it is not possible to judge how many people could avail themselves of the opportunity in the future. Another Member said that the amounts of money have been growing in recent years, therefore, combined with the economic circumstances, significant amounts of taxpayers' money could be at risk. As Members said, that money might then not be available for other students to avail themselves of the loans and take forward their career.

The Bill tidies up the law. I hope that, during the Committee's scrutiny, it will feel that that is the correct position. Officials will be available to speak to the Committee in due course if it needs any future assistance. I am grateful to the House for its support for the Second Stage of the Bill, and I look forward to the Bill's proceeding to Committee.

Question put and agreed to.

Resolved:

That the Second Stage of the Student Loans (Amendment) Bill [NIA 22/09] be agreed.

River Bann Navigation Order (Northern Ireland) 2010

The Minister for Regional Development (Mr Murphy): I beg to move

That the River Bann Navigation Order (Northern Ireland) 2010 be affirmed.

In consultation with Coleraine Harbour Commissioners, my Department recognised the need to update the by-laws, particularly to ensure that the Coleraine Harbour Commissioners have adequate powers in the interests of marine safety and for ensuring the efficient operation and maintenance of their harbour. In parallel, we also need to modernise the related confirmation and making procedures for such by-laws to put Coleraine harbour on a similar footing to other harbours here where such legislation is concerned.

11.00 am

The legislative framework under which Coleraine harbour operates dates back to the nineteenth century. It currently requires commissioners' by-laws to be subject to confirmation by a court. All other harbours here, whether they are a local authority harbour or a trust board, have by-laws that are subject to confirmation by the Department. The Order modernises the arrangements for Coleraine harbour by allowing the Department to confirm and make by-laws in line with procedures in sections 91 to 94 of the Local Government Act 1972.

Members may recall that in reply to a question for oral answer from John Dallat on 8 February, I said that it is my intention to consult on the view that, in principle, Coleraine harbour should become a municipal port. That would mean that ownership of the harbour would transfer from Coleraine Harbour Commissioners to Coleraine Borough Council. The change would be achieved by means of a harbour transfer Order that would be made under powers contained in the Harbours Act 1970 and that would be subject to affirmation by the Assembly. However, that is a separate issue, and it does not detract from the importance of the current Order.

The public consultation on the proposal to make the River Bann Navigation Order closed on 26 June 2009, and no substantive comments were received. I am grateful to all consultees who responded and to the Regional Development Committee for its consideration of the proposals.

I am also grateful to the Examiner of Statutory Rules for his consideration of the Order. I therefore recommend that the Assembly affirm the River Bann Navigation Order 2010.

Question put and agreed to.

Resolved:

That the River Bann Navigation Order (Northern Ireland) 2010 be affirmed.

Donaghadee Harbour Order (Northern Ireland) 2010

The Minister for Regional Development (Mr Murphy): I beg to move

That the Donaghadee Harbour Order (Northern Ireland) 2010 be affirmed.

The Department recognises the need to modernise the legislative framework within which Donaghadee harbour operates and to put it on a similar footing to other harbours here. The Harbour Order is part of that process. By-laws are necessary for the safe and efficient operation of harbours, but the legislation that set up the Donaghadee Harbour Commissioners did not contain the necessary legislative powers to make by-laws, nor did it have procedures related to the making and confirmation of by-laws.

The Order will provide by-law-making powers that are similar to those in place at equivalent harbours here. The Order has been subject to public consultation in accordance with the Department's guidelines. The Department is grateful for the responses to the consultation and noted that no objections to the Order were received. I am grateful for the consideration that my Executive colleagues gave to the proposal and for the consideration that the Regional Development Committee gave to the matter. The Examiner of Statutory Rules has also considered the Order and has not had any formal comment to make in his fourteenth report. That has allowed the Order to be brought forward to today's debate for affirmation. The Order will allow Donaghadee Harbour Commissioners to bring forward a set of modern by-laws for the harbour, similar to those in operation at other harbours here, in the interests of the safe and efficient operation of the harbour. I therefore recommend that the Assembly affirm the Donaghadee Harbour Order.

The Deputy Chairperson of the Committee for Regional Development (Miss McIlveen): The motion seeks to affirm the Donaghadee Harbour Order (Northern Ireland) Order 2010. The purpose of the Order is to provide Donaghadee Harbour Commissioners with the power to make by-laws for Donaghadee harbour and to put the harbour on a similar footing to other harbours in Northern Ireland.

On 13 January 2010, the Committee for Regional Development received a briefing on the proposal from officials from the Department for Regional

Development. As a result of that briefing, the Committee was of the view that giving the Harbour Commissioners the ability to make by-laws was to be welcomed. The Committee also welcomed the ability of the harbour master to enforce the by-laws in consultation with the local council.

On 20 January 2010, the Committee considered the proposal as an SL1 and indicated that it was content with the policy merits of the proposal. The Committee further considered the statutory rule on 21 April 2010 and on 26 April 2010 resolved that it be affirmed. The Committee for Regional Development is content that the Assembly affirm the statutory rule.

The Minister for Regional Development: Suffice it to say that I thank the Deputy Chairperson of the Committee for her contribution, and I again thank the Committee for its consideration of the matter. I recommend that the Assembly affirm the Donaghadee Harbour Order.

Question put and agreed to.

Resolved:

That the Donaghadee Harbour Order (Northern Ireland) 2010 be affirmed.

Committee Business

Programme-led Apprenticeships Scheme

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 in which to propose and 10 minutes in which to make a winding-up speech. All other Members who wish to speak will have five minutes.

The Chairperson of the Committee for Employment and Learning (Mrs D Kelly): I beg to move

That this Assembly recognises that the initial programme-led apprenticeships (PLA) scheme was a short-term, crisis response to the economic downturn and the rising number of redundancies amongst apprentices in paid employment; calls on the Minister for Employment and Learning to enter into wide-ranging, round-table discussions with all stakeholders with an interest in the scheme to explore how it can be modified to better meet the needs of both providers and participants and to ensure there is no displacement of those currently in paid apprenticeships with employers; and further calls on the Minister to actively explore the roll-out, on a significant scale, of both PLA and paid apprenticeships within the public sector.

I am glad to see some Members in the Chamber to participate in the debate. Hopefully, some more will be joining us; I think that they may well have been caught on the hop by the timescale this morning. I thank the Minister for Employment and Learning for being present in the Chamber to hear the debate and for responding to the Committee's motion.

I know that the programme-led apprenticeships scheme is of interest to a great number of Members who have tabled questions on the scheme. The Committee decided to bring the issue to the Chamber because Members regard the provision of high-quality and appropriate professional and technical training for our young people as being of paramount importance. At the outset, I want to make clear the Committee's view that employer-led or paid apprenticeships are the preferred way forward. The Committee has undertaken an inquiry into the way forward for apprenticeships and believes that the future of that kind of professional and technical training is through a high-quality, employer-led apprenticeship programme.

The Committee reiterated that view last year, when the Minister announced the programme-led apprenticeships scheme. However, Members understand that the introduction of the PLA scheme was a response to the fact that thousands of young people were about to leave school and, due to the economic downturn, could not get a paid apprenticeship. The Committee does not dispute that there was a need for some kind of emergency scheme, such as the PLAs, to offer those young people some form of skills training. However, the Committee has an issue with the fact that, although the Department had been considering a response for at least a couple of months before the PLA scheme was announced, officials had discussed their plans bilaterally with individual stakeholders only. Additionally, the Committee is not convinced that the Department understood the need to continue talking to stakeholders after the scheme had been launched, particularly considering the opposition to the PLAs that had been voiced.

Over the months following September 2009, when the PLA scheme began, the Committee received a great deal of correspondence from stakeholders indicating that they had issues with the scheme and wished to see greater flexibility with how the scheme operated and a clearer indication of how the PLAs would fit into the wider skills picture, and, most importantly, they wanted an assurance that employers would not make a paid apprentice redundant in order to take on a free PLA. The Committee had sufficient concerns to ask the Minister to make a statement about the PLAs to the Assembly in October 2009 to allow Members to voice their misgivings and to encourage the Department to engage further with stakeholders to allow any issues to be dealt with. Unfortunately, it became clear that the Department was not engaging in the kind of round-table discussions with stakeholders that would allow the PLA scheme to move forward to the benefit of participants and employers.

That issue was ongoing against a backdrop in which 50% of those on the PLA scheme did not have placements with employers. The Committee believed that that situation would force the Department to engage more fully with employers and PLA providers to come to agreed solutions to lessen the problem. However, that did not seem to be the case.

In January of this year, departmental officials came to the Committee to present options to

modify the PLA scheme in order to make it more attractive to employers. The key suggestion was that the length of the weekly work placement be increased to up to three days. That was in response to issues regarding insufficient time to assess work that was carried out on placements, the cost of insuring a PLA apprentice for just one day a week and the amount of training that could be undertaken. The Committee was concerned that that suggestion might encourage employers to believe that a free PLA apprentice would be an attractive option to unscrupulous employers who would displace a paid apprentice in favour of the free option.

Other stakeholders and MLAs were also concerned about that, and the Committee received a further flurry of correspondence expressing concern on the issue. By April 2010, the Committee believed that it had no alternative but to host a round-table discussion on the PLA scheme, to which the Department, employers, colleges and sector skills councils would be invited. Although the Committee acknowledges that the Department spoke to stakeholders in the interim, nothing was undertaken at the round-table discussion. The discussion forum allowed the Committee to hear all issues. The Department and all stakeholders also got to have their say.

The Committee believes that the most positive outcome of the meeting was that the Department finally saw that the round-table format was the only way forward to deal with PLAs. The extremely positive feedback received from stakeholders has convinced the Committee that that is the best way in which to look at how the PLA scheme can be driven forward. In the Committee's motion, its members call on the Minister to ensure that his officials continue to use that discussion-forum approach to remodelling PLAs.

At its meeting on 2 June 2010, the Committee received an update on the scheme from departmental officials. Members were pleased to hear that the Department continues to engage with stakeholder groups and is exploring ideas that have been put forward on the flexibility of the scheme, such as how the scheme will fit into the qualifications and curriculum framework (QCF); how it will not compete with paid apprenticeships; how the Department will guard against the displacement of paid apprentices by employers in favour of PLA apprentices; how

changes to the PLA scheme for September 2010 will differentiate it from apprenticeship schemes; how the scheme will focus on NVQ level 2 skills; and how other issues that affect young people who are not in education, employment or training (NEET) may be dealt with in any new scheme. The Committee believes that there is considerable scope to create a new scheme for September 2010 that will take PLAs in the direction in which they need to go.

Members support stakeholders in seeing the way forward as being a programme that is aimed at NVQ level 2 and that should provide a good professional and technical grounding, allowing a young person to progress to a paid apprenticeship at a higher level. It is also desirable that the programme places emphasis on reinforcement of essential skills and some element of personal and social development. It would also be useful if there were an opportunity to add components to the programme that would attract young people who are NEET, such as personal and social development. That might include team activities, enterprise, environmental work and lifestyle sessions. It might also be appropriate for some team activities to have a sporting context in which communication, team-working and leadership skills could be developed.

The Committee saw that kind of programme work effectively during its recent study visits to Scotland and Wales. As with apprenticeships generally, funding must be applied at the right time. Participants must emerge from the programme with sound technical knowledge and essential and life skills. They must have practical professional skills. It would be desirable if they could also undertake citizenship; voluntary or community work; and health and lifestyle training. They should also have a good grounding in employability and entrepreneurial skills.

The final part of the motion deals with rolling out a significant number of paid apprenticeships and other training in the public sector. The Committee is aware that the Minister has corresponded with Executive colleagues on that and has not really received enthusiastic responses. The Committee understands that a small-scale pilot scheme that involves a dozen young people will be undertaken in the Department for Employment and Learning. The scheme is simply not on a sufficient scale. Considering the high level of unemployment

and our NEET problem, we must demand that the Department step up to the plate to provide apprenticeships and training in a variety of areas. Our neighbouring jurisdictions have forged ahead in that endeavour while we are still casting around to see what can be done.

While in Wales recently, Committee members saw how its Government can make effective use of social clauses in public-procurement contracts to create apprenticeships and opportunities for unemployed people. If they can do it, so can we. To use EU rules as an excuse not to is not acceptable. The Committee believes that where there is a will, there is a way.

The Committee's study visits also highlighted the importance of tracking young people's destinations after they leave school so that it is less likely that they will fall through the cracks. A reworking of the PLA scheme could also serve that purpose.

11.15 am

In conclusion, I say to the Minister that the Committee stands ready to help him in any way it can to create for September 2010 an alternative to programme-led apprenticeships that can serve a wider social purpose and clearly differentiate itself from the ApprenticeshipsNI flagship programme. Once again, I thank in advance those Members who will contribute to the debate.

Mr T Clarke: I support the motion. I think we are all in agreement that the scheme was a welcome response to the economic downturn, which is continuing, and which, I believe, will be with us for the foreseeable future, given what the future holds for us under the Tory/Liberal Government that we now have. Although the idea behind programme-led apprenticeships was a good one, it has in fact failed many apprentices and disappointed many stakeholders. The Department and the Minister failed to consult widely with employers or any other stakeholders when planning for the programme.

Some 50% of apprentices on the scheme failed to secure a placement, and for those who were lucky to get a one-day placement, that has proven to be insufficient to meet the criteria for the qualification. The Minister needs to go back to the drawing board and rethink, review and revise the criteria. It appears that he and his Department threw the programme together in a panic and without much thought

for its consequences. As a result, those who applied and were successful have been let down due to the failures of the Department in preparing the ground. However, I am pleased that, after months of correspondence and meetings involving the Committee in highlighting the problems, the Department is ready to address those problems and work with the stakeholders. In the end, that demonstrates a remarkable success story. However, I reiterate: the problems should have been identified before they occurred, which would have saved a lot of time and hassle.

I support the motion and commend it to the House; however, I seek assurance from the Minister that he and his Department have learned lessons from this, and that they will implement the changes in conjunction with the stakeholders. It is imperative that we build a workforce that is fit for the future and that we have all the skills and training needed to rebuild our economy. I support the motion.

Mr Butler: Go raibh maith agat, a LeasCheann Comhairle. The debate is moving fairly quickly today. Although the motion is broadly supported, there are obviously difficulties. I understand that the Minister brought in the programme-led apprenticeship "intervention measure", as he called it at the time, to try to deal with the ongoing problems relating to the economic recession. In particular, many school leavers are not going along the traditional route of getting an apprenticeship and a work placement in the world of work; working with their employer; and then going to college for whatever training they need to get their apprenticeship. There is need for a work element, especially at NVQ level, to fulfil the requirements of that qualification.

We have all been lobbied by a lot of employers over the last year or so who are critical of the programme-led apprenticeship scheme. It was always brought in as a temporary measure. Unfortunately, I missed the day when the employers were here, because I had other business. Although the scheme needs to be constantly reviewed, and I hope the Minister will say something about that today, we are between a rock and a hard place. On the one hand, we still have high levels of unemployment, particularly in the construction industry, where there are a lot of apprentices training to be bricklayers or electricians. They have been hit the hardest. In the past, there have been economic downturns. Then, when there was

an uplift in the economy, there was a gap in the number of apprentices because the young people had gone off and done other things.

I know that there is also the cost implication of students and apprentices having to do more hours at college. I do not know whether the Minister will address that issue and the fact that some students experience long travel times to college. We must come up with ways and means of addressing that.

The reality is that we are still not out of the recession when we consider the lack of jobs, particularly in the construction industry. We must, therefore, try to keep apprentices interested and involved in training. However, I accept that they need to get into the real world of work. From my experience as a teacher in a further education college, I know that there is only so much that colleges can do to simulate work experience and that kids need to experience real-life situations, such as working on sites, etc.

Today's motion raises concerns about that type of scheme, which many employers do not like. It smacks of the old youth training schemes through which people were trained but were not given work experience. As a result, many people could not get jobs, and apprenticeships were devalued. In response to the present climate, the Minister brought in the programme-led apprenticeships scheme as a temporary measure to hold on to students until the situation improves. However, the scheme must be kept under constant review, and many changes need to be made to it. I hope that the economy will improve by the end of this year and will continue to do so into next year, and that a lot of the people who are currently training will get jobs. I also hope that the Minister responds positively to the motion.

Mr Beggs: The programme-led apprenticeships scheme has provided many benefits for young people since its introduction. However, it is true that there are problems associated with it. The devolved Government must do everything that they can to address the recession and the debts that new Labour has left this country with, and we must try to prepare for the future by investing in young people and their skills. I welcome the fact that the scheme was introduced quickly, but we ought to be open to making improvements to it.

The scheme has helped many thousands of young people who would otherwise have bolstered the

numbers not in education, training or employment to continue with their training in difficult economic circumstances. It is essential that we ensure that critical skills are available so that, when the economy turns the corner, businesses and Northern Ireland plc will be able to use them in order to grow and to take the opportunities that will arise in the future. The Minister's initiative has reduced the benefits bill and increased employability among many young people.

I support the worthy public sector aspect of the motion. If the public sector is capable of assisting with the training of young people at a time of economic recession, it should. I know that the Minister has sought to engage with other Departments to achieve that, and I am interested to learn from him what success has been generated. I understand that other Departments, particularly those with large capital budgets, have a significant opportunity to influence that area. I am, therefore, also interested to learn from the Minister how Departments that issue large capital programmes and contracts, such as the Department for Agriculture and Rural Development (DARD), have been able to assist the programme-led apprenticeships scheme. Furthermore, it would be useful if we could learn what progress has been made in encouraging employers to take on apprentices. It was interesting to hear some of the criticisms of the scheme, such as employers' preference for the old scheme. What progress has been made in encouraging employers to take on such schemes and to take responsibility for apprenticeships?

From experience in my constituency, I know that it is a very difficult time for employers to take on and invest in new employees and, at the same time, protect existing staff. It is easy to wish that employers would take on full-time apprentices. However, my understanding is that that has not been the case; it would be useful to hear whether there have been any changes in the circumstances. Earlier in the week, I spoke to some constituents and learned that apprentices are being paid off midway through their training, which would be devastating for any young person. Other employers, with perhaps more conscience, have, at least, enabled employees to finish their apprenticeship training, which is vital if certain skills are to be available in the future. Therefore, although it is easy to wish that the private sector would

provide more full-time apprenticeship places, the outworking of that is more difficult. It is vital for Northern Ireland's economic recovery that employers do what they can, within the constraints of their budgets, to keep the training cycle going.

It should be noted that the Minister introduced the scheme as a short-term solution to the economic conditions in which we find ourselves. Naturally, that leads to it having limitations. However, it cannot be overstated how beneficial the scheme has been in keeping young people actively engaged in training, much of which happens in a workplace environment, and in minimising the number of young people who feel that they are on the scrapheap. It is important that young people have those opportunities.

The Committee for Employment and Learning is seeking improvements to the scheme. As I am not a member of that Committee —

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

Mr Beggs: What detailed changes are the Committee proposing? It would be helpful to learn what positive and practical changes, that are achievable within existing constraints, the Committee wants.

Ms Lo: We all acknowledge that the programme-led apprenticeships scheme was an emergency measure in view of the economic downturn, and we have to be realistic in acknowledging that the climate does not allow many opportunities for employer-led apprenticeships. As the Chairperson of the Committee said, it is important that we do not push young people towards being not in education, employment or training.

Programme-led apprenticeships is a new scheme that is obviously evolving. Therefore, it is only right that, in partnership with others, we monitor and evaluate the scheme and make the necessary improvements. At a recent Committee meeting, we spoke to stakeholders about the proposed changes. Employers were very concerned that we might go back to the old Youth Training Programme (YTP) schemes and that that would lead to the displacement of the current paid apprenticeships. Some employers suggested that we should perhaps consider financial incentives for employers to retain or recruit apprentices. We need to think seriously about that. A couple of weeks ago, the Committee also received a welcome

presentation from departmental officials about perhaps having more flexibility in the September monitoring round.

I want to focus on the name of the programme, which, in using the word “apprenticeships”, is misleading for young people and raises false hopes and expectations. To young people, an apprenticeship is learning a skill through working with a tradesman. Therefore, apprentices do not want to spend most of the week in college. They want to gain the skills and experience that, after two or three years of apprenticeship, will lead them into a real job.

Maybe that is why so many dropped out of the current scheme — 640 out of 3,362 in recent months, which is almost 20% of the total number of participants. It was a huge disappointment that only 50% of the cohort got work placements. Even with a placement, apprentices are looking at getting only one day a week's work experience, and that is not enough to gain any NVQ qualification.

11.30 am

Employers and DEL have worked very hard to promote the Northern Ireland apprenticeship brand, and it has been successful. Some of us went to the Apprentice of the Year awards, and we were very impressed with the young people there. It is important to keep the employer-led apprenticeship scheme separate and alive and not to confuse it with the programme-led apprenticeships scheme.

The public sector's input has been very disappointing, to say the least. The public sector has not come forward to provide any placements. I know that DEL is piloting 12 placements, and perhaps that is a start. When I look at other Departments, I see that there are so many different public-led apprenticeship areas, such as health and social care, public services, child development and well-being, administration and agriculture. The list goes on and on. There are so many areas, so surely our public sector can give young people placements to further their training and provide them with experience.

(Mr Speaker in the Chair)

I want to ask the Minister about the voluntary sector. He spoke about a new scheme to offer the long-term unemployed six months' work placement. Can that be extended to include young

people on the next rung of the programme-led apprenticeships scheme, whether or not we call it the programme-led apprenticeships scheme? Perhaps the voluntary sector can provide placements. Most of all, however, we need to involve employers. Employers need to be involved and to consider how they can help with the programme-led apprenticeships scheme.

Mr P Ramsey: I support the motion. The programme-led apprenticeships scheme was discussed at almost every Committee for Employment and Learning meeting in the past few months. The Committee accepts that the scheme was brought forward in an emergency situation, given the downturn in employment and concern across the region that the Department needed to do something. We also accept that the Minister and the Department brought that scheme forward in good faith.

However, we all believe that aspects should and could have been done better. That is illustrated by the mere fact that the Committee took the initiative some months ago by bringing together colleges, employing bodies and the Sector Skills Council in a round-table discussion, which it was led to believe had not happened before. As a result of that kick-start, the Department is taking the lead and convening similar meetings to try to bring forward a rationale and a determination to make those programmes much better.

I say directly to Roy Beggs that there is no criticism of the Minister or the Department. The Committee was looking at a lost generation of young people, and it began an inquiry into young people not in employment, education or training (NEETs), taking those concerns on board. There were concerns about young people, particularly NEETs, whose morale, confidence and motivation were not good. However, it is damn well worse if more than 1,500 young people on a government-led training programme cannot get their NVQ because they cannot get a placement. In those circumstances, the Committee seriously and conscientiously looked at involving the Department. I see departmental officials in the Public Gallery, and I believe that they have taken on board some of the serious concerns that the Committee raised.

There have already been proposed changes to the scheme to make it more important and effective. For example, new guidelines will include checks to ensure that trainees do not displace existing apprentices or those who

have been made redundant recently. That is an obvious measure that should be signed up to. There is concern from the colleges in particular, which are the main training providers and take in almost 60% of those who participate in the scheme.

It is important for the scheme to get a new image and to move away from the programme-led apprenticeships, as we know them. Anna Lo referred to that issue, and the Committee received a briefing from departmental officials on it. However, we need buy-in to that change. The problem, from the outset, was that there was no buy-in or consensus, particularly from the employing bodies. That is why we are getting to the stage where the scheme is, in many regards, seen to be a failure, particularly by a lot of the young people who participated in it.

We need a much more cost effective contribution to address the needs of the 55,000 young people across Northern Ireland who are not in employment, education or training. That is a fundamental aspect of all the programmes, and not just the ones that cater for young people. It is also a fundamental aspect of programmes for adults who, due to the recession, have become unemployed.

It is essential to ensure that trainees get the necessary qualifications. The Minister said that he would look at the circumstances in which young people are going through colleges and are trying to get themselves back into education but cannot reach that extra stage and get an NVQ because they cannot get an employer to take them on. That issue must be examined, because it means that a young person who has left school at 15 or 16 has a window of opportunity to commence a new training programme but is finding that they are a failure again. That has to be a serious concern for the Minister and the departmental officials.

Young people need to be valued, and the qualification at the end of the scheme will facilitate their progression to either further education or further opportunities for work. A one-day-a-week placement, from the employer's perspective, does not provide meaningful work for apprentices. That is why the Department is trying to encourage employers to take apprentices on three-day-a-week placements, which will be more effective and more stimulating for young people, because they will give them active work within the community.

We need to constantly review and renew the training programmes.

Mr Speaker: Will the Member bring his remarks to a close?

Mr P Ramsey: We need to look at the subregional aspects of training programmes. For example, in Derry, more than 60% of young people are given placements. So, the scheme has a higher rate of success there than it does in other places.

The Minister for Employment and Learning (Sir Reg Empey): I thank Members for their contributions to the debate. I want to go back and talk about the situation a year ago, because although the circumstances in which we found ourselves have been alluded to, people sometimes forget them.

The recession came very quickly. In the summer of 2007, Northern Ireland experienced the lowest level of unemployment ever recorded in these islands; about 4.5%. That had never been achieved before. Within 12 months, the financial crisis had come out of the blue, and unemployment began to rise very rapidly.

Although I am conscious of the fact that a number of employers and those who provide training for specific trades have been very active in lobbying the Committee and the Department, part of what provoked our response was the fact that those people, instead of taking on, for example, 40 apprentices a year, cut the number in half or stopped taking them altogether. In addition, some people were very keen to ensure that they maintained their position in a particular sector as the principal provider of training.

Just over a year ago, we could see the trend with respect to the apprenticeships on offer. We could see that even some of the larger employers that we rely on regularly to provide a significant number of apprenticeships either walked away altogether or dramatically reduced the places that they were offering.

There is no argument that the programme-led scheme is the way to go. We fully support that. However, a year ago, we had a dilemma about what to do. We could see the reduction in the numbers of apprenticeships being offered, and we said to ourselves that thousands of young people would have nowhere to go if we stood still. I think that the Committee understands

that. Therefore, we set up the scheme in a very short space of time, and it is inevitable that any scheme, particularly a government scheme, that enters the marketplace in that way will carry a risk. When we introduced the scheme to the House, I said that it was an emergency measure. I also indicated that it would be kept under review continually, and it will.

Nothing would give us greater pleasure than to tell the House that we are now at a stage where we can wind up the scheme and go back to our original proposals. That is where we all want to get to. However, at the end of the day, we did get substantial numbers of applications last autumn, and almost 3,000 young people took up positions. Whatever the scheme's faults — and I fully accept that it has faults — we still have done more good than harm for many thousands of young people. At the end of the day, that is one of the measures that we have to take. Therefore, the dilemma has been, and remains, how to put provision in place to cater for all who need it. That is our objective.

My Department guarantees all 16-year-olds and 17-year-olds a training place if they want it. To deny that guarantee could mean that many more people end up part of the NEETs statistics. I am sure that no one in the House wants that to happen. We may be over-training at present, but we can try to influence young people to make good career choices and try to deliver a provision that allows the best opportunity for all. My departmental colleagues and I are between a rock and a hard place, between the needs of employers and the needs of our young people. However, until the economy recovers and we have more jobs, our social responsibility is clear. We can improve on the current position and go some way towards anticipating employers' needs.

Departmental officials are working to renew the contracts for the delivery of Training for Success and Apprenticeships NI in 2011. We are also close to the timely roll-out of the vocational qualifications reform agenda and, with that, the introduction of the qualifications credit framework. Last year, we had only a short time to act to put in place the recessionary response in the form of the programme-led apprenticeships scheme. The Department's involvement of the sector skills councils and employers could have been greater; there is no doubt about that. However, with the Committee's input on the issue and the close consultation on

re-contracting that has begun in recent months, much progress has been made.

I have been encouraged by the active engagement in the process of the further education colleges, the training organisations, the awarding bodies and the sector skills councils. The work on re-contracting has been progressing to revise the current Training for Success programmes in line with the introduction of the qualifications framework and to improve the flexibility for trainees and training providers. Although there is more work to do, I am actively considering whether thinking is sufficiently advanced to enable me to introduce the level 2 provision early and in time for the September 2010 main intake of school leavers. Training organisations that have been involved in the consultations thus far have indicated that they see that as a positive development.

For its part, the Alliance of Sector Skills Councils agrees that such provision appears to offer a better option than the current programme-led apprenticeships programme. I will make a final decision on that matter before the end of this month. Although the re-contracting is yet to conclude, the longer-term solution will provide a training programme for unemployed people that will sit more easily alongside our flagship programme.

11.45 am

It has been proposed that none of the new Training for Success strands should be given a title that includes the term “apprenticeships”. We will look at that closely, having heard what the Committee has had to say.

Members raised a number of issues. The 50% placement issue keeps coming up and is an obvious problem. We have made changes to try to move things forward so that such placements are more attractive for employers. However, we are dependent on employers; we cannot manufacture training places. We approached the public sector and have had a response from Departments. Some 120 places have been offered by various Departments. Ministerial colleagues have responded positively, and although the uptake is comparatively small, we hope that that will open up and progress.

The Committee for Employment and Learning has been exercising its policy development function, alongside the Department and me, as Minister. That is one of the reasons for having

Committees in the first place. I am not sure that everyone was terribly keen on it at the time, but it is an important role. We are listening to what the Committee is saying.

I note the request about the voluntary sector. As Anna Lo pointed out, we already have a major scheme with the voluntary sector that deals with those who have been unemployed for 30 months and more. That will provide an opportunity, over a two-year period, for some 4,000 people to go through that scheme, break the cycle of long-term unemployment and give them up-to-date skills. We will always look to the third sector to determine the options that are open to it.

The cost to colleges was raised by the Member for Lagan Valley. We have addressed that issue; we have been in touch with the colleges and have come to financial arrangements in that regard.

Although, on the surface, it seems sensible to give money directly to employers rather than to organisations to train people, we must take great care in dealing with those matters because we run the risks that are associated with state aid. However, every opportunity must be taken. We said that the programme-led apprenticeships scheme was an emergency measure and that it would be reviewed. It will be reviewed consistently. I look forward to the day — I hope that it comes quickly — when we can say that we no longer require the programme. That will indicate that we are back on track with a scheme that we totally believe in and in which we have confidence, which is employer-led, demand-led and is not something that we have to dream up.

People refer to past employment schemes such as ACE and others. However, there were many times in our constituencies that we were glad of the ACE scheme. It gave people some pride, in that they were wage earners, and it provided things that are not provided today.

Mr McCarthy: The Minister excites me when he talks about the ACE scheme. I am sure that many Members recall being in the Interpoint building in Belfast when the Northern Ireland Forum for Political Dialogue was sitting. We all remember the call — I certainly remember the call — for the powers that be then to bring back the ACE scheme, because it did exactly what the Minister is saying today. A lot of our constituents benefited from that scheme. Will the Minister consider bringing it back?

The Minister for Employment and Learning:

We have all learned something today about how people can get excited in this place. I was merely referring to the scheme as an example of state intervention in order to try to substitute for employment, because it was a substitute process. The truth is that, in those days, the level of unemployment was dramatically higher than it is today: some places had 25% unemployment, and many were well in the high teens. Thank God we are not facing those issues today.

I was trying to make the point that when we were challenged by an emergency, responses had to be made. The ACE scheme was one. It was abused in some cases, and, unfortunately, did not automatically lead to long-term permanent jobs. We are trying to correct those things in the present arrangements. The fact is that we are now in a different circumstance. Having 25% unemployment then, as opposed to 6.5% at the moment, is to deal with two different situations. We are trying to tailor proposals that will result in work. I am unable to give the Member the guarantee that he is seeking, but we have to continually monitor and review what we are doing. We have said that we will do so, and we will continue to do that with this scheme.

I appreciate what the Committee has said. Ideas have been brought forward and consultations have taken place, but we must remember that employers also have responsibilities. I am sure that the Committee understands that. We cannot supply all the placements. A lot of employers have not made the link between training up and helping young people and improving their profits. Many employers are quick to point the finger, but those who have continued to supply placements and to train and invest in young people need to be commended. They have done that in very difficult economic conditions. However, we cannot manufacture placements, outwith trying to open up the public sector, as we have been doing.

I appreciate that too many young people cannot get placements because of the NVQ situation. However, the number of placements is moving up as a percentage, albeit slowly. Ultimately, that is the way ahead for the scheme.

I thank Members for their contributions. We will take what has been said very seriously.

The Deputy Chairperson of the Committee for Employment and Learning (Mr Weir): I

welcome the opportunity to speak in the debate. To pick up on one of the Minister's remarks, although the debate is welcome, programme-led apprenticeships are a response to a particular set of economic circumstances. None of us would have hoped for this particular crisis to happen, and we all hope that it does not continue too long into the future. Consequently, there is an element of regret that we have to have the debate, because we would all like to have a society where this type of programme would not be required in the first place.

We have had a reasonably constructive debate, which was the intention of the Committee. We are trying to be positive and constructive and to see where we can improve on the situation. The wide-ranging debate has even lapsed into excitement for at least one Member. I was listening studiously to all the contributions, and "excitement" was not necessarily the word that came to mind.

The debate turned out to be slightly shorter than planned. I think that a few Members were taken by surprise at the early start of the debate. If they were in a different form of employment, their non-attendance could lead to their wages being docked. However, we have no such punitive system here. I do not know whether a late amendment is going to be tabled in connection with that. Perhaps some of the Members have been let go early by their parties; I do not know. In the same way that a number of apprentices have had difficulties in completing their programmes, perhaps some employers here have intervened to let some people go early.

Mr Beggs: Speak for yourself.

The Deputy Chairperson of the Committee for Employment and Learning: The Member made a comment from a sedentary position, but as can be seen by the fact that I have been here throughout the debate and am now making a winding-up speech, no one decided to let me go early, unfortunately. I am here until the bitter end.

The Chairperson began the debate by setting out the background to the matter, and I know that the Minister also set out the context. A range of Members acknowledged that the process began as an interventionist measure in an emergency-type situation for which swift reaction was needed. Indeed, pretty much all the Members who spoke welcomed that intervention as the right thing to do. Even Mr Trevor Clarke, who was somewhat critical of the

Minister and the Department, welcomed that intervention.

However, it is not surprising that such swift intervention can lead to implementation problems. All Members and, indeed, the Minister acknowledged that not everything was necessarily got right. Given the swiftness of the intervention, it would be more surprising if everything had been got right. The colleges and some employers have raised concerns. One problem was a lack of initial buy-in from some employers and industries, which has dogged the programme somewhat. The rates of dropout and failures of completion have also been highlighted.

There are positives to what has been done, and Roy Beggs in particular indicated a range of benefits. Irrespective of the criticisms, the programme has undoubtedly led to the diversion of many people who would otherwise have become NEETs. The Committee has looked at that in a wider context, and we have added to the number of people with critical skills. The programme has had a positive input in the teeth of a recession.

The Chairperson indicated that one of the key motives behind the programme and, indeed, one of the criticisms of it was the slowness, possibly on the part of the Department, to engage and to get the key players round the table. When the Committee got departmental officials and representatives and employers from the various sector skills councils and colleges round the table, it struck me that there had clearly not been in-depth engagement at an earlier stage.

Concerns were raised, but, on a positive note, it was clear that those could be overcome. Indeed, the remarks that have been made today indicate that the Minister and the Department have taken steps to try to address those concerns in the past few weeks. Although there have been concerns, everyone is essentially in the same ballpark. We in the Chamber are focused on making a positive contribution to the economy and to the lives of the young people who will be involved in the programme.

The Chairperson focused on the impact that the programme could potentially have on NEETs. One of the issues that has been raised is that we need to look more imaginatively at how we better engage with that sector. If there is one lesson to be learned from today about making adjustments for the future, it is that

a discussion forum approach, which seems to have been accepted across the board, should be rolled out. It became very obvious that although everyone has, broadly speaking, bought into the concept, it will work only if it is practically driven and addresses the concerns of colleges, young people and employers. If any side of that triangle breaks down, the scheme will not work as well as it practically should.

Trevor Clarke highlighted some of the problems that stakeholders had raised and problems that had arisen from a practical point of view. He said something that we all agree on: we want something fit for the future.

12.00 noon

Paul Butler said that it was critical that the employer side was got right. He made specific reference to the problems in the construction industry. He also highlighted the need for the views of colleges to be taken into account to ensure that all factors had been considered. He also said that we should not return to old-style solutions such as YTP schemes. There was, however, nostalgia for the ACE programme from Mr McCarthy in his brief contribution.

We must ensure that what we have is fit for the twenty-first century. Several Members — Dolores Kelly, Roy Beggs and the Minister — said that there is scope for a greater public sector role. We need to press Ministers to ensure a degree of roll-out, albeit on a smaller scale, in the public sector.

Roy Beggs stressed the need for positive suggestions, and there is a range of positive suggestions. The Minister said that the colleges proposed a scheme that focused on level 2 NVQ. It may be regarded as semantics, but it is important to draw a distinction between employer apprenticeships and this scheme by way of titling. Something that came across strongly is the need to have a degree of flexibility in the scheme. Different sectors see the issue in different ways. Anna Lo highlighted that the level of placement needs to be addressed to ensure that one size does not fit all.

Pat Ramsey highlighted issues with the new guidelines; we should not have something that just displaces people. Pat Ramsey's message is that we should seek constantly to review and monitor the issue to ensure the best possible solution.

The Minister highlighted the context of this reform and the tight time frame, which meant that things needed to be put in place, and perhaps not everything was got right at the start. I welcome the commitments from the Floor and from the Minister to get the long-term solutions right. The programme outlined in Training for Success and the changes to be brought about in the near future are welcome.

We have had a positive debate. We need to keep monitoring the position to ensure that we get it right, because we must look after the future of our young people, not just for their sake but for the future of our economy. We must ensure that we have the right workforce for the twenty-first century.

Question put and agreed to.

Resolved:

That this Assembly recognises that the initial programme-led apprenticeships (PLA) scheme was a short-term, crisis response to the economic downturn and the rising number of redundancies amongst apprentices in paid employment; calls on the Minister for Employment and Learning to enter into wide-ranging, round-table discussions with all stakeholders with an interest in the scheme to explore how it can be modified to better meet the needs of both providers and participants and to ensure there is no displacement of those currently in paid apprenticeships with employers; and further calls on the Minister to actively explore the roll-out, on a significant scale, of both PLA and paid apprenticeships within the public sector.

Assembly Business

Mr McNarry: On a point of order, Mr Speaker. This morning, the Finance Minister issued a press release on the provisional outturns, 2009-2010, which showed an 8.6% increase in the Executive's expenditure last year. I understand that such information was previously released as a statement to the House, which allowed Members to ask questions. I most certainly do not allege that the Minister is being discourteous to the House on this occasion.

Is it in order for you, Mr Speaker, to ascertain why no statement was made today on this important matter? Perhaps the House can be advised on why statements of this nature seem continually to be given to the press instead of being brought to the proper place for discussion: this House.

Mr Speaker: I appreciate the Member's point of order. He spoke to me outside the Chamber about this issue, and I know that he feels strongly about it. However, the House knows that I do my utmost to encourage Ministers to come to the House to make important statements. I am sure that the Minister will take note of what is said here. It is not the first time that Ministers have made statements to the press before coming to the House. I am sure that the Minister will pick up on this point of order.

The next item of business on the Order Paper is Question Time, which will begin at 3.00 pm. The sitting is, by leave, suspended and will resume at 3.00 pm.

The sitting was suspended at 12.05 pm.

On resuming (Mr Deputy Speaker [Mr Dallat] in the Chair) —

3.00 pm

Oral Answers to Questions

Enterprise, Trade and Investment

Mr Deputy Speaker: I have to tell you that questions 2, 3 and 6 have been withdrawn.

Small Businesses: Strangford

1. **Mr McCarthy** asked the Minister of Enterprise, Trade and Investment what support her Department is providing to small businesses in the Strangford area. (AQO 1384/10)

The Minister of Enterprise, Trade and Investment (Mrs Foster): Between April 2005 and March 2010, Invest Northern Ireland made nearly 480 offers of support to its clients in the Strangford constituency. Those offers, to both indigenous and externally owned companies, amounted to more than £11 million of assistance that, when implemented, will leverage total investment in the constituency of £69 million. During the same period, Invest NI also provided support to 694 new business start-ups.

Mr McCarthy: I am grateful to the Minister for her response. She will agree with me that small businesses contribute a lot to the Northern Ireland economy, and we already have a number of small businesses such as Glastry Farm ice cream, Sparky Pac, Castle Hill Candles in Portaferry — the list goes on. However, in my experience, when small entrepreneurs have an idea to create jobs, they find it difficult to get over the threshold to get financial support to get started and progress. Can the Minister comfort such people by telling them that starting a small business could be easier?

The Minister of Enterprise, Trade and Investment: I thank the Member for his question. Issues such as those he referred to are exacerbated in the current economic climate because of the situation with the banks. Therefore, people who take their small business plans to a bank find it more and more difficult to

get the funding to deal with those issues. The important issue from his perspective is that the independent review of economic policy (IREP) report recognised that Northern Ireland's economy is built on small businesses and that that needed to be reflected.

IREP made it clear that it felt that a small business unit should be developed within Invest Northern Ireland, and I am happy to report to the Member that that is proceeding apace. I accept that some small businesses find the bureaucracy at the time that they are starting out a little bit daunting; therefore, they need all the assistance they can get. When I became Minister, I instructed Invest Northern Ireland to ensure that it was open to all businesses, whether multinationals or those one- and two-man companies referred to by Mr McCarthy.

As the Member indicated, Strangford has some very good small businesses: I think of Willowbrook Farm or TG Eakin, which was recently included in a prestigious 100 list as the best small/medium business by the 'Belfast Telegraph'. The company was also recognised in the 'Sunday Times' PricewaterhouseCoopers Profit Track 100. Therefore, small companies are making a real difference to the economy in Strangford and right across Northern Ireland, a contribution that I very much recognise.

Ms McIlveen: Anyone who took advantage of the recent good weather by visiting the premier constituency of Strangford on their tour of the coastal road will have seen the SeaGen project on the lough. What have the benefits of that project been?

The Minister of Enterprise, Trade and Investment: Despite today's weather, that is. Before the Member spoke, I thought that we might miss another Member for Strangford who usually makes those points, but I know that he is in another place today.

The SeaGen project has been a tremendous benefit to Strangford. It is the first of its type in the world. The people of Strangford should be very proud of it. Indeed, last month, I had the privilege and honour of being with His Royal Highness the Prince of Wales when he visited the SeaGen project to see the work that was going on there and to commend the work being done by the Queen's University marine laboratory in Portaferry. A tremendous amount of good research and commercial work is going on in the SeaGen tidal energy project, so it is

internationally significant, and the people of Strangford have a right to be proud.

Ms J McCann: Go raibh maith agat, a LeasCheann Comhairle. The Minister will be aware that small businesses that have been developed through the social economy sector sometimes find it more difficult than small and medium-sized businesses to access financial investment. Will financial investment from credit unions be available to businesses from the social economy sector under the legislation that is going through Westminster?

The Minister of Enterprise, Trade and

Investment: Yes. It is a conversation that I have had many times with the Member in her previous capacity as the Deputy Chairperson of the Committee for Enterprise, Trade and Investment. When the credit union legislation comes forward and we are finally able to use those moneys more proactively, it will be of great benefit to the social economy sector. I had the privilege and pleasure of attending the recent launch of the Sector Matters initiative, which is being taken forward by the Northern Ireland Council for Voluntary Action (NICVA). It will provide services for the whole social economy sector, so, instead of every social economy organisation having to source human resources and legal help, they can look to Sector Matters. That is a tremendous initiative, and I know that the Member will join me in congratulating NICVA on what it has done in that regard.

Mr D Bradley: Go raibh maith agat, a LeasCheann Comhairle. Will the Minister give us an update on her recent discussions with the local banking institutions? Will she tell us of any commitments that she received to increase support to small businesses, which, as she will know, are struggling in the current financial climate?

The Minister of Enterprise, Trade and

Investment: I thank the Member for his question, as it deals with a very important issue for the Executive. As he knows, we continue to engage with the banking sector. There is always a dichotomy between what the banking sector says is happening in individual banks and what we are told at local level by the small business community, although I have been encouraged to see a higher intake of the enterprise finance guarantee. Just yesterday, one of our local businesses — I cannot remember its name — took advantage of European Investment Bank

funding, so there have been positive moves. However, much more could be done by local banks to encourage small industries.

Titanic Quarter

4. **Lord Browne** asked the Minister of Enterprise, Trade and Investment how many international companies have located to the Titanic Quarter of east Belfast in the last five years.

(AQO 1387/10)

The Minister of Enterprise, Trade and

Investment: In the past five years, 11 externally owned international companies have located in the Titanic Quarter, including the world-leading companies Citibank, Fujitsu and Polaris Software. There is no doubt that the Titanic Quarter development could significantly strengthen Northern Ireland's commercial and business infrastructure, particularly through the provision of a wide variety and choice of modern, high-tech office space. That can only benefit Northern Ireland in the long term by offering an attractive investment location that is close to an easily accessible and skilled labour pool.

Lord Browne: I thank the Minister for her answer, and I welcome the continued interest of international companies in the Titanic Quarter. Will the Minister outline what further steps she intends to take to encourage investment? Will she highlight the case for coming to the Titanic Quarter at the forthcoming investment conference in Washington?

The Minister of Enterprise, Trade and

Investment: When I go to America and Asia, I find that the science park and all that goes on in the Titanic Quarter makes it easier for me to sell Northern Ireland and what we can offer international companies. The Northern Ireland science park is just 10 years old, but it makes a real contribution to Northern Ireland in moving forward with technological companies. Some of the best international companies came to the science park initially to set up a small incubator of about 10 people. However, once those were up and running, they came back and invested further in Northern Ireland because they liked what they saw, they liked the talent, and they liked the infrastructure and the lack of attrition. Therefore, the science park and the Titanic Quarter in general are very good selling points for Northern Ireland, and I will continue to use them as such.

Mrs M Bradley: Does the Minister agree that the science park model has been successful, and, if so, is there a case to be made for it to be replicated in other parts of Northern Ireland?

The Minister of Enterprise, Trade and

Investment: I am willing to have a discussion about the science park model being replicated. Today, I was at the opening of a joint venture by Queen's University and Seagate, a company from our own part of the world, which is part of a £60 million investment that that company has put into research and development in Northern Ireland. I was very pleased to hear about the 10 research posts that have been appointed in Queen's University. Some of the people in those posts are returners to Northern Ireland. I was told that one of them had left Londonderry to go to a university on the mainland and has now come back to us here. That is tremendously good news and the sort of thing that we want to see happening in our economy. People go away to get experience and a worldwide view, and they come back to Northern Ireland with that experience. We want to see that happening, and I am pleased that it has happened through the work of Seagate and Queen's University.

Mr K Robinson: I thank the Minister for her extensive answer. Is she satisfied that the signature project for the Titanic Quarter will be ready in time for the centenary of the launch of the Titanic? Is she aware of the potential of the location of HMS Caroline, one of the oldest warships in the world? It is currently commissioned in the harbour area, which would add to the critical mass and to the tourist potential of the area.

The Minister of Enterprise, Trade and

Investment: I do not know whether the Member has been to the Titanic Quarter recently, but, if he has, he will have seen the signature project coming out of the ground. It is quite an impressive sight. I am pleased to see the work that is going on in the Titanic Quarter in and around the signature project. Obviously, I am very much aware of HMS Caroline and the role that it has played, and I would like to see it retained in its current position. However, there will have to be some discussion about using such a boat for tourism and about how to protect the heritage in and around the boat.

Mr Adams: Go raibh maith agat, a LeasCheann Comhairle. Is the Minister aware that the Titanic Quarter recently told local area partnership

boards that, for every £2 million of public money spent, only one apprentice would be taken on and that, for every £5 million of public money spent in that quarter, only one long-term unemployed person would be taken on? Surely the Minister agrees that that hardly amounts to a real commitment to reaching out to all communities. Does she further accept that there is even greater concern about the emerging pattern of displacement of public and private sector employment from other areas of Belfast to the Titanic Quarter?

The Minister of Enterprise, Trade and

Investment: In relation to the last point, that is not the purpose of the Titanic Quarter. The purpose of the Titanic Quarter is to be an international draw and to attract people to the city of Belfast and to Northern Ireland; it is not to displace companies from one area into another area, be they public or private sector companies.

I think that the Member is referring to the social, economic and environmental clauses that were part of the Harcourt construction contract. As I understand it, Belfast City Council and others placed those clauses into the contract as a minimum, so to speak, so that there would be a memorandum of understanding. Given that so much public money was going into the Titanic Quarter, there would be, as a very minimum, clauses for the economically inactive and to encourage training and skills development. However, I accept that it is an issue, and it has been raised with me by a Member for East Belfast, so I am happy to revisit the issue. We are proud of what is going on in the Titanic Quarter. However, if the Titanic Quarter is to work, it must work with the host community so that that little bit of Belfast does not become isolated and so that people in the surrounding communities do not feel that they have no stake in the Titanic Quarter. That is something that I certainly do not want to see happening.

Invest NI: Campsie Leases

5. **Ms Anderson** asked the Minister of Enterprise, Trade and Investment whether Invest NI has succeeded in buying out the second Campsie lease and at what cost; and if she can provide an assurance that the total spend on the two Campsie leases will no longer be considered as part of the total investment by Invest NI in the north-west. (AQO 1388/10)

The Minister of Enterprise, Trade and

Investment: Invest NI has successfully negotiated the surrender of the second Campsie lease at a cost of £225,000, avoiding future financial liability of about £640,000 for both units. In reporting its investment figures for the north-west, Invest NI has never included spend on office accommodation in Campsie.

3.15 pm

Ms Anderson: Go raibh míle maith agat, a LeasCheann Comhairle. I thank the Minister for her answer. What type of regulation has the Department put in place for the £1 billion that was identified as coming out of the Barnett review, on which she said we got a 10% return, to ensure that, while we operate at risk, we also operate with a degree of care and due regard when spending public money? I know that the Minister has identified many of the benefits that have come from that 10%, but I am sure that she has concerns about the remaining 90% not having a return.

The Minister of Enterprise, Trade and

Investment: We covered that subject extensively at the time of the IREP report, and I said then that it was very unhelpful for Members to use that £1 billion in the way that the Member used it again today. Some very misleading figures have been circulated recently, not least about Invest NI's clawback, and there have been some wildly exaggerated claims about Invest NI in the press. I want to set the record straight, because Invest NI failed to claw back only 0.4% of its total planned investment in that period. When we consider the millions, if not billions, of pounds that banks have written down in the past number of months and years, I do not know whether Members will feel that that 0.4% is a bad return. Given everything that has happened in the past number of years, I think that it is a very good write-down.

Since 2005, Invest NI has offered £677 million of support to businesses, and that has resulted in a total planned economic investment of £3.6 billion in Northern Ireland. I am very proud of that. We need to push further and get better value for money, and we will continue to do so.

The PAC has been assiduous in examining Invest NI and my Department. I welcome that, and I realise that the Committee needs to continue to do that. However, we also had a discussion during the period in which the IREP report was published about having and

managing risk. If we are to achieve a step change in Northern Ireland, people must accept that risks will have to be taken. Those risks must be managed — that is the way to do it — but, still and all, they must be taken.

Mr Campbell: Officials from Invest NI and the Department visited last week's meeting of the Committee for Enterprise, Trade and Investment. They were very forthcoming in explaining the write-off equation, and I thank them for that.

Will the Minister assure me and those whom I represent that areas that have experienced recent and very high unemployment will receive the attention that they deserve from Invest NI's spend? I am thinking of the areas affected by the closure of Seagate and areas of Limavady and Coleraine where there have been significant closures, redundancies and unemployment.

The Minister of Enterprise, Trade and

Investment: I am pleased to tell the Member that, over the past year, the Department has spent a considerable amount not only on creating new jobs but on sustaining current jobs. Indeed, through that effort, we have sustained approximately 2,200 jobs that would otherwise not have been sustained. Whenever people look at the number of jobs that have been created here over the past number of years, it is important that they also recognise that jobs have been sustained.

I recognise that some areas in Northern Ireland have strategic employers such as Seagate in Limavady and that when those employers leave, for whatever reason, it has a disproportionate impact on the communities concerned. I very much recognise that. Indeed, one of the reasons why the Department is so engaged in the Quinn Insurance situation in County Fermanagh is that it is such a strategic and important employer. The Department recognises the difficulties that exist in some areas of Northern Ireland, and we will continue to work with local representatives to deal with those issues.

Mr Deputy Speaker: Question 6 has been withdrawn.

Airtricity

7. **Mr Burns** asked the Minister of Enterprise, Trade and Investment for her assessment of the entry of Airtricity into the domestic electricity market and whether the current switch-over

system will need to be overhauled to ensure that consumer demand is met. (AQO 1390/10)

The Minister of Enterprise, Trade and

Investment: The electricity market in Northern Ireland has been fully open to competition since 1 November 2007. The entry of Airtricity to the domestic market is welcome news for householders, who will now be able to compare electricity costs before choosing their electricity supplier. Current customer-switching arrangements limit the number of domestic customer switches to a maximum of 6,000 a month. However, the Utility Regulator and the electricity industry are working towards a solution that will have no upper limit on the numbers of customers who may switch electricity supplier.

Mr Burns: What assurances can the Minister give that Northern Ireland Electricity is fully facilitating the switch-over process, and what monitoring mechanisms are in place to ensure that the process is not being held up in any way?

The Minister of Enterprise, Trade and

Investment: At present, there is unlimited switching capacity in the non-domestic electricity sector. I am sure that the Member is aware that that is the case in the business sector and that, in the domestic electricity sector, there is only partial switching capacity. As I said, the current switching system in the domestic sector allows for only 6,000 customers to switch each month. That monthly limit could be enhanced to facilitate greater switching, and the regulator is monitoring the situation closely to see where the processes can be streamlined and improved and where extra human resources could best be deployed to increase the limit. I recognise that Airtricity has raised that issue. We have had discussions with the regulator on the matter, and I assure the Member that he is monitoring the situation closely.

Mr I McCrea: The Minister will be aware that Airtricity cannot take over customers in domestic houses that have power card meters installed. Can she shed any light on when that will be able to happen? Can she provide an update on the status of the strategic energy framework?

The Minister of Enterprise, Trade and

Investment: I am pleased to report that the Department received some 70 responses to the consultation on the strategic energy framework. Officials have carried out a detailed analysis of

the responses, which has been helpful to me and will be useful in shaping the final document. I aim to have the final version of the SEF to the Executive in the next four to six weeks and, in any event, before the summer recess.

A number of people have raised the issue of prepaid meters. The regulator is keeping his eyes on that subject. As the Member said, Airtricity needs to overcome some technical issues, but I understand that it plans to provide a prepayment keypad system in Northern Ireland by April 2011.

Tourism Ireland: GB Visitors

8. **Mr Ross** asked the Minister of Enterprise, Trade and Investment what campaigns Tourism Ireland is undertaking in the GB market to encourage more visitors to come to Northern Ireland. (AQO 1391/10)

The Minister of Enterprise, Trade and

Investment: In May 2010, I launched an £18 million Tourism Ireland initiative, which is designed to win as much business as possible for the peak season, playing to the later than ever booking trend in Great Britain and other key markets. Key highlights of the peak season marketing drive in Great Britain include silver surfer summer savings, which target the 2 million sightseers and culture seekers in the market who are aged 66 and over; co-operative marketing campaigns with major airlines such as Bmibaby; and car-touring promotions with key ferry operators, encouraging visitors from Great Britain to bring their car. A new value golf blitz is also under way.

Mr Ross: I thank the Minister for her answer. Can she provide some detail on how the global downturn has impacted on visitor numbers to Northern Ireland? Furthermore, she mentioned ferry links in her response. Does she agree that the volcanic ash episode highlights the importance of marketing Northern Ireland's sea links with Scotland and elsewhere, particularly from the port of Larne in my East Antrim constituency?

The Minister of Enterprise, Trade and

Investment: The start to 2010 has been extremely difficult for attracting overseas visitors. A general fall in tourism worldwide is obviously at play, but that was compounded and exacerbated by the volcanic ash issue. Please do not ask me to name the volcano, because I am not going to do

that. Between January and March, the number of visitors from Great Britain to Northern Ireland declined by 8% compared with the same period in 2009. That is very concerning.

The Member then asked about port access. It is becoming clear to us that, although air access is very important for our tourism industry — I continue to have discussions with George Best Belfast City Airport and the International Airport in relation to new routes — we need to look at ferry links between here and the mainland. Belfast's role as a gateway to Northern Ireland and beyond and, indeed, Larne's role as a gateway will be enhanced by Stena Line's plans for the future in relation to the port of Larne and its new port facility at Loch Ryan in Scotland. When it is introduced and fully operational, it will allow newer, larger, modern ferries to travel even faster between here and Scotland. Therefore, we continue to work with all the ferry companies, such as Norfolkline, Stena Line and others, and we hope that we can continue to provide better port access from the mainland.

Mr Cree: The Minister has given a comprehensive response. We all value our tourism industry, and we are concerned about it. The Minister will be aware of the current tourism strategy. The figures in that plan appear bullish, bearing in mind recent achievements. Is the Minister satisfied that the strategy figures can be realised?

The Minister of Enterprise, Trade and

Investment: I recall the Member asking me that question when those figures first came out, and I said then that they were challenging figures. I will not take away from the fact that they are very challenging figures, considering the worldwide downturn in tourism and the impact of the volcanic ash on the tourism market. One of the reasons why Tourism Ireland launched a huge marketing campaign and spent £18 million was to target people throughout GB and other key markets who do not book their holiday until the very last minute. We want to ask those people to consider Northern Ireland. We need to get Northern Ireland into their mind as a destination to visit. That is why we have been spending so much money on that marketing campaign.

Mr O'Dowd: Go raibh maith agat, a LeasCheann Comhairle. The Minister will be aware that Craigavon Borough Council is concerned that the Craigavon area does not receive the support from the Tourist Board that it should. Does the

Minister agree that Oxford Island matches the beauty of Lough Erne on any day of the week?

The Minister of Enterprise, Trade and

Investment: That is a very controversial question. I will take off my Fermanagh hat and say that Oxford Island has great potential. Craigavon Borough Council holds local government events at Oxford Island, and I have been there on many occasions. Like everything else, we can always do more. I am happy to talk to the Member about any plans that the council may have for that facility.

Mr McGlone: Go raibh maith agat, a LeasCheann Comhairle. The Minister mentioned Oxford Island, which is in a beautiful part of the world. Given its proximity to Donegal and the rest of the island, will the Minister expand on how that potential is being tapped into for the rest of the island, given that there is volcanic ash and a diminished influx of visitors from overseas?

The Minister of Enterprise, Trade and

Investment: Geography was never my strong point, but Fermanagh is closer to Donegal than Lough Neagh is. I may be wrong about that, but I always thought that that was the case. Part of the reason why we have not felt the impact of that diminished influx as keenly as we might have is that, as part of our strategy, we have been able to increase the number of visitors from the Republic of Ireland by 32% over the past year. That is tremendous: people who have not visited Northern Ireland for obvious reasons over the past 30 to 40 years are rediscovering Northern Ireland. I am very pleased about that, and it is part of our campaign going forward. I do not want to use the horrible word "staycation", but more and more people are staying at home for their holidays, and we need to ensure that we take advantage of that.

3.30 pm

Motion made:

That the Assembly do now adjourn. — [Mr Deputy Speaker.]

Adjournment

A2: Upgrade

Mr Deputy Speaker: I remind Members that the proposer of the topic will have 15 minutes to speak, and all other Members who wish to speak will have approximately eight minutes.

Mr Neeson: Members will be pleased to learn that I will not be taking 15 minutes to make my speech. The widening and improvement of the A2 is an issue that has gone on for decades. It was a major issue in 1977, when I was first elected to Carrickfergus Borough Council. Even then, there were plans to extend the M5 to Carrickfergus; and, to this day, there is a large, open gap in the Greenisland housing estate that was set aside for the development of the motorway. The Department of the Environment at that time had imposed vesting orders on properties on the Shore Road, which were allowed to lapse. In the past, we have been told that certain influential people on the Shore Road objected to the widening of the road.

During the 1980s and 1990s, Carrickfergus became one of the fastest growing areas in Northern Ireland, with new housing developments, and the traffic situation on the A2 got worse by the year. We experienced traffic gridlock not only at peak times, but on other occasions during the day. Furthermore, it was not only people from Carrickfergus who were affected, but those who resided in Whitehead and Islandmagee.

Following devolution, we appeared to make a breakthrough, and plans were brought forward to improve and widen the road. A preferred plan was put forward and adopted after a public inquiry. Some properties on the Shore Road have had vesting orders placed on them, but nobody seems to know when work will begin. Many of us believed that work would have started.

To its credit, Northern Ireland Railways is making plans to provide extra services on the Larne line when the work begins. Once again, I appeal

to the Department for Regional Development (DRD) to relocate the Roads Service depot at Carrickfergus railway station to provide more park-and-ride facilities there. That would serve not only as a short-term remedy, but as a long-term remedy. Like others in the House, I want to see greater use of public transport, not only in east Antrim, but throughout Northern Ireland.

The current road situation is creating problems for businesses in Carrickfergus. At a recent event of the Northern Ireland Assembly and Business Trust, a local manufacturer complained about the problems that the A2 is creating for his business. It is costing him big money.

Like most people, I believed that the work would have started by now. It is time for the uncertainty about what is happening to be clarified, and I welcome the Minister here today. The situation started a number of decades ago, and it is time that the work started. I hope that clarification about what is happening will be given in this debate. People in the east Antrim area are waiting for a decision to be made and for work on the road to start. I am glad that my fellow Members from East Antrim are in the Chamber to make their contributions.

Mr Hilditch: I welcome today's debate, which has been brought forward by Sean, and I welcome the Minister, who has taken the time to come along this afternoon. If Members are quick enough, and if the Minister is sharp in replying, we could be in the traffic before 4.00 pm, which is when the traffic jams kick in at Jordanstown. I should push on with the debate in that case.

As Sean indicated, this has been a growing and burning issue since the 1970s. The East Antrim constituency thought that some headway had been made around 2006, when the issue was placed on a starting list, and due to the public consultation, which followed shortly in, I think, the following March. Therefore, it has been a burning issue for East Antrim and has been raised repeatedly during the 13 years that I have been an Assembly Member. Time and time again, it has been raised in questions, in Adjournment debates and by various means.

We understand that the build will take around two years to complete: the sooner, the better. We appreciate and are concerned that costs will, unfortunately, be around £60 million, as had been indicated to us in the past. However, that does not take away from the situation in

which commuters find themselves when they travel from the Carrickfergus area. Indeed, the Belfast metropolitan transport plan describes the A2 as a bottleneck in and out of Belfast.

Parts of the 2.35 km stretch of road between Greenisland and Jordanstown have no footpaths. Indeed, where there is a footpath, it is not wide enough to accommodate a pram. We try to encourage people to travel to work by bicycle. However, there are no facilities at all for cyclists on that stretch of road. We are trying to alleviate that.

Problems also arise at junctions on that road. A member of staff who works in one of town's constituency offices told me that, unless they are on Station Road in Greenisland before 7.30 am, they could be sitting there for up to 30 minutes when trying to get out onto the A2. That congestion affects bus services as well as people who travel by car. It has an impact on certain locations on that 2.35 km stretch of road, such as Belfast High School, St Colman's Church, and the Church of the Nazarene. That is notwithstanding increased development in Carrickfergus, Jordanstown and Greenisland, where many homes have been built that have added to traffic and infrastructure problems.

There is a flow of 30,000 vehicular movements on that road each day. Understandably, therefore, the issue will not simply go away. It also affects the B90, which is known locally as "the top road" into Carrickfergus from Newtownabbey, where traffic build-ups are now quite severe. People use that road to try to avoid the situation on the A2. However, that does not alleviate matters at all. As Sean Neeson has stated, clarification is needed with regard to the A2 situation at present.

Many economic development benefits are to be gained from the upgrade. There are opportunities for major industrial estates at the Sloefield, Courtaulds and K Space sites in the town, which are open for business. We want to ensure that they are realised.

In closing, I want to ask what costs have been incurred to date. There are now many derelict properties on that stretch of road. That leads into debate on whether the area of dereliction that has been created on the main road into Carrickfergus will be temporary. Houses and bungalows lie vacant and boarded up on the main arterial route into the town. That gives a terrible impression as one drives into Carrickfergus.

Visitors, in particular, must wonder what to expect as they travel into the town. I understand that DRD and other Departments are trying to move forward with a master plan to benefit the town. However, that stretch of road is now an area of dereliction. I appeal to the Minister to give the House some indication of how much has been spent to date and where the situation will go from here.

From a tourism perspective, let us not forget that that stretch of road is also part of the Causeway coastal route. Therefore, it is important that it creates an impression on the way into the historic borough of Carrickfergus. Anyone who takes the A2 will travel on that small section of road. I appeal to the Minister to provide the information that I seek and for that work to be commenced shortly.

Mr Beggs: The A2 from Jordanstown to Seapark is affected by traffic chaos twice daily due to a traffic bottleneck. The road between Carrickfergus and the M5 virtually entirely consists of two lanes of traffic in each direction, except for the small section around Greenisland, which narrows to one lane in either direction. Naturally, that creates a bottleneck and causes the tailbacks that add approximately 20 minutes or half an hour to people's journey time each morning and evening, and that cause great frustration to commuters and additional unnecessary costs to local businesses.

I know that some people look at alternative routes and take wide diversions to try to get home faster, in some cases going via Ballynure, which is a considerable distance away. The problem is bad when people are willing to travel an extra 10 miles just to try to beat the traffic on occasions when it is particularly bad.

Additional pollution is also caused in the area, as cars and buses tail back and make little progress in their journey. That is not good for those living adjacent. I am aware that Translink is having difficulties with maintaining schedules; how can that be done when there is an unpredictable bottleneck each day? One can estimate roughly how long a bus may be blocked up there, but the problem is unpredictable and it is difficult on occasions for Translink to maintain its schedules. Passengers on that bus route are left standing for unnecessary lengths of time waiting for their bus, and that adds up to a considerable amount of time. If an average person commuting to Belfast who travels

that route 10 times a week is delayed for 20 minutes each day, that adds up to 200 minutes, or three hours 20 minutes, each week. That is a considerable period and, as I said earlier, the problem can be expensive for local businesses.

It is important that other Members who may follow the debate in the Hansard report and, indeed, the Minister, have a better understanding of exactly what we face. Imagine if the road between Belfast and Bangor, which is four lanes in its entirety, had a two-lane section at some point and narrowed to a bottleneck. There would be uproar; it would not be accepted. The main road between Belfast and Newtownards is also four lanes to the main roundabout at Newtownards. Everyone from those areas can imagine what traffic would be like if those roads were narrowed to a single lane in either direction. The bottleneck needs to be removed.

Many people from other areas do not fully appreciate the problem. I remember a consultation with the Ambulance Service for which the officials arrived considerably late because they did not understand the degree of traffic congestion. That was just for a consultation meeting and was not, therefore, critical, but the problem does have implications for the Ambulance Service. The issue is whether, when emergencies arise, there is time for ambulances to get to patients, whether they are in Carrickfergus, Whitehead, or perhaps even further afield in Islandmagee, as the road is frequently used as a route towards Islandmagee. There is a major health implication.

I am aware that in other parts of Northern Ireland road improvements are being instigated to improve travel times to hospital. It is interesting that in the Northern Health and Social Services Board area the figures for response times are not particularly good, and I am sure that this is one of the issues restricting the board's ability to improve journey times to hospital. Significant improvements could result if the bottleneck were taken out. Not so long ago in the Carrickfergus area, the response police officers were re-stationed outside the town, into Newtownabbey. If additional assistance is needed it means additional travel time. Therefore, what we are talking about could affect matters of life and death or an ability to address crime and prevent injury to others.

The traffic backlog on the stretch of the A2 between Jordanstown and Seapark also makes

access to the University of Ulster campus at Jordanstown very difficult at peak times. As others have said, it also makes it difficult to access schools along the route, such as Belfast High School. It also affects local residents, because they frequently have to wait a considerable time before a courteous driver allows them to leave their home and gain access to the road, and vice versa.

3.45 pm

As other Members said, the issue also affects residents in the Greenisland area, because considerable tailbacks occur regularly on Station Road. Residents have to queue on that road for a considerable time — again it is part of a bus route in the area — just to get onto the A2. Therefore an upgrade of the A2 cannot happen too soon.

Given that other Members and I have highlighted the problem for many years, we were pleased that the Belfast metropolitan area plan recognised the route as one of the priority investment areas in the entire Belfast metropolitan area. It has gained planning approval, which is a considerable achievement given the difficulty with other schemes in the past; we now await final departmental and Roads Service approval.

We understand that there will be traffic congestion when the roadworks start; therefore the new trains that are expected on the Larne line in early 2011 — I hope that that is the case — will create a realistic option that encourages a modal switch from roads to rail, which must be another long-term objective. Part of the route is offline and can therefore be commenced at any time in advance of that without affecting traffic. To enable the road works to commence, the Department agreed to consult the community to ensure that difficulties were assessed and that the best plan is put together. The local community is still awaiting the consultation, and I hope that an announcement will be made shortly about its commencement.

Many homeowners in the area cannot sell their properties because of the blight caused by that route.

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

Mr Beggs: They cannot sell their properties because of the road's impact. I therefore urge that the process be continued and that the

issue be addressed so that normality can return to the lives of people living in the areas affected.

Mr Ross: I congratulate my colleague Sean Neeson on securing today's debate; it is always useful for constituency issues to be raised in this manner. I also thank the Minister for being in attendance to respond to the debate. It is always difficult to say anything particularly novel at this stage of a debate; however, that never stops other Members, so it will not stop me.

Over the years, there has been much discussion about the A8 road, and we are all pleased that progress has been made on it. It is important that we now focus on the Carrickfergus side along the A2. Other Members mentioned the time that the A2 has been an issue — since Mr Neeson was first elected to local government. I read in the local press that Ken Robinson has written about the use of horses and carts on that road. Of course, I am far too young to remember either event. Nevertheless, they both highlight just how long the A2 has been an issue and has needed to be addressed. All MLAs in the area are united in wanting to see progress made on the matter.

My colleague Mr Hilditch mentioned the cost of vesting. I read somewhere that just under £10 million had been spent on vesting properties and land along the A2 route. Since a considerable amount of money has already been spent on the project, we need to push on with it in order to deliver value for money. Members are growing impatient, as are the local council, the public and the business community, which, I think, Mr Neeson mentioned.

Anybody who travels on the A2 will recognise the difficulties that exist, particularly in the morning and during the after-work rush hour. There is also a frustrating delay due to the bottleneck near the University of Ulster, where people can be stuck for up to half an hour.

We want to see progress on this scheme. We know that times are tough financially and that there is pressure on all sorts of schemes. It is important that we recognise that and are realistic. However, this important scheme will make a big difference to the area. Local politicians and local people had thought that if the scheme did not happen at the end of 2010, progress would certainly be made next year. I hope that that can still be the case.

On the A8 scheme, the Department worked closely with local landowners and listened closely to the concerns of local people. Similarly, when the A2 scheme gets the green light, it is important that the Department communicates and works closely with local people and businesses and includes them in any works that it does.

Other Members mentioned that a number of commuters are already trying to find an alternative route on the Upper Road/B90, which, due to a considerable increase in traffic flow, is putting additional pressure on roads such as the Doagh Road and the Monkstown Road. If there were major works on the A2, a lot more traffic would use alternative routes. Therefore, the Department may need to look at making sure that the surge in traffic elsewhere is managed appropriately. Other Members may have their own ideas on what minor works could be done to improve that, and it is important that those ideas are taken note of.

I support the issue that Mr Neeson has highlighted in this Adjournment debate and add my voice to the call for action to be taken as soon as possible.

Mr K Robinson: I thank Sean Neeson for bringing this issue back to the attention of the House. I also thank the Minister for coming to hear our moans yet again.

Alastair Ross referred to my historical connections with the A2. I remind him that King Billy also had problems on his journey between Carrickfergus and Newtownabbey. Some 300 years have passed and we have not yet resolved that particular problem. King Billy also had problems around Newry, and in working to solve the problems in that area, the Minister has set a precedent.

Mr Hilditch: King Billy is back next Saturday.

Mr K Robinson: Then we will have to get to work.

To be serious, sometimes the public do not appreciate the stages that have to be gone through for works to be done. Therefore, I have looked at some of the stages involved. In March 2007, the Department for Regional Development published the draft statutory Orders, and in October 2007, it held a public inquiry. Following that, and having looked at the inspector's report, the Department prepared a statement on the outcome of the inquiry. On 1 October 2008, those documents were

made available following the publication of the statutory notices, the notice to proceed and the direction order. I am informed that Roads Service is continuing with the development of the scheme. The geotechnical investigation along the route was completed in 2009, an archaeological investigation is being carried out, and an economic appraisal will be completed before making the final statutory notice, the vesting order, when — and now comes the chilling statement — funding is available.

That is a worry to all Members from East Antrim. We, along with our constituents and the commuters, have been very patient. The businesses in East Antrim, which are attempting to grow, particularly those around the greater Carrickfergus area, have been extremely patient, too. To some degree, the growth of those businesses has been stunted by the fact that transport links in the area are way behind what they should be. There are commuter and commercial elements to this issue, both of which need to be addressed.

I praise the Department for investing quite a lot of money in the railway system in East Antrim. The delivery of the new C4 trains is, hopefully, imminent, and I remind the Minister, as I have done several times, that we are due the first bite of that cherry. Those trains are a golden opportunity, not only to raise standards for the commuters who already use the rail network but to create a viable, sustainable and attractive alternative for the commuters who will be mightily dislocated when works eventually start on the A2. Perhaps after the works have finished, those road users will continue to commute using the new trains, which are a sustainable form of transport.

Alastair Ross referred to the dislocation on the Doagh Road, the Monkstown Road, the Jordanstown Road and the B90 when a fairly minor scheme was operating on a small section of the Doagh Road recently. So you can understand the dislocation that will be caused to traffic, businesses, bus timetables and all the rest in the area.

There is also the opportunity to improve the quality of life for those who have lived along that road for many years. I speak as someone who many years ago started to walk that stretch of road for health reasons. I had to give up, because the pollution levels were unsustainable. I can tell when a car that just passed me is on unleaded

petrol, leaded petrol or diesel. The fumes are so distinctive and overpowering on that stretch of road. Therefore, not only is the situation destroying the quality of life of those who live along there, it is destroying the environment and adding to the carbon footprint.

I mentioned the Northern Ireland Railways route providing an alternative to the transport problems that may come to the area. There is, as other Members pointed out, also the issue of the junctions at Trooperslane, the junctions in Carrickfergus, the Greenisland junction, and, indeed, the Jordanstown Road junction, which I use day and daily and where traffic flows are now well in excess of 30,000. I was looking through some old literature in my office today, and I first raised this matter when I came to local government in 1985, and still we have not resolved the problem. So we are getting up to King Billy proportions again.

Recently, unfortunately, a serious accident adjoining Belfast High School blocked the A2. The traffic dislocation that was caused there stretched for miles. It hit the A8, Ballynure, Corr's Corner and the M2, and brought the whole of Newtownabbey to a standstill. That shows not only the need for that stretch of road to be developed and completed, but the impact that the construction phase, when we eventually get to it, will cause. That has to be planned. I wrote to the Department some time ago asking it to look at the potential disruption there. I hope that officials will treat my comments seriously, because they seemed to think that they had it in the bag. However, I can assure them that they do not have it in the bag, because the traffic flows are increasing day and daily there.

The situation is not just impacting on Carrickfergus, the commuters who live there, the people along the route and the commercial life of East Antrim. As I think David Hilditch said, we are now promoting the tourist route through Newtownabbey, off the M5, along the Shore Road and heading off to the glens of Antrim and the north coast. Spending half your journey time sitting in a traffic jam between Greenisland and Jordanstown is not a very good advert for Northern Ireland. For all those reasons, I ask the Minister to have a look at the situation. I would also like to know the current costs of the scheme, because I can remember them way back in the days when they were in low single figures. I rather suspect that they are creeping

rather rapidly into higher double figures, and perhaps the Minister can update us on that.

Generally, everyone who spoke hit all the target areas again and again. We are speaking from the heart. If we are to see East Antrim develop in the way that it should, the key is the A2. The A8 Larne road, the strategic route, has a job to carry out and is carrying out that job. We will denigrate and demote the level at which that road can carry traffic if we start to divert an increasing number of commuters off the A2, over the hills and back on at Ballynure and Straid, and all the villages along that route, in an effort to avoid the A2.

Thank you very much, Minister, for your presence. I also thank my colleagues for all the positive things that they said, and I hope that the Minister will give us a very positive answer to all our queries and concerns.

Mr Deputy Speaker: I call the Minister for Regional Development, Mr Conor Murphy, and I am sure, Minister, that you will not mention Billy once. *[Laughter.]*

The Minister for Regional Development

(Mr Murphy): I was going to suggest that if I had known that we could have blocked King Billy, I might have taken action sooner. That could have saved us a lot of problems in later years.

I thank Members for their contributions, and Sean Neeson for securing the debate. It was a useful opportunity for Members to highlight the current and anticipated difficulties relating to the current conditions and the proposed improvement works on the A2 between Belfast and Carrickfergus at Greenisland, and the concerns of the residents on whom the scheme will impact.

The A2 between Belfast and Carrickfergus is an important link between the two urban centres. The route varies considerably in standard and characteristic along its length. However, there is a 2.5 km section of single carriageway at Greenisland between Jordanstown and Seapark, which is inconsistent with the otherwise continuous provision of two lanes in each direction between Carrickfergus and the M5 at Whiteabbey. That section also has limited provision for pedestrians, as has been mentioned, with parts of the footway less than one metre wide. That section of road carries approximately 26,000 vehicles a day and is a

source of significant delays during peak hours in the morning and evening.

The Belfast metropolitan transport plan, which was published in November 2004, identifies the Greenisland section of the A2 as a bottleneck in the strategic network of the Belfast metropolitan area. To address that issue, the regional transport strategy, which was published in 2002, affirms that one of its priorities is the addressing of bottlenecks on strategic highways. To address that, m Roads Service is progressing proposals for a new dual carriageway on the A2 at the Shore Road in Greenisland between the Shore Avenue access to the university at Jordanstown and Seapark. The scheme includes a widening of the existing road between Shore Avenue and Station Road in Greenisland to create an urban dual carriageway, with a new offline dual carriageway from Station Road to Seapark. There will be improved junctions at Shore Avenue, which provides access to the university, as well as at Shorelands, Station Road and Seapark. Access to individual properties will be on a left-in and left-out basis, with turning facilities provided at the new junctions.

4.00 pm

The design of the scheme has been under way since 2005, when consultants were appointed to develop and progress a preferred scheme through the statutory procedures. Members have referred to the consultation. Throughout the scheme's development, my Department has sought to ensure that those who are directly affected — the general public and elected representatives — are kept fully informed of progress.

The stage 1, stage 2 and stage 3 reports, which chart the development phases of the road scheme, have been published. In addition to many informal presentations and meetings with individuals and groups, formal consultation meetings were held at the start of the process in May 2005, with further formal consultations held in March 2006, prior to the selection of the prepared option, and in March 2007, prior to the notice of the intention to make the statutory Orders. Presentations on the details of the scheme have also been given to Carrickfergus Borough Council and Newtownabbey Borough Council, with updates on the scheme included in council reports.

The scheme has consistently generated significant interest. Bearing in mind the number and nature of the opinions that were expressed when my Department published the notice of intention to make statutory Orders, I decided that a public inquiry into the scheme should be held. Ken Robinson referred to some of the stages that have been gone through. The public inquiry was held in October 2007, and the inspector's report into the public inquiry was published in September 2008. Following consideration of the inspector's recommendations, my Department published the direction Order and a notice of intention to proceed in October 2008.

Since then, work has continued on the scheme's development. A detailed geotechnical investigation contract to determine the ground conditions was completed in 2009, and an advanced archaeological investigation contract to uncover and investigate any archaeological sites is in progress. That investigation is centred mainly on the offline section between Station Road and Seapark, and at the historical Castle Lug site. Although there is some evidence in the form of work flints and early pottery, to date there have been no significant archaeological finds.

Consultations with affected landowners to finalise and agree accommodation works is ongoing. My Department is also ready to complete the final statutory Order and the vesting Order as soon as the finance becomes available. I am aware of concerns that have been expressed by landowners and the travelling public about disruption during the construction phase. However, it must be recognised that it is not possible to undertake works of such scale in a tightly constrained corridor without causing some level of disruption, especially when there is no reasonable alternative diversion route to provide a clear site for the construction activities.

Roads Service is considering how the contracts should be conditioned to minimise the impact on the travelling public. It is also considering what associated measures can be implemented to assist road users.

A number of issues were raised during the debate, and I hope that I have addressed some of the broader ones during my contribution. Sean Neeson mentioned the Roads Service depot in Carrickfergus. Roads Service is in negotiations with Translink to facilitate the sale of the depot in Carrickfergus to allow Translink to extend its park-and-ride facility.

David Hilditch mentioned the cost of the scheme, and Ken Robinson asked about the current cost. The current estimated cost of the scheme is £55 million to £60 million, which is probably substantially more than what was originally envisaged. That includes an estimate for land acquisition of around £19 million, of which the cost in blight has been just over £10 million.

Alastair Ross and Ken Robinson asked about plans during periods of disruption. I accept Mr Robinson's point that we cannot be blasé or think that we have all the answers. As I said, disruption is inevitable during any construction process. I have faced that when travelling on various roads on which construction work is taking place. However, Roads Service is considering the issues associated with the construction works to minimise the impact of construction activities on road users. It is recognised that the Upper Road on the B90, which runs parallel to the A2, will provide an alternative route for travel. That route is already heavily trafficked and has little capacity to carry additional traffic. Therefore, it is likely that the contract will be conditioned to manage traffic through the works.

Roads Service will continue to develop a temporary traffic management strategy in association with other stakeholders to minimise the impact during the construction phase. However, implementation of any identified measures will depend on available funding and will have to be considered against other proposed works. The opportunity also exists to facilitate a rail-based park-and-ride system at St Brides Street car park in Carrickfergus. As I said earlier, that idea is being considered in association with Translink. Roads Service and I accept entirely that the advancement of the scheme will involve disruption. We can adopt as many measures as possible to prevent disruption, and I am sure that Roads Service officials will be happy to hear any suggestions from elected representatives on how that can be avoided. Nonetheless, disruption is anticipated.

In conclusion, I can confirm that Roads Service is progressing proposals for the improvement of the A2 at Shore Road/Greenisland in line with the actions listed in the public service agreement (PSA) target 13, "Improving the Transport Infrastructure" and the timescale set out in the investment delivery plan for roads. However, Members will be aware — the question was asked — that a caveat of the availability

of finances is attached to all roads schemes. Members will be aware of the new Government in Britain's proposals for constraints on the public purse.

Nonetheless, there is a determination to tackle the bottleneck. It will depend on the outcome of the forthcoming comprehensive spending review, and, therefore, I will not be in a position to confirm the Roads Service programme for the next three years, which is proposed under the envisaged spending of the investment strategy, until the Executive have agreed the Department's budget. However, I intend to bid very strongly for the budget that is necessary for strategic road improvements. If the finances are available, delivery is expected to start in 2011-12, and the project should be completed in 2013.

Adjourned at 4.08 pm.

Committee Stages

Northern Ireland Assembly

Committee for Social Development

25 May 2010

Welfare Reform Bill (NIA 13/09)

Members present for all or part of the proceedings:

Mr Simon Hamilton (Chairperson)
Ms Carál Ní Chuilín (Deputy Chairperson)
Mr Billy Armstrong
Mrs Mary Bradley
Mr Mickey Brady
Mr Jonathan Craig
Mr Alex Easton
Mr Tommy Gallagher
Mr David Hilditch
Ms Anna Lo
Mr Fra McCann

Witnesses:

Ms Anne McCleary	
Mr Colm McLaughlin	Department for
Ms Margaret Sisk	Social Development

The Chairperson (Mr Hamilton): We commenced our clause-by-clause scrutiny of the Welfare Reform Bill on 20 May. During this scrutiny phase, members will again be asked to set out their final positions on each clause in the Bill. Where the majority of Committee members support an amendment, the Committee Clerk and the Bill Clerk will take away the proposal and draft the appropriate wording for consideration at a subsequent meeting. Members must clearly state their position during this scrutiny session if they wish to oppose a clause or do not feel that they are able to agree a clause. In such cases, members will be asked to set out their opposition or their proposed amendment. Consideration of the clause in question may be deferred until the next meeting.

I remind everyone that the Department has not suggested any amendments to the Bill.

In order to speed up the process and answer any queries that we may have about individual clauses, the Department's representatives have been invited to attend today. I ask Ms Anne McCleary, Ms Margaret Sisk and Mr Colm McLaughlin to come forward. They hardly need an introduction; they are better attenders than some members of the Committee.

The proceedings are being recorded by Hansard. We need a quick turnaround of the draft Hansard transcript; the suggestion is that that should happen by Friday 28 May. There is very little time. I am sure that it will be as enjoyable to read as it was to live it.

The report of the Examiner of Statutory Rules on the delegated powers of the Welfare Reform Bill has been received. The Examiner has highlighted clauses 16, 17 and 20, which make regulations subject to confirmatory resolution. The Examiner indicates that equivalent regulations in GB are subject to draft affirmative procedure, but that confirmatory resolution is more commonly used in Northern Ireland for parity measures. Anne, do you have any comments to make about the Examiner's report?

Ms Anne McCleary (Department for Social Development): No. It is all very positive. We are content.

The Chairperson: Do members have any comments? In light of the Examiner's report, are we happy to proceed? He highlighted clauses 16 and 17; do we want to go over that again, or are we happy to leave it? There is no real controversy.

The Law Centre has provided a copy of its suggested amendments to the Welfare Reform Bill. As clauses 1 to 17 have already been agreed, the Committee should perhaps consider the Law Centre's proposals in respect only of the well-being of children in clauses 19, 20, 23 and 27. Those proposals will be dealt with as the clauses in question are considered. If members are content we will proceed with the clause-by-clause scrutiny. Members have a table —

Mr Brady: I am looking at the table of proposed amendments. Some of them apply to clauses that we have difficulties with, such as those that deal with "work for your benefit". Can we still table amendments?

The Chairperson: My understanding is that because the Committee has agreed clauses 1

to 17, we cannot open them up again. However, you are free to table amendments as an ordinary Member.

As I said before, you may draw the Bill Clerk's attention to amendments that have been suggested by others and which you support. She and the Committee Clerk can help you to refine that into the appropriate jargon.

Mr Brady: I just wanted to clarify that. I do not want to go over everything again.

The Chairperson: I will not let you.

Mr Brady: I take your point.

Clause 18 (Payments on account)

The Chairperson: Clause 18 provides a regulation-making power to allow the Department to make a payment on account of benefit in a range of circumstances. Stakeholders welcomed the provision and suggested that the social fund also be amended to extend eligibility. No amendments have been suggested.

Ms McCleary: I want to emphasise that the provisions in the clause are positive. The aim of the clause is to give the Department improved flexibility to address short-term hardship.

Question, That the Committee is content with the clause, subject to consequential amendment, put and agreed to.

Clause 18, subject to consequential amendment, agreed to.

Clause 19 (Loss of benefit provisions)

The Chairperson: Clause 19 introduces a one-strike rule for benefit fraud, which will see benefit withdrawn for a four-week period. Stakeholders have made many critical comments about the extension of sanctions to benefit claimants. Witnesses suggested that sanctions are often not understood by claimants, are costly to administer, and are unnecessary given the low level of fraud in Northern Ireland. The Law Centre proposed that the clause be deleted. There are some suggested amendments at AI to AM in our table.

Ms McCleary: It is important to stress that sanctions will only be applied as a last resort. There are hardship payments available so that families are not affected by the measure. The clause is intended to act as a deterrent and encourage people to act responsibly.

Mr Brady: It is a double whammy. If you are prosecuted for fraud, you will be fined or, possibly, imprisoned. If there is an overpayment, not only are you fined but the overpayment is also recovered. Therefore, people are already punished, both in terms of having to pay the money back or being prosecuted and having to pay the money back. Why then should people also be sanctioned? They are still, by definition, entitled to the benefit. The clause is totally prescriptive.

Ms McCleary: It is intended to act as a deterrent and as a reminder to people that they have to be responsible for their own actions.

Mr Brady: With respect, if you are fined and prosecuted and have money deducted, is that not punishment enough to focus your mind on the fact that you may not want to repeat the offence?

Ms McCleary: If someone comes before a criminal court for this kind of issue and sanctions have already been applied, it is up to the lawyers representing that person to make the point that the sanctions have been paid. Depending on the circumstances, the magistrate will consider that.

Mr Brady: With respect, the magistrate might consider that, but my experience over the years has been that not only are people prosecuted but they may be imprisoned, they will certainly be fined and they will also have to pay the money back. The fact that there is a benefit sanction is not taken into account in any shape or form, in my experience. I imagine that that will continue to be the case.

People are being prosecuted and punished for what they have — allegedly — done wrong, so sanctioning them would mean that they were receiving three punishments. The Law Centre is making the point that you are implementing another regime of sanctions that will cost money, even though the person has already been punished. It strikes me that the measure is vindictive, although that might be the wrong word.

Ms McCleary: I stress again that this is something that whoever is hearing any criminal action will look at and be aware of. I am afraid that this is another example of a situation in which parity has to apply; we cannot have people in Northern Ireland being treated differently to those in Great Britain.

Mr Brady: With respect, judicial systems tend to treat people differently anyway. Much depends on who hears the case, and there are all sorts of other issues involved. When you say that the magistrates will take that into account, what is being implied there, and who explains all that to them?

Ms McCleary: It is up to —

Mr Brady: This is no criticism, but, in my experience, solicitors do not know very much about social security, nor do they want to. Also, there is no legal aid for appeals or prosecutions. In fact, in my experience, most people are advised to plead guilty, whatever the type of offence. If they do not, and they are found guilty, the penalty tends to be two- or threefold more.

Ms McCleary: I cannot comment on what somebody's adviser —

Mr Brady: I can, because I have had many years of experience, and I assure you that that has been my experience. It seems to me that this is unnecessary.

Ms McCleary: It is our belief that this is something that we need to do.

Mr F McCann: I have dealt with some cases where families and single people have been refused hardship money for two or four weeks. I asked how people were expected to live, and they said that it was not their problem, because the claimants were being sanctioned.

We are all very concerned, and have been arguing at many different levels, about how you deal with crime. This is a classic example of someone having no money and having no other option but to turn to crime to survive. That needs to be taken into consideration. Taking into consideration what Mickey has said, as well, people do not always get hardship money. Once they leave the office, if they have no family, or if they have a family who also depend on benefits, it can create some difficult situations and circumstances.

Ms Margaret Sisk (Department for Social Development): Presumably when the person who is charged with fraud offences appears in court, all those types of things are taken into account. I fully understand that there is clearly a difference of opinion here. Some people do not like the idea of applying sanctions for fraud. They are meant to be a deterrent, and, if people do not break the law, they will not suffer

any consequences. If they do break the law, unfortunately, there will be a consequence.

Mr F McCann: If someone breaks the law, they are brought to court. Is that not enough? If they get a heavy fine and they have to pay the money back, they are already being penalised.

Ms Sisk: The idea is to relate it more clearly to benefit claims. This is something that, as a consequence, will impact on people's benefit. I am not going to be able to convince you, because clearly there is a difference of opinion here. It is as simple as that.

Mr F McCann: You would think that it would be one or the other. If you are going to introduce sanctions, why not drop all legal proceedings against people, or vice versa? You cannot have it both ways.

Ms Sisk: We cannot do that.

Ms Lo: People are being punished twice, in many ways. If we follow the suggestion of the Law Centre and drop the clause, what will happen has nothing to do with parity. It is really —

Ms McCleary: It is to do with parity. It means that someone in Northern Ireland would be treated differently to someone in Great Britain.

Ms Lo: What will the consequences be for us?

Ms McCleary: The consequences could be that the Treasury would look again at the consequences and take action on that.

Ms Lo: So they are saying that we should deduct a certain amount of money this year from people who have been convicted, and we have to cough up.

Ms Sisk: It is not possible to say what the Treasury's attitude is likely to be, but one would have to consider that it will be looking for savings in the current climate, so you would not want to play fast and loose with the social security system. That is our concern. If people do not break the law and do not commit benefit fraud, they will not be sanctioned. It is as simple as that. If they break the law and commit fraud, they will be sanctioned.

Ms Lo: But then it is dealt with by the court.

Ms Sisk: That is already the case with the two strikes rule. All we are saying is that we will extend that to the first offence, to deter and stop people from committing fraud in the first

place. At the minute, people are sanctioned after a second offence.

Ms Lo: What happens to people when they have their money deducted? As Fra said, will they be pushed into further crime or robbery?

Ms Sisk: There are hardship payments.

Mr F McCann: However, there is a record of those not having been paid. You mentioned families, but I have dealt with single people who were refused hardship payments.

Ms Sisk: If people can demonstrate hardship, they should be entitled to a hardship payment. Clearly, that is a matter for individual cases, Mr McCann. I cannot say anything about an individual case.

Ms Lo: The hardship payment would be a lot less than the benefit to which they would be entitled.

Ms Sisk: It would be less. Absolutely, yes.

Ms Lo: How much are we talking about?

Ms Sisk: I do not know how much a hardship payment would normally be. I am sorry; off the top of my head I cannot tell you.

Mr Brady: The Law Centre seems to be making quite a sensible point. You have talked about parity, and about the Treasury looking to see whether the scheme will cost more. The Law Centre said: "We therefore would query the cost-effectiveness of introducing a further sanctions regime in light of the apparent success of the current system."

Ms Sisk: That is about administrative cost-effectiveness, though, Mr Brady. We are talking about a programme, which is a separate issue altogether.

Mr Brady: However, if you had a programme that would cost more, and you saved the Treasury money, would you not be doing the Treasury a favour?

Ms McCleary: You would not get it back.

Ms Sisk: The Law Centre is talking about administration, as in the cost of us administering the system. We are talking about benefit costs, which is a separate issue altogether. There would not be any saving of benefit costs by dropping the scheme.

Mr Brady: Overall, however, you would be saving money without introducing a further regime.

Ms Sisk: That is not part of social security. The administration of the social security system is paid for out of the block. We are talking about social security money that does not come out of the block.

Mr Brady: If the administrative money were saved, surely that could be put to other uses in the administrative system of the Social Security Agency.

Ms Sisk: Well, yes, but —

Mr Brady: Would that not make economic sense, apart from what is actually right and wrong in those situations?

Ms Sisk: What we are saying is that there would be no saving. Dropping the scheme would not save any money in social security terms. In fact, it might cost us. The Law Centre is talking about the cost to the Social Security Agency of administering the scheme. What that would be, I do not know; it is hard to tell. So you could say that if we were not to go down that road administratively we might save money, but it would make no difference to the benefit system.

Mr Brady: It would make a lot of difference to the person that you were punishing. Surely that is the issue.

Ms Sisk: Clearly, there is not going to be a meeting of minds on the matter between our point of view and yours. We will not be able to persuade you of our situation.

Mr Brady: By definition, in the term "welfare to work", "welfare" implies something that is beneficial in general terms. We have a system that is not, in certain cases. You will always get serial offenders. I know that, and I am not defending that in any shape or form. However, the reality is that social security fraud here, much as it has been hyped up by the Department, is low.

Ms Sisk: I agree with that. It is fairly low.

Mr Brady: The amount of money that has been spent on targeting alleged fraudsters is not proportional to the amount of fraud that is committed. That is another issue, but one that needs to be highlighted.

Ms Sisk: Well, that is for debate.

Ms McCleary: I have just got some details here about how the hardship money works. The law divides the customers into two groups: customers who are in a vulnerable group, and other customers. “Vulnerable group” is a term used to describe people who are more likely to suffer hardship if jobseeker’s allowance (JSA) is not paid. Those customers are entitled to hardship payments in circumstances where other customers are not. The people who are classed under the current regulations as being in a vulnerable group are pregnant women, lone parents who are responsible for a child or young person, members of couples or polygamous marriages who are responsible for children or young people, customers who qualify for a disability premium, customers with certain long-term medical conditions, certain customers who provide care for disabled people, certain customers aged 16 or 17, and other customers under the age of 21.

That is the first group, and those who fall into those categories classed as vulnerable are entitled to hardship payments, as well as anyone else who can show or satisfy a decision-maker that they or their partner would experience hardship if they were not paid.

Mr Brady: It is fairly straightforward that anyone who is between 21 and 25 and has no money to live on experiences hardship. The difficulty lies in convincing someone at the local office that you are going to be in hardship, and it can become purely arbitrary.

Ms McCleary: There is discretion —

Mr Brady: Discretion is arbitrary.

Ms McCleary: There is also an appeals system. Certain groups are recognised as being more likely to be in hardship, and those are the groups that we have been talking about.

Mr Brady: Sorry, with respect, you say that there is an appeals system, but appeals can take a long time. An appeal can take six to eight weeks, probably longer in most cases. What happens in the interim?

Ms McCleary: I am told that you can also ask for a reconsideration.

Mr Brady: That can take another two or three weeks. You are not convincing me.

The Chairperson: There is clearly a difference of views on clause 19. I will put the Question.

Question put, That the Committee is content with the clause, subject to consequential amendment.

The Committee divided: Ayes 6; Noes 3.

AYES

Mr Armstrong, Mrs M Bradley, Mr Craig, Mr Easton, Mr Hamilton, Mr Hilditch.

NOES

Mr Brady, Mr F McCann, Ms Ní Chuilín.

Question accordingly agreed to.

Clause 19, subject to consequential amendment, agreed to.

The Chairperson: Ms Anna Lo abstained.

Ms Lo: What is the difference between abstaining and not voting?

The Chairperson: One is actively not voting.

Mr Brady: There are lazy abstentions.

The Committee Clerk: It is just as in plenary sittings, when Members can choose to go into the Aye Lobby, the No Lobby, or both Lobbies to abstain, or they can stay in their places and not vote. Abstentions are recorded in the minutes.

The Chairperson: Not voting is not recorded, which makes it look as though you were not here. At least with an abstention you were in attendance; you were interested enough to be here.

Clause 20 (Jobseeker’s allowance: sanctions for violent conduct etc. in connection with claim)

The Chairperson: This may be a similar issue. Let us keep the debate as focused as we can.

Clause 20 introduces sanctions for claimants of jobseeker’s allowance who are convicted or cautioned for behaving violently towards or threatening violence to benefits staff. Provision for hardship payments and the right of appeal is also included. Stakeholders have made critical comments about the extension of sanctions to benefit claimants. Witnesses suggested that sanctions should not apply to the children or families of perpetrators.

The Examiner of Statutory Rules commented that the regulation-making powers in the equivalent clause in GB are subject to draft affirmative, rather than confirmatory, resolution. The Law Centre proposes the deletion of the clause, and

there are suggested amendments at AO and AP in our table.

Ms McCleary: We stress that violence is simply not acceptable, and it is not only this Department that recognises that. As I am sure the Committee is aware, GPs have the power to strike patients who have been violent towards them off their list, and such people can be banned from even setting foot in the surgery. We are not saying that people cannot come in but that there is an appropriate and proportionate sanction there.

Ms Ní Chuilín: In the Health Committee, I and my party voted for zero tolerance of violent behaviour, either verbal or physical, towards health and social care staff. This is a slightly different matter because of the impact that the removal of benefits would have on families.

If claimants are violent, either physically or verbally, their claims still need to be dealt with in some way. The sanctions are punitive. I would not want any member of staff, regardless of where they work, to feel threatened or intimidated, but the approach in clause 20 is far too draconian. There must be some way of processing people's benefit, which does not necessarily mean that it has to be done on the premises. Such behaviour should go through the courts. The sanctions are a wee bit unnecessary.

Ms McCleary: Such behaviour will go through the courts, if that is appropriate. We understand your concerns about family members, and children in particular, and as I said, the hardship criteria would be applied there.

Ms Ní Chuilín: A claim can be processed online or on the telephone, unlike for healthcare. If one member commits a crime or is involved in violent behaviour, it will affect that person personally; it should not affect the rest of the family as much as this provision would. That is the difficulty.

Ms McCleary: As we said about clause 19, hardship provisions are in place. This is about deterrence. We try to address the difficulties that sanctions cause to the claimant's family through hardship provisions. Small children and families specifically are in the prescribed group.

Ms Ní Chuilín: Did the Department not consider any facility for the person's claim to be processed over the telephone, particularly if he or she

has a family? If the family ends up having to go down the route of getting hardship payments, those can take up to eight weeks to process.

Ms Sisk: That would not be a deterrent. The whole idea of sanctioning the benefit is for it to be a deterrent. If the person were still paid money, it would not have that impact.

Ms Ní Chuilín: It is completely different from fraud.

Ms Sisk: I do not disagree, but anyone who commits this type of offence will first have to have been prosecuted through the courts and found guilty of violent conduct. The point that Anne is making is that there is no reason that some form of sanction should not be applied to people who use violence against staff in benefit offices.

Ms Ní Chuilín: That is not what I am arguing.

Ms Sisk: There is a deterrent, or something similar, in other situations. We just want to send out the message that violence is acceptable in no circumstances.

Ms Ní Chuilín: With your indulgence, Chairperson, I will tell you what will happen, Margaret. In my experience, a couple will let on to be separated in order to access benefits, simply because they cannot cope with the hassle. Not only will the partner rightly be prosecuted and penalised for his or her behaviour, which we totally support, but the family will be made to pay as well. I think that that is totally unfair.

I do understand what you are saying about a deterrent against fraud, but this is not the same. I thought that the Department might have come up with something to protect the families.

Ms Sisk: There is protection for families.

Ms McCleary: There is the welfare of the child provision.

Ms Sisk: The benefit of the family is not impacted on — it the individual's benefit that will be sanctioned. The individual is sanctioned, but the other people in the family will still get their money.

Ms Ní Chuilín: Eventually.

Ms Sisk: No, they will get their benefits straight away. The only benefit that will be impacted on is the benefit of the individual who has been sanctioned. The benefit payable to the family will still be paid. The full amount payable to the

family will be paid; the only benefit that will be sanctioned is that of the individual who has committed the offence. The individual is the only person who will be impacted on.

We have very little difficulty with this problem in jobs and benefits offices. It is not something that happens very often.

Ms Ní Chuilín: It is usually in accident and emergency departments on Friday and Saturday nights.

Ms Sisk: We do not expect sanctions to be used often, but they are in the legislation as a deterrent so that the message is sent out to claimants that such behaviour will not be tolerated.

Mrs M Bradley: The Derry office does experience that type of behaviour. I know one member of staff who is still off work, having had a nervous breakdown owing to the abuse received. On one occasion, the staff there threatened to come out all together and not serve people at all. We have to find some way in which to protect staff.

Ms McCleary: Yes, we do.

Mr Brady: I absolutely agree that violence should not be tolerated. I was a front line member of staff in a social security office for six and a half years, and, as such, I saw violent episodes. Such episodes were few and far between, but there were many and diverse reasons why people became violent. In some cases, although not many, people were provoked, and many had mental health problems that should have been noted and dealt with. I am not a psychiatrist, but even I know when someone has serious problems. Those problems should have been dealt with immediately rather than left hanging until the person had built up a head of steam.

There has been much talk about parity. The Law Centre made a good point when it said that the same sanctions do not apply to tax. If there is to be parity, there has to be equity across all offices that deal with the public.

I want to clarify an issue about the perpetrators of violence. Years ago, in cases involving someone with gambling or drink problems, wives and children were paid separately. However, owing to the way in which the system has developed, that has become rare, if it happens at all. If someone who is sanctioned is claiming for a partner, and the money is lumped together, how is the sanction for that individual worked out?

Ms Sisk: The legislation sets out the amount that is payable to individuals, their partner and their children. The sanction would be worked out in accordance with that.

Mr Brady, I accept that tax offices are not affected. We have not got the wherewithal in Northern Ireland to legislate for tax, and it is arguable as to whether there should be a similar sanction.

Mr Brady: I am just making a general point about parity. Comparing like with like is something that we are told about all the time. However, in this case, it does not happen.

It is a double whammy. If violent conduct, such as an assault against staff, is enough to warrant prosecution, perpetrators will be punished, and, depending on their record, there is a fair possibility that they will be imprisoned. Presumably, the families would end up having to claim anyhow. It seems as if there are instances that need to be looked at more carefully. Identifying hardship goes back to the arbitrary, discretionary approach that is dependent on whether the member of staff who is dealing with the case has any issues with the person involved.

Ms Sisk: If a family with children was involved, I would be very surprised if there was any arbitrariness.

Mr Brady: You may hope not, but it does happen.

Ms Sisk: There is no way that a family would be penalised.

Mr Brady: It happens.

Ms Sisk: I cannot talk about individual circumstances, because I am not aware of them all. However, it is not something that should happen.

Mr Brady: It should not happen.

Ms Sisk: You raised the issue of people being provoked and people who have a mental illness. The courts take all that into account before a person can be convicted of an offence. The starting point is when a person is found guilty of violent conduct for which there is no excuse. We want to send out the message that violence cannot be tolerated in any area of business, be it in social security offices or, as is already the case, in health centres and hospitals.

Mr Brady: To continue the theme, at appeal, if someone has a record of behaving violently,

that would be flagged up in the file and, in my experience, the Department will send down two clerks, or more, depending on how big and violent the person is. That would be flagged in the record. It seems as if that is a more sensible way of approaching the situation. Years ago, there were blacklists.

Ms Sisk: Flags are still applied to the records of potentially violent people. As I said earlier, violence is not the sort of thing that we envisage happening very often, and, we hope, it will not. However, we want sanctions in place in case it is necessary to use them to give our staff the same protection as staff in the Department for Work and Pensions (DWP).

Mr Brady: I agree that staff need protection and I fully support that. However, the incidence of violence is relatively low, and the reasons for it sometimes differ.

Ms Sisk: I agree entirely.

Mr Brady: A catch-all sanction is not necessarily the best way in which to approach this. The courts are there for a purpose. Imposing sanctions and prosecuting somebody is a double whammy.

Mr F McCann: As Carál said, any assault or any violent or verbal abuse against any member of staff needs to be dealt with quickly and sternly. That raises the issue of creating the double whammy of people being brought to court and having their benefits stopped. I have dealt with a number of people who would be on Mickey's blacklist. There is a mechanism for people to be barred from local offices, and, on a couple of occasions, I have brought people to sign on outside the office. I know that that happens regularly with a number of people at the office out of which I work.

Ongoing contact takes place with the community and political sectors to create a mechanism to allow people who may have been violent, many of whom are chronic alcoholics or suffer from mental illness, to get their benefit. People who are violent in any office need to be dealt with, but if they are brought to court and sentenced to time in prison or fined, that should be sanction enough.

Ms Sisk: The proposed sanction is to withhold the benefit for a week. That is not a hugely punitive sanction.

Mr F McCann: The person could starve for a week.

The Chairperson: I sense some dissent.

Question put, That the Committee is content with the clause, subject to consequential amendment.

The Committee divided: Ayes 6; Noes 3.

AYES

Mr Armstrong, Mrs M Bradley, Mr Craig, Mr Easton, Mr Hamilton, Mr Hilditch.

NOES

Mr Brady, Mr F McCann, Ms Ní Chuilín.

Question accordingly agreed to.

Clause 20, subject to consequential amendment, agreed to.

The Chairperson: Anna Lo abstained from the vote.

Clause 21 (Repeal of sections 53 to 57 of the Child Support, Pensions and Social Security Act (Northern Ireland) 2000)

The Chairperson: Clause 21 will repeal existing sections of the Child Support, Pensions and Social Security Act (Northern Ireland) 2000. No amendments were suggested.

Ms Sisk: Those sections cover a pilot exercise that was run in Great Britain that was proven not to work. The pilot did not offer good value for money, so it was repealed in Great Britain. That pilot exercise was not run in Northern Ireland, so we intend to repeal the sections in the 2000 Act. That shows that it can happen that some measures in legislation do not proceed; it not a foregone conclusion that they go ahead.

The Chairperson: I will wait for any cynics in the room to raise anything.

Question, That the Committee is content with the clause, subject to consequential amendment, put and agreed to.

Clause 21, subject to consequential amendment, agreed to.

Clause 22 (Period for which pilot schemes have effect etc.)

The Chairperson: Clause 22 allows piloting of schemes to be extended from 24 months to 36 months. Again, no amendments were suggested.

Question, That the Committee is content with the clause, subject to consequential amendment, put and agreed to.

Clause 22, subject to consequential amendment, agreed to.

Clause 23 (Exemption from jobseeking conditions for victims of domestic violence)

The Chairperson: Clause 23 includes regulation-making powers to allow the Department to permit JSA claimants who are victims of domestic violence to receive benefit but be exempt from JSA conditions for a period of 13 weeks, in addition to current provisions of 11 weeks.

Stakeholders commented that benefit advisers should have less discretion in interpreting domestic violence and that there should be a general recognition of the impact of domestic violence on claimants. The Law Centre (NI) proposes a further extension of the exemption period beyond 13 weeks, and the Department has indicated previously that the 13-week period is in addition to the 11-week period of exemption. Some suggested amendments along those lines are included in amendments AQ and AS in the table in the Committee Stage summary.

Ms McCleary: There seems to have been misunderstandings about the clause. The Jobseeker's Allowance Regulations 1996 already make provision for a period of 11 weeks in connection with domestic emergencies. The proposed 13-week period will be in addition to that, meaning that the total period will be almost be six months, which is what many respondents felt to be appropriate.

The Chairperson: Can you provide any further clarity on the meaning of "domestic violence"? Will only physical abuse be included or will psychological abuse also be included?

Ms McCleary: It will include psychological abuse.

The Chairperson: Will revised guidance be provided to benefits advisers?

Ms Sisk: Yes. Guidance for staff will be produced.

Mr Colm McLaughlin (Department for Social Development): The definition of "domestic violence" will be included in the regulations. That definition will include personal, financial and physical abuse, among other forms of abuse.

The Chairperson: Therefore, that definition will not be prescriptive.

Ms Sisk: It will be a pretty wide definition.

The Chairperson: That covers most of the concerns raised in the evidence given to the Committee. Is the Committee happy enough?

Ms Lo: If someone has a fit note to say that they can return to work, apply for jobseeker's allowance or attend interviews, will that also be covered?

Ms McCleary: Yes. It will be taken into account.

Question, That the Committee is content with the clause, subject to consequential amendment, put and agreed to.

Clause 23, subject to consequential amendment, agreed to.

Clause 24 (Good cause to comply with regulations etc.)

The Chairperson: Clause 24 includes regulation-making powers to prescribe the circumstances in which claimants have good cause not to comply with mandatory activities such as JSA directions. Stakeholders commented that there should be less discretion for benefit advisers in interpreting good cause, and that good cause provisions should recognise mental health, learning disability, childcare arrangements and other caring responsibilities. One amendment was suggested, which is amendment AT in the table in the Committee Stage summary.

Anne, do you have anything to add, particularly if you have any clarity to add on the meaning of "good cause" and assurances on the revised guidance that will be given to benefits advisers? I am aware that you previously gave the Committee assurances that various conditions such as mental health and learning disabilities will be included. Do those assurances still apply?

Ms Sisk: Yes.

The Chairperson: Do Committee members want to raise any further issues?

Mr Brady: The issue of "good cause" seems somewhat discretionary.

Ms Ní Chuilín: Will it be set out in regulations?

Ms Sisk: The Department promised that it and the Department for Employment and Learning (DEL) will examine the guidance given to staff

to ensure that the definition of “good cause” is as broad as possible. The Minister will also give an assurance to that effect in his speech at Consideration Stage.

The Chairperson: Must that definition necessarily be quite broad?

Ms McCleary: Yes; otherwise, examples of good cause will be left out. It is possible to be too prescriptive.

Ms Ní Chuilín: Are “just cause” and “good cause” the same thing?

Ms McCleary: Yes.

Mr C McLaughlin: If someone has left work, that would be termed as a “just cause” for leaving work. A “good cause” would apply if someone failed to attend a work-focused interview or to sign on every fortnight.

Ms Sisk: Different terminology is used in different circumstances, but the situation is exactly the same.

Ms Ní Chuilín: Will the Minister mention that at Consideration Stage?

Ms Sisk: Yes.

Question, That the Committee is content with the clause, subject to consequential amendment, put and agreed to.

Clause 24, subject to consequential amendment, agreed to.

Clause 25 (Jobseekers’ agreements and action plans: well-being of children)

The Chairperson: Clause 25 requires advisers to take into account the well-being of children of claimants in devising a JSA action plan or agreement. Stakeholders commented that there should be further clarification on how that provision would be applied. An amendment was suggested, which is amendment AU in the table in the Committee Stage summary.

Anne, have you anything to add? How is the well-being of the child taken into account if sanctions are applied?

Ms McCleary: If we accept any of the proposed amendments, we leave ourselves in too prescriptive a situation. It is better to leave the clause as it is, because that will give us the widest discretion to ensure that the well-being of the child is taken into account.

The Chairperson: Do members want to raise anything?

Mr Brady: The Law Centre’s amendment is quite specific.

Ms Sisk: The definition of “well-being” that the Law Centre (NI) suggests includes the considerations that we will use. However, we do not want these things set down in legislation. Once they are in legislation, those are the only things that can be taken into account. There may well be other relevant situations, but we would be precluded from taking those into account.

In the guidance, we will set out the types of consideration that we want the decision-makers to take account of. That is what GB will do as well. The definition is lifted from the Children Act 2004. We will use the same considerations, but we will allow for other things to be considered as well. Therefore, we are not going against what the Law Centre (NI) says but simply do not want to be prescriptive in the Bill, because to do so would fetter the decision-maker’s discretion.

Mr Brady: Your suggestion is more aspirational than —

Ms Sisk: No. Our suggestion will allow for more things to be taken into account than what the Law Centre (NI) sets down.

Mr Brady: You will find that if a mechanism is not specified, we are back to relying on the Department’s discretion.

Ms Sisk: The mechanisms will be specified in the guidance, but there will also be scope for additional factors. That is all that we are saying.

Question, That the Committee is content with the clause, subject to consequential amendment, put and agreed to.

Clause 25, subject to consequential amendment, agreed to.

Clause 26 (Contracting out functions under Jobseekers (Northern Ireland) Order 1995)

The Chairperson: Clause 26 provides a general provision to allow DSD and DEL to contract out certain jobseeker functions.

Stakeholders commented that contracting out would require robust monitoring, and might lead to additional administrative costs and a loss of service for hard-to-help or rural groups. There

are some suggested amendments, which can be found at amendments AW to AZ in the table in the Committee Stage summary.

Does the Department want to add anything, particularly about the controls that DWP uses for contracted-out organisations or third parties?

Ms McCleary: First, we are not planning to contract anything out. Any contracting out is in the DEL sphere rather than in ours. As we said in an earlier evidence session, contracts in situations such as this will presumably be subject to monitoring.

The Chairperson: DEL has contracted out aspects of business in the past.

Ms Sisk: There is a similar provision in the Welfare Reform Act (Northern Ireland) 2007, but DEL has not yet used it. DEL has asked that this clause be left in the Bill, in case at any point it decides that there are aspects of its business that it wishes to contract out. As far as I am aware, it has no plans to contract out.

Mr Brady: I am wary of contracting out because of the sensitive nature of the business. Take HR Connect, which you may know a great deal more about than I do. It is a disaster, in the sense that all sorts of problems have occurred. Other Committee members have also had problems with HR Connect. It has taken over human resources in the Civil Service, and it has not proved to be successful.

Ms Sisk: As Anne said, DSD has no intention of contracting out any of its functions.

Mr Brady: What about support services?

Ms Sisk: What we are talking about here are the services that impact on benefit decision-making. We have no intention of doing anything like that. I do not know whether DEL has such an intention. Sir Reg Empey is due to appear in front of the Committee for Employment and Learning in the not-too-distant future. Perhaps you can take that up with him and see whether he has any plans. I think that that is a fail-safe measure, just in case.

The Chairperson: Are Members content with the clause? The power exists to contract out services, but the Department has no intention of doing it.

Question, That the Committee is content with the clause, subject to consequential amendment, put and agreed to.

Clause 26, subject to consequential amendment, agreed to.

The Chairperson: It is 2.55 pm, and I know that some members have their names down to ask questions to the Minister of Justice at 3.00 pm, and that a question for urgent oral answer has been tabled for immediately after Question Time. However, rather than break right now, I wish to jump to clauses 30 to 36, which are minor and technical clauses that make reference to the new arrangements for the payment of child maintenance. No amendments were suggested during evidence sessions.

Question, That the Committee is content with the clauses, subject to consequential amendment, put and agreed to.

Clauses 30 to 36, subject to consequential amendment, agreed to.

Committee suspended for Question Time.

On resuming —

The Chairperson: Welcome back. We seem to have lost about half of the Committee, but it may prove to be for the best.

Clause 27 (Attendance in connection with jobseeker's allowance: sanctions)

The Chairperson: Clause 27 introduces a sanction for JSA claimants who fail to attend mandatory interviews and the closure of claims where claimants fail to make contact. Stakeholders commented that these sanctions would particularly and unfairly target claimants with certain mental illnesses and would also unfairly affect the families of claimants. The Law Centre proposed an amendment that would allow claimants 21 days, rather than five days, to set out good cause for missing an appointment. There are some suggested amendments at BA and BB in our table. Does the Department have anything to add, particularly in respect of good cause?

Ms Sisk: The Law Centre's amendment is based on a misunderstanding of what the clause is all about. The clause proposes that where someone misses their interview and then turns up within five days without demonstrating good cause, they will be sanctioned. If they stay

away for longer than five days, their claim will be closed down, as happens at the minute. Therefore, extending the length of time to allow them to demonstrate good cause would not be of any benefit to them at all.

The clause is aimed at serial non-attenders. Mr McCann talked about situations in which somebody could fail to attend on one occasion by mistake. That is not the sort of situation that we have in mind. This is aimed at serial non-attenders, the idea being that people who are trying to get into work get into the habit of being at places at a time when they are expected to be there. When a person is working, that is something that they are expected to do.

Therefore, as I said, the amendment that has been proposed by the Law Centre is based on a misunderstanding of the clause. It would not achieve what the Law Centre intends it to achieve. At present, if someone does not attend, their benefit claim is closed down, and they lose benefit until the claim is reopened. That creates bureaucracy. We are saying that the claim would not be closed down; instead, they would lose benefit until the claim is opened up again.

Mr Brady: Is the Law Centre not saying, essentially, that five days is not long enough, say, in the case of an emergency? That is the point that it is making.

Ms Sisk: We are not saying that someone has five days to demonstrate good cause: we are saying that if that person does not turn up within five days, their claim will be closed down anyway, which is what happens at present. The Law Centre suggests that there should be 21 days in which to demonstrate good cause — all that would happen is that the claim would be closed.

Mr Brady: I take your point. However, we then need to look at changing the fact that the case is closed down after five days.

Ms Sisk: Exactly. Therefore, the amendment that the Law Centre has suggested will not achieve what it wants it to achieve.

The Chairperson: They are losing their money after five days.

Mr Brady: You are suggesting another amendment —

Ms Sisk: I am not suggesting any amendment at all. *[Laughter.]*

Mr Brady: But you have given us —

Mr F McCann: You have steered us in the right direction.

The Chairperson: You have given us an idea.

Ms Sisk: What I am saying is —

Mr Brady: We are not trying to put words into your mouth.

Ms Sisk: The individual will not actually lose much more than he or she would now. At present, their claim is closed down until they turn up again. We are saying that, under clause 27, we will not actually close down that person's claim; we will keep it open. However, there will be a sanction of a week for not turning up at the right time.

Mr Brady: The case will not be closed.

Ms Sisk: The case will not be closed. Therefore, we are actually removing bureaucracy.

Mr Brady: God forbid.

Ms Sisk: There you are.

Mr F McCann: As you said, I have raised this at previous meetings. I still have a serious problem with sanctions when someone forgets, which happens to us all. I dealt with the case of someone who was on disability living allowance. The reason that he gave for missing his interview was not accepted as good cause. He was fined.

Ms Sisk: His benefit will have been sanctioned.

Mr F McCann: It is the same thing as a fine. I tried to pursue it and asked about a hardship payment. It was not paid. In another case, I asked whether someone could appeal. I was told that the person could appeal, but that by the time that the appeal came through, his money would be back on again. Therefore, he still lost money.

Is there a set number of days, right across all offices? I have heard that some offices operate a week, some two weeks, and others longer. There is no set way to deal with this across all the offices.

Ms Sisk: At present, people are required to attend fortnightly. If they do not attend within five days of their appointments, their claims are

closed down. That is what happens. Members will always be able to tell us about situations when things do not seem to have worked fairly. However, good cause is taken into account. Therefore, if people have good reason for not being able to turn up on time and satisfy conditions, that should be taken into account. As I keep on saying, I cannot talk about individual cases.

Mr F McCann: I appreciate that.

Ms Sisk: Clearly, as I said to you before, if there is a pattern in some offices of things not appearing to work according to plan, we in the Department would like to know about it and to look at whether there is a situation. Perhaps the decision-makers need guidance from the Department's decision-making service. It could be something that simple.

The impact of this clause will not be that much more than what already exists. It is intended to relieve bureaucracy. What will happen is that if someone does not turn up at the right time and comes back to the office within five days, without being able to demonstrate good cause, they will be sanctioned. It is not actually the case that someone has five days to demonstrate good cause. That is not what the clause says. Therefore, the Law Centre has misunderstood the clause.

Mr Brady: You talked about the sanctions affecting the person, but not necessarily their dependants.

Ms Sisk: That is right. That would be exactly the same —

Mr Brady: Will that be made clear?

Ms Sisk: Yes.

Mr Brady: The other thing that I want to clarify is whether cases will be closed after five days. Will people be given the opportunity —

Ms Sisk: No, cases will be closed after five days. If somebody does not turn up within five days, as is the case at the minute, their benefit will be closed down until they come back and reclaim. They will not be sanctioned, because they will have to wait —

Mr Brady: They put in a fresh claim.

Ms Sisk: Yes.

Mr Brady: But that fresh claim could take —

Ms Sisk: However long it takes to decide.

Mr Brady: Therefore, in many cases the sanction will, in effect, be more than a week or two weeks.

Ms Sisk: Yes, but that is exactly the same as the situation at the minute. We are not proposing any changes to it.

Mr Brady: I know, but that does not necessarily make it right.

Ms Sisk: I am not suggesting that you would think that.

Mr Brady: The other thing is the whole issue around good cause and using discretion.

Ms Sisk: As I think we have said —

Mr Brady: There is local office variation

Ms Sisk: It really has to be discretionary to give people the opportunity to take account of what an individual is telling them about their particular circumstances. It will never be possible to be prescriptive in legislation, because, if you are, you reduce the ability of decision-makers to take account of an individual's circumstances.

Mr Brady: I do not disagree with that, but say you have a genuine case in which someone says that they forgot. It comes down to that person's credibility and whether the interviewing officer believes them. Sometimes, that is very difficult. I take your point about serial and repeat offenders. For someone who does not sign on or attend because they think that they will get paid anyway, it does not work like that, and people catch on very quickly. Therefore, the incidence will be small.

Ms Sisk: I agree entirely; you are right. We are talking here about repetitive offenders. Somebody who fails to attend —

Mr Brady: It is difficult to have sympathy for people who simply do not bother to turn up. I am not defending anybody. To get benefit, you have to fulfil an obligation.

Ms Sisk: That is all that we are talking about. There could be circumstances in which claims are continually being closed down and reopened, which, administratively, is extremely expensive and not cost-effective.

Mr Brady: I go back to the point about closing claims down, which is more prescriptive, because people can make a fresh claim. They are not sanctioned, but it can take a few weeks.

Ms Sisk: Again, that is a case of people not satisfying the conditions for the receipt of their benefit. If they do not turn up —

Mr Brady: We are back to good cause.

Ms Sisk: Well, yes, they can claim good cause, and we will take that into account.

Mr Brady: We could be at this for a long time.

Ms Sisk: I know. We seem to have been here a couple of times already.

Mr Brady: It is déjà vu all over again.

Ms Sisk: I should have thought of that one.

The Chairperson: That is just today.

Mr Craig: I do not have much sympathy for people who deliberately do this — I call them serial late offenders. I have always made a point of being on time for things. Are sanctions and the impact of not turning up made clear to people when they apply? It must be made clear up front that if they miss two appointments, they have five days to show good cause or else the benefit is gone. If that is made clear, they do not have a leg to stand on.

Ms Sisk: You are right. When you apply for benefits, all the conditions are set down, so there is no excuse for not realising what is required. People are expected to turn up once a fortnight. That is basically it, so it is difficult for someone to explain how they can continually forget to turn up. It is difficult to have sympathy.

Mr Craig: Unless there are medical reasons.

Ms Sisk: In which case, that is a good cause.

Mr Brady: When you sign on, you are given a document. Nobody actually says “this is the way it is going to be.” It is quite a long and complex document, so, unless you are used to such documents, it can be confusing. Obviously, I agree with Jonathan about people who just cannot be bothered to turn up. However, the difficulty is getting that message across within that document.

Ms Sisk: I think that someone who demonstrated that they did not understand the documentation would constitute good

cause. However, they would have to be able to demonstrate that they did not understand the requirements.

Ms McCleary: For whatever reason.

Mr Brady: I think that that argument has been taken up by the Autistic Society.

Ms McCleary: Yes.

Ms Sisk: Yes, and that would certainly be classified as good cause.

Ms McCleary: All learning disabilities.

Mr Brady: Such people may be articulate to a certain degree without being able to fully comprehend, and there is a subtle difference.

Ms Sisk: I understand that. The people in the jobs and benefits offices tend to know their customer base, and on a lot of occasions they are aware of those with genuinely good reasons, particularly people with any sort of disability that would make it difficult for them to understand the requirements.

Mr Brady: In fairness, the staff are under tremendous pressure.

Ms Sisk: Yes, that is true.

Mr Brady: That is one of the difficulties.

Ms Sisk: Clause 27 is one of the things that will relieve that, because they will not have to continue to action cases over and over again.

The Chairperson: Is there agreement on the clause?

Mr Brady: I would like to look at the other option, but I am not sure how we can get around closing the claims down.

Ms Sisk: Again, that would be a parity situation, and it would require an amendment, because the Bill does not cover that at all.

Mr Brady: It could be in the form of an amendment.

Ms Sisk: An amendment to that effect could be put down, but that would be a break of parity because it would create different conditions here from those for other people across the UK.

Mr Brady: I can feel the thunderbolt already.

Ms Sisk: Yes, you can hear us saying —

The Chairperson: We are going to be struck down here.

Ms Sisk: You would expect nothing else.

The Chairperson: Do you want to divide on this now, so you can vote against it and then decide what else you want to do?

Mr Brady: Yes, do that.

Question put, That the Committee is content with the clause, subject to consequential amendment.

The Committee divided: Ayes 4; Noes 2.

AYES

Mr Armstrong, Mr Craig, Mr Easton, Mr Hamilton.

NOES

Mr Brady, Mr F McCann.

Question accordingly agreed to.

Clause 27, subject to consequential amendment, agreed to.

Clause 28 (Social security information and employment or training information)

The Chairperson: Clause 28 broadens the scope of information-sharing provisions relating to social security and employment matters. No amendments were suggested. I have nothing to add.

Question, That the Committee is content with the clause, subject to consequential amendment, put and agreed to.

Clause 28, subject to consequential amendment, agreed to.

Clause 29 (Persons under pensionable age to take part in work-focused interviews etc.)

The Chairperson: In line with the increase in state pension age, clause 29 introduces a requirement for people aged 60 to 65 to undertake work-focused interviews. Stakeholders commented that, given the economic crisis, the provision was inappropriate. However, no amendments were suggested.

Ms McCleary: There may well be those to whom this provision will apply who will want to take part in work-focused interviews because they wish to continue to work. The requirement is not particularly onerous. They will not have to attend

work-focused interviews terribly frequently — they will be conducted quarterly on a sliding scale.

The Chairperson: Quarterly? Right.

Mr Brady: People who want to work when they reach that age will probably look for work themselves. I question why they should be put into a category in the current economic crisis, which is likely to last for a while. It is not that long ago that people aged 50 did not have to sign on. We have now gone full circle, and the economic situation is a lot worse than it was 10 or 15 years ago.

Ms McCleary: The provision may assist those who may want to retrain in another area or to do something different.

Mr Brady: I am not sure that employers will be seeking applicants aged 60 or over.

Ms McCleary: There is legislation against age discrimination.

Mr Brady: Some of that legislation, particularly European stuff, has turned out to militate against older people rather than achieving positive discrimination. I am thinking of lifelong learning and the equalisation of college fees, which led to older people being discriminated against because they had to pay the same amount as younger people when, in fact, they were on cheaper courses. There are a lot of issues around that; it is not as straightforward as it may initially appear.

Ms Sisk: I think you will find that, through time, because the population is ageing and there are fewer young people looking for employment, older people will find it easier. The other thing that is a strong possibility — and it has been signalled in the Queen's Speech today — is that the default retirement age will be extended beyond 65.

Mr Brady: *[Inaudible.]*

Ms Sisk: I know.

Mr Brady: As a member of that ageing population, I may talk to you about it after next May.

The Chairperson: You will have a work-focused interview.

Ms Sisk: Yes, indeed.

Mr Brady: A work-focused convention.

Question, That the Committee is content with the clause, subject to consequential amendment, put and agreed to.

Clause 29, subject to consequential amendment, agreed to.

The Chairperson: We have done clauses 30 to 36.

Clause 37 (Short Title)

Clause 37, subject to consequential amendment, agreed to.

Schedules 1 to 4, subject to consequential amendment, agreed to.

The Chairperson: Further amendments to the Bill have been proposed; amendments BC and BD in our table. Amendment BC proposes that a pilot scheme for the automatic payment of pension credit be undertaken.

Ms Sisk: We are not proposing to run a pilot scheme here for pension credit. I think that Britain is running a very short pilot involving 2,000 people to see whether sufficient information is held by DWP to allow it to pay pension credit to individuals without a claim. If that is successful and DWP decides that it should be rolled out then clearly in Northern Ireland we will do exactly the same thing. There is no real benefit to us in running a pilot because you are talking about a tiny number of people, and it would probably not prove anything much. That is why we did not see the need to run a pilot scheme here. It would not be cost-effective, but if DWP find that it is of benefit then there is no question but that it will be rolled out in Northern Ireland.

The Chairperson: What proportion of the overall number does 2,000 constitute? It sounds like a small number.

Ms Sisk: It is a tiny number of people. I am sure that there are hundreds of thousands of people getting pension credit. If we were to take something like a fortieth of that it would amount to less than 100 people in Northern Ireland. It really would be of no particular benefit to us at all.

Mr Brady: Logically, why not have a pilot scheme that includes more people? One of the big issues that has been going on for years is that pension credit is not being claimed. There is between £1 million and £1.9 million of pension credit unclaimed here every week. It is much more urgent here than it is in Britain, and therefore it seems sensible to me to raise people's

awareness of the benefit. That money goes back to the Treasury.

Ms Sisk: It is not that it goes back to the Treasury; it just does not come here in the first place. There would be no benefit to us in running a pilot, because DWP will decide whether or not it is going to do this. If we ran a pilot and came up with an answer, we could not put legislation in place that would allow us to do it. The legislation would have to be put in place by DWP, so it is that Department that needs to prove that it works.

Mr Brady: That is not the point. The point of the pilot is to raise awareness among people that they may be entitled to pension credit.

Ms Sisk: I am not sure that that is the point of the pilot.

Ms McCleary: I do not think it is about raising awareness.

Mr Brady: It is about paying people who are entitled; that is the issue.

Ms McCleary: Yes, without their having to go through the process.

Mr Brady: So whether it is DWP or the Social Security Agency here, people who are entitled to the benefit would be getting that benefit. It is not deviating from something that is not already there. The problem here is that the number of people who are not getting the benefit to which they are entitled is much higher proportionately than it is in Britain. It seems a sensible suggestion from Age NI that a pilot scheme could be beneficial.

Ms Sisk: I still come back to my point that, in order for this to be put into place as a permanent solution to the problem, DWP will have to make the decision, and the evidence used will have to be its evidence. Anything that we did would have no bearing on that.

Mr Brady: I understand that. The permanent solution, surely, is making sure that people who are legally entitled to the benefit do, in fact, get it.

Ms Sisk: Yes.

Mr Brady: That is the solution. This is simply running a pilot to make sure that people who are entitled to the benefit get it.

Ms Sisk: The idea of the pilot is to see whether DWP holds sufficient information to allow it

to make correct decisions on pension credit, because it is possible that payments will be made to people who are not entitled.

Mr Brady: *[Inaudible.]*

Ms Sisk: We do not want a situation to arise in which money would have to be recovered from some people. The purpose of the pilot is to see whether an automatic scheme would work. We do not see there being any benefit to us in running pilot schemes, because we cannot influence the final decision. The final decision will have to be made by DWP. If DWP decides that this is a good, workable thing and does not disadvantage anybody in any way, it will be rolled out in Northern Ireland; there will not be a problem.

Mr Brady: You are saying that they may or may not have the information. In a number of European countries, people automatically get their pension and other entitlements when they reach pensionable age. The excuse used in Britain is that they do not have enough postcode information, and that is nonsense.

Ms Sisk: That is not entirely true. Pension credits also —

Mr Brady: They do have the information. I rang up about a television licence on one occasion, and all I had to do was give them my postcode; I did not have to give my name, address or anything else. They could have told me what I had for my breakfast just from my postcode.

Ms Sisk: Pension credit is a means-tested benefit, so information about people's income, savings and capital is required. It is to check on that —

Mr Brady: There is no difference, because, at the moment, you are acting on the information that people tell you. They could have £20,000 in a shoebox under the bed and not tell you about it.

Ms Sisk: That is correct.

Mr Brady: You will have that information through their bank accounts and obviously —

Ms Sisk: We cannot access people's bank accounts. They would have to have told us.

Mr Brady: You would have to have the information to access.

Ms Sisk: That is right.

Mr Brady: It used to be that the claimants had to give you their permission, and if you did not get permission, you would not do anything because you did not have enough information. You now have access, once you have the information.

Ms Sisk: Yes, but the purpose of the pilot in GB is to check whether they hold that information. If they can show that DWP holds enough information, without people having to fill in claim forms, this will be rolled out, and there will be no need for a pilot in Northern Ireland. It will be rolled out automatically. There is no benefit to our running a pilot, because we cannot influence DWP's final decision. It is DWP who will have to make the decision. That is the reason for there being no pilot here.

The Chairperson: Mickey's points are valid, and everybody will accept that trying to increase the uptake of pension credits should be a priority.

Ms Sisk: Absolutely.

The Chairperson: Do we accept the Department's point that that it is not meritorious for us to go ahead and run a pilot of something that might differentiate from a pilot that has been going on over there and about which we can do nothing?

Mr Brady: With respect, Alex made the point last week about parity. If there is to be parity, why are they having a pilot scheme and we are not?

Ms McCleary: Their pilot scheme will apply to us.

The Chairperson: It is the same with "work for your benefit" as well.

Mr Brady: I agree that there should be a "work for your benefit" pilot scheme here, because parity is like with like. Why is there a pilot scheme there? Two and a half years has been mentioned — the legislation will be place. Irrespective of what happens with the pilot scheme, do we honestly think that they will change the legislation to take that into account?

Ms Sisk: Are we talking about "work for your benefit"? I am lost.

Ms McCleary: The point to remember is that the pilot is not about increasing awareness of the benefit; it is about making sure that the system has enough information to allow us to do it automatically. That does not need to have Northern Ireland-specific information. It is about whether there is information on the system GB-

wide or UK-wide, rather than worrying only about issues specific to Northern Ireland.

The Chairperson: If it works over there, the same information is held here. We do not have to run a pilot.

Ms Sisk: That is correct. We will go straight to it, without holding a pilot.

Mr Brady: I thought that we were here to worry specifically about what happens in the North.

Ms Sisk: On this specific issue, it is DWP-led.

Mr Brady: It is not Social Security Agency-led?

The Chairperson: Members might be looking for assurance. If the pilot scheme in GB works and gets the go-ahead from DWP, we will not have a pilot. Is that correct?

Ms Sisk: That is correct. The scheme will be rolled out here.

Mr Brady: Just because it might not work over there does not mean that it will not work here.

Ms Sisk: If it does not work there, it will not work. The pilot in GB will be looking at whether there is sufficient information to make accurate benefit decisions. The same conditions apply in Northern Ireland as apply in Great Britain: that is the point of parity.

The Chairperson: Before Tommy Gallagher speaks and makes an early impression on the Committee, I want to welcome him here. This is his first meeting, and he is replacing Thomas Burns, whom we wish well and thank for his contributions.

Mr Gallagher: I apologise for not being present for the start of the meeting, but the Health Committee was meeting, and the meeting went on longer than expected. I have come late to the discussion, and I am picking up on what is being said about tax credits and whether something that works in Great Britain will work here. Tax credits do not work for cross-border workers. In fact, the tax credit system is very complicated. I want to say that for the attention of the departmental officials. It is difficult and chaotic, but it may be more of a North/South issue. I am not saying that you are deliberately trying to sweep something aside, but I do not agree with such a broad statement that if something works in Great Britain, it will work here, because it does not work for cross-border workers.

Ms McCleary: There are some cross-border workers in Great Britain, because we heard about some people who commute to France, for instance. It is a tax credit issue.

Ms Sisk: Tax credits are not the responsibility of DSD; they are the responsibility of the Treasury. I know that there have been many complaints about tax credits. Unfortunately, or fortunately, we have no control over those.

The Chairperson: You never know: you might get it yet.

Ms Sisk: We have enough problems.

The Chairperson: The points that have been made are valid and have been taken on board. Given the assurance that we have had that it will work here if it works in Great Britain, and, if it does work in Great Britain, it will be rolled out here automatically. Are members content not to pursue the new clause?

Members indicated assent.

Ms Sisk: If it helps, we could have the Minister make a commitment at Consideration Stage that there will be an automatic roll-out.

The Chairperson: That would be helpful. We are happy not to pursue amendment BC at this stage.

Amendment BD proposes an exemption from work-related conditionality provisions for all lone parents with children in receipt of disability living allowance (DLA).

Ms McCleary: We have talked about parity in relation to that.

Ms Sisk: Parents of children who are in receipt of the middle or higher rate of DLA are exempt from work-related activity. We are talking, therefore, only about the parents of children who are in receipt of the lower rate of DLA. The conditions around their well-being, which we have spoken about, would have to be taken into account. There are quite a lot of safeguards built into the legislation to enable that to be taken into account.

As Colm said, work-related activity can amount to something in the region of one activity every three months. We are not talking about placing onerous burdens on parents, even if they do have to undertake activity, which they will not have to do in every case anyway.

Mr Brady: Lone parents with children who get DLA do so because they meet the required criterion, which is that the children require care and attention that is substantially in excess of what should be required for a child of that age. Even undertaking one activity every three months is putting parents under undue pressure, because they are bound to have difficulties.

Ms Sisk: We talked earlier about the well-being of a child. The decision-maker and the personal adviser will have to take into account all the caveats that are set down. The fact that a lone parent is dealing with a disabled child, even if the parent is not in receipt of the middle or higher rate, is one of the things that will have to be considered. There are sufficient safeguards already built into the legislation that cover all of that.

Mr Brady: The Committee produced a report on DLA, relating to the administration and inconsistency of it. Many children are not getting DLA or are not getting the middle or high rate, when they should be on a higher rate because of the inconsistency of the system. By definition, it is a medically based benefit. Unfortunately, in many cases the medical evidence available is not taken into account.

Ms Sisk: Even if they are not receiving what you consider to be the correct rate of DLA, their well-being would still have to be taken account of, with all the caveats that are set down in that regard applying.

Mr Brady: What about children who have been turned down for DLA and are appealing that decision?

Ms Sisk: Even if they are not disabled at all, their well-being must be taken into account. All the same things have to be considered, regardless of the situation in which the child is in.

Mr Brady: It is discretionary.

The Chairperson: The needs of a child in receipt of DLA are effectively going to be childcare-related needs. We have heard in previous evidence sessions that if a mother says that she has to look after a child because there is no one else to do it, that is not tested but is accepted as a valid reason.

Mr Brady: It is childcare provision.

The Chairperson: That is not childcare in the way in which one would necessarily think of it.

Ms Sisk: They would require a higher level of childcare because their child is disabled. We have also said that the mother's word is taken for that. The personal adviser will not challenge her or ask her to show evidence to prove it. A personal adviser will take her word for it. In our view, there are quite sufficient and stringent safeguards already built into the legislation.

Mr Brady: It comes back to the degree of training that staff receive.

Ms Sisk: We have asked DEL to give us a note about that, and we will come back to you on it.

Mr Brady: If safeguards were built into that —

Ms Sisk: Extra safeguards will be built in as a result of clause 25. That clause will actually increase the level of safeguards that are built in.

The Chairperson: Those assurances are there. Are members happy not to pursue that amendment?

Members indicated assent.

The Chairperson: Finally, the Law Centre (NI) has proposed an additional amendment in respect of the well-being of children. We have spoken about that just now and previously. The Law Centre (NI) proposes that a new clause be added that requires the Department to have statutory regard for the well-being of children in the discharge of all the clauses. "Well-being" means appropriate childcare, physical, mental, emotional, educational and social factors. I think that you spoke about that earlier.

Ms Sisk: Yes, we did. We said that our intention is that all that be included in guidance. We could go further.

Mr Brady: I really think that that is necessary. It is all right to say that it is discretionary at the moment and that it will not happen, but in my experience over the years, if something is put in place, it is put in there for a purpose. The whole feel-good factor is eroded as time goes on and different targets are set. The Bill was put in place by another Government to the one that we have now.

Ms Sisk: I would be very surprised if the new Government attacked that element.

Mr Brady: I would not be surprised about anything.

Ms Sisk: When the UK Bill was going through Parliament, the Conservatives were actually less draconian about it than Labour. We can

have the Minister say that safeguards will be built into guidance; there is no difficulty in doing that. He will give quite a lot of assurances at Consideration Stage.

Mr Brady: I will sleep soundly tonight.

Ms Sisk: I am glad to hear that.

The Chairperson: Are members content not to pursue that amendment given those assurances?

Members indicated assent.

Question, That the Committee is content with the long title, put and agreed to.

Long title agreed to.

The Chairperson: Subject to assurances that have been requested and promised, there are no other consequential amendments. Is the Committee content with the Welfare Reform Bill?

Mr Brady: We will probably be looking at amendments.

Question put, That the Committee is content with the Welfare Reform Bill as drafted.

The Committee divided: Ayes 5; Noes 2.

AYES

Mr Armstrong, Mr Craig, Mr Easton, Mr Hamilton, Mr Hilditch.

NOES

Mr Brady, Mr F McCann.

Question accordingly agreed to.

The Chairperson: Tommy Gallagher abstained.

Thank you, Anne, Margaret and Colm, for all of your help during the past two weeks, which seemed like an eternity.

Northern Ireland Assembly

Committee for Enterprise, Trade and Investment

3 June 2010

Debt Relief Bill (NIA 9/09)

Members present for all or part of the proceedings:

Mr Alban Maginness (Chairperson)
Mr Paul Butler (Deputy Chairperson)
Mr Gregory Campbell
Ms Jennifer McCann
Mr Gerry McHugh
Mr Daithí McKay
Mr Sean Neeson

Witnesses:

Ms Eileen Glenn	Department of
Mr Reg Nesbitt	Enterprise, Trade and
Mr Jack Reid	Investment

The Chairperson (Mr A Maginness): The Committee now moves on to its formal clause-by-clause scrutiny of the Debt Relief Bill. Members' folders contain the relevant papers, including an updated version of the clause-by-clause analysis table. I will go through each of the nine clauses and one schedule serially to seek the Committee's position on each. Members will be giving their views on the clause as drafted in the Bill; to date, no amendments have been made by the Department or the Committee.

Clause 1 (Debt relief orders)

Clause 1 agreed to.

Clause 2 (Conditions for making a debt relief order)

The Chairperson: Is the Committee content —

Ms J McCann: Did you not tell me that that matter would be dealt with under subordinate legislation? Clause 2 sets out conditions that a debtor must meet in order to obtain a debt relief order. I am confused.

Mr Butler: It is an exceptional clause.

The Clerk of Bills: For clarity, what you have in front of you is the analysis table that the Committee has developed during its consideration of clauses, evidence-taking, and questions that members have put to the Department. The Committee has considered all the clauses. Today, the Chairperson will put the question formally on whether the Committee is content with each clause as drafted. The table in front of you is to guide you and ensure that, before you answer the question, you are content with the clause as drafted following those discussions. If a member wishes to seek further clarification or to suggest an alternative route or amendment, that is, of course, open to him or her at this point. If the Committee decides to support the clause as drafted, members could, of course, approach a Bill Clerk and table an amendment separately.

Ms J McCann: I do not see where it states that exceptional circumstances should be included in the clause.

The Clerk of Bills: The Department's responses relate to questions that the Committee put to it.

Ms J McCann: On the six-year rule?

The Clerk of Bills: Those responses should address issues that you have raised in addition to correspondence between the Committee and Department.

Mr Campbell: Previously, we raised the issue of comparable legislation in GB, which was around a year ahead of ours, and there had not really been any time to obtain feedback on it. Obviously, when the Bill is passed, and we carry out monitoring in addition to that which is carried out in GB during the extra year it will have had by then, and feedback is obtained, at what point — be it 2011 or 2012 — would there be an opportunity to revisit any of the Bill's clauses, or not, as the case may be?

The Chairperson: Perhaps, that is a question to put to officials.

The Clerk of Bills: When the Committee has taken a decision during formal clause-by-clause scrutiny and issued its report on the Bill, the next opportunity to comment on or, indeed, to propose an amendment to any clause is Consideration Stage, during which an individual member, on behalf of his or her party or otherwise, can approach a Bill Clerk and table

an amendment. For the Committee to revisit its decision is more complicated. Normally, during formal clause-by-clause scrutiny, the Committee signs off its position on the Bill.

Mr Campbell: That is not what I asked. Assuming that the Bill is passed —

The Chairperson: It goes through, yes.

Mr Campbell: If, say, by June 2011, after the Assembly election, problems have emerged either following monitoring in Northern Ireland or in information that comes from GB — which, at that point, will have had two years' experience while we will have had one year's experience of a debt relief Act under our belts — what would it take to insert amendments at that point or beyond?

The Chairperson: Could I ask departmental officials to come forward to advise the Committee on that point?

Mr Reg Nesbitt (Department of Enterprise, Trade and Investment): Chairman, there will be a three-year review when the Bill is enacted. Obviously, in the interim between enactment and that three-year review, if GB makes any changes to its legislation, we will look at that and will probably enact any changes that it makes before the three years are up.

The Chairperson: Would there be an opportunity to amend the legislation before the three-year period expires?

Mr Nesbitt: Yes.

Mr Campbell: That answers any queries that I had, Chairperson. I am content as long as there is an opportunity to address any problems that might emerge.

Ms J McCann: My concern is about the exceptional circumstances with regard to the six-year rule. The Bill clearly states that people who have already obtained a debt relief order within a six-year period cannot apply for another one. I raised that concern at the last meeting, and nothing has changed. Will that clause be agreed as it stands?

Mr Nesbitt: At our meeting last week, the Committee asked us to write to the Insolvency Service in GB, which we duly did. The response that we received is with the Minister.

The Committee Clerk: That response is included in members' papers.

Ms J McCann: I ask that something about exceptional circumstances be included in that clause.

The Chairperson: That cannot be done at this stage, can it?

The Clerk of Bills: Any member can put a proposal to the Committee to recommend that the Committee seeks an amendment to that clause. That is the first question that the Chairperson would put; that the Committee supports or otherwise the proposal from the member to recommend an amendment.

Ms J McCann: Can I put that proposal?

The Chairperson: Yes, of course. That proposal is noted.

Mr Nesbitt: Chairperson, you may want to read the Minister's response before making the decision on whether an amendment should be tabled.

The Chairperson: We will look at what we have here.

Mr Butler: Is that the tabled response?

The Committee Clerk: Yes.

Ms J McCann: Is the Minister's response in the members' packs as well?

The Committee Clerk: It is the Department's response.

The Chairperson: The response is from Mr Woodhead, who is the head of the policy unit of the Insolvency Service.

Mr Campbell: Is that response labelled appendix 1?

The Chairperson: Yes.

Mr Campbell: Is that the letter that, at the bottom of page 2, asks: "Has anyone in England or Wales challenged the six-year limit"?

It says that the answer is no.

The Chairperson: Yes. It might be worthwhile going through the letter. It refers to the letter dated 24 May, which raised four main issues, the first being the time limit for reapplying to the debt relief scheme. The letter asks: "If it is now considered that provision should have been included in the Debt Relief legislation permitting early re-application to the Debt Relief scheme in exceptional circumstances?"

The answer is given:

"We still feel that allowing a 6 year ban on re-entry is appropriate, the period was arrived at after extensive consultation and we believe it strikes the right balance between providing access to the procedure and ensuring that there is no abuse. A further advantage of specifying such a provision is that it is easy to understand and enables the entry costs to be kept at a low level because no person has to make a subjective decision on what could count as an exceptional circumstance and this would add significant cost to the process."

That is the Department's rationale for sticking with what is proposed.

The following questions are answered:

"If any other problem with the provision barring re-entry to the scheme for six years has been identified?"

No.

If there was an omission in the legislation as regards this point how was the omission made

Not applicable.

Are there any plans to amend or alter the provision?"

No.

Has anyone in England and Wales challenged the six year limit for re-entry to the scheme and if so what was the outcome?"

No one has challenged this provision."

That seems to deal with the six-year ban and the exceptional circumstances.

Ms J McCann: I accept what is being said. We talked previously about the system being open to abuse. However, there could be special circumstances under which people need to obtain a second debt relief order. Having something about exceptional circumstances included in the Bill would provide security for those people.

The Chairperson: Yes.

Ms J McCann: The legislation is supposed to protect vulnerable people. I see no answers there. There is no detail on the cost, and, just because no one in England and Wales has challenged the provision, that does not mean that we cannot.

The Chairperson: Do any other members have views on that?

Mr Campbell: As I said, I am content with what we have, providing that, if any legitimate queries that can be substantiated emerge, those can be addressed under the three-year review. There have been no challenges yet. However, in the next couple of years there may be challenges. At least we know that this is not a closed book.

Mr Butler: Mr Nesbitt said that that letter is not from the Minister; it is a reply that was sent to the Minister. Should we ask for the Minister's views on the inclusion of exceptional circumstances in the clause? We do not actually know her view.

The Chairperson: We do not have her formal view. However, I suspect that it would be supportive of the Bill as drafted.

Mr Butler: It may well be. However, the issue has been raised by the Committee.

The Chairperson: We can ask for her views.

Mr Campbell: Where does that leave the timing of the Bill?

The Committee Clerk: Perhaps we should park this clause.

The Chairperson: Can we do that?

The Clerk of Bills: Yes.

The Chairperson: At least one member has strong views in relation to the inclusion of exceptional circumstances. We can park the issue. I do not believe that it will prejudice the progress of the legislation. We can still proceed and deal with the other clauses.

The Clerk of Bills: The question can be put formally on the other clauses subject to any consequential amendments that may be required if an amendment is made to clause 2.

The Chairperson: The best way of dealing with clause 2, from Ms McCann's point of view, is to put forward an amendment.

The Clerk of Bills: Yes.

The Chairperson: That gives you an opportunity to do that.

Ms J McCann: In no way am I trying to prevent the Bill from going through. I am conscious that it needs to go through in a timely manner, but I want to ensure that it offers protection for everyone.

The Chairperson: There is no need to be apologetic. That is your view as a legislator, and the Committee is right to put forward such views. We should proceed with the rest of the clauses. We will park clause 2 and come back to it.

Mr Neeson: We could come back to it at a special meeting next week if necessary.

The Chairperson: Yes; we could do that.

Clause 2 referred for further consideration.

Clauses 3 to 9 agreed to.

Schedule agreed to.

Long title agreed to.

The Chairperson: That has all been agreed subject to any consequential amendments that might arise from an amendment to clause 2. Is everyone clear?

Mr Neeson: In order not to delay the legislation, I suggest that, if necessary, we call a special meeting for next Monday or Tuesday. It will also be subject to the Minister's response.

Mr Butler: Are we going to seek a response from the Minister?

The Chairperson: I think that we should seek the Minister's view. It may be that the Minister's view is as stated in the Bill.

Mr Campbell: Imagine that.

The Chairperson: I assume that to be the position, but we need to ask the Minister nonetheless. The Minister will be aware of the arguments that Ms McCann has raised quite properly. The Minister may have a different view as a result; I do not know. That completes this item of business.

Northern Ireland Assembly

Committee for Enterprise, Trade and Investment

10 June 2010

Debt Relief Bill (NIA 9/09)

Members present for all or part of the proceedings:

Mr Alban Maginness (Chairperson)
Mr Paul Butler (Deputy Chairperson)
Mr Gregory Campbell
Mr Leslie Cree
Mr Gerry McHugh
Mr Stephen Moutray
Mr Sean Neeson

The Chairperson (Mr A Maginness): The Committee has received a letter, dated 7 June 2010, from the Minister of Enterprise, Trade and Investment on the Debt Relief Bill. The letter sets out the Minister's views on an amendment to clause 2 that would allow debtors to obtain another debt relief order within six years in exceptional circumstances.

I remind members that it was agreed during clause-by-clause scrutiny at last week's meeting to defer consideration of clause 2 pending the Minister's views being obtained. She has now presented those views in her letter.

Clause 2 (Conditions for making a debt relief order)

The Chairperson: The Minister states that there should not be such an amendment for three main reasons. First, there are issues of equity and fairness for debtors versus lenders and traders, particularly those who work in small businesses.

Secondly, there would be practical difficulties in determining exceptional circumstances. Thirdly, it would result in Northern Ireland's legislation differing from that in England and Wales.

Those are all important points. The one that strikes me as being the most difficult to deal

with is how one determines what constitutes "exceptional circumstances". I do not know how one would do that or how one would frame such an amendment to clause 2. I know what Committee members are getting at, but it is very difficult to translate the concern into a legislative form that would cover the area.

Do members have any comments?

Mr Neeson: The important thing is that the legislation will be kept under review.

The Chairperson: In her letter, the Minister talks about a

"thorough review of the operation of the scheme after it has been in operation for three years."

However, a review could take place before that, and there could be intervening reviews. In any case, it does not appear to be an issue that has arisen in England or Wales, even though the legislation has been operational for only a fairly short time over there.

Jennifer McCann is not here to give her view. Even if she were present to propose an amendment and the Committee said that it would have nothing to do with it, she would still have an opportunity to table an amendment at the next legislative stage. Therefore, it is not unfair to her if we proceed. Obviously, I do not want to obstruct anything that any Committee member wants to do.

Mr Cree: Jennifer is keen on including "exceptional circumstances", but, as you said, Chairperson, it would be very difficult to do so. I am also opposed to changing the legislation from that which obtains across the water, because there is logic in having consistency. Your comment about reviewing the legislation is the best way forward, because it can be reviewed at a later stage.

The Chairperson: The Bill is also a mechanism to provide cheaper and more effective relief for a fairly small number of people so that they might avoid the larger expense of going through bankruptcy proceedings in the High Court. It should not represent a change in bankruptcy law at large. That is not what we are dealing with, nor can we deal with it.

Question, That the Committee is content with the clause, put and agreed to.

Clause 2 agreed to.

The Chairperson: We shall consider the first draft of the report on the Debt Relief Bill at next week's Committee meeting.

Northern Ireland Assembly

Committee for the Environment

10 June 2010

Local Government (Disqualification) (Amendment) Bill (NIA 7/09)

Members present for all or part of the proceedings:

Mr Cathal Boylan (Chairperson)
Mr Patsy McGlone (Deputy Chairperson)
Mr Roy Beggs
Mr Danny Kinahan
Mr Ian McCrea
Mr Patsy McGlone
Mr Alastair Ross
Mr Peter Weir
Mr Brian Wilson

The Chairperson (Mr Boylan): The Committee will now go through the clause-by-clause scrutiny of the Local Government (Disqualification) (Amendment) Bill. Members have been provided with a reply to Committee queries, as well as the draft amendment from Dawn Purvis. Members have also been provided with a draft Committee amendment, an updated clause-by-clause scrutiny table with comments from the meeting on 20 May 2010, and a copy of the Bill.

We will now go through clauses 1, 2 and 3 and the long title, one by one, in order to seek the Committee's position on each. Once a clause has been agreed, members will no longer be able to discuss it.

Clause 1 (Disqualification)

The Chairperson: Two amendments have been tabled to clause 1, one by Dawn Purvis and the other by Mr Weir. Do Committee members wish to make any comment before I put the Question on those two amendments? The tabled Committee amendment has been amended.

The Committee Clerk: The original proposed Committee amendment has been amended.

The Chairperson: The original Committee amendment is in members' packs, as is the amended form of that amendment, which reads: In page 1, line 5, at end of clause 1 insert —

"(2) The disqualification in subsection (1) shall take effect at the end of 60 days after a person takes his seat as a member of the Assembly".

I am going to put the Question. Do any members have questions at this point?

Mr Weir: I am not sure why the original draft Committee amendment was changed. Sorry; just give me a few seconds to read the two against each other.

The Chairperson: No problem.

Mr Weir: I do not have any particular problem with the Committee amendment. However, will the reference to someone taking an Assembly seat kick in the moment he or she signs in as a Member with the Speaker? Having dealt recently with the first of the changes to the dual mandate, I know that there is a gap between a member resigning from the Assembly and a replacement coming in. Can we get clarification on that?

The Clerk of Bills: That form of words is chosen specifically because it is pinpointed in time by the reference in the Northern Ireland Act 1998 to taking one's seat, which is reflected in Standing Orders. The Northern Ireland Act is reflected in Standing Order 3(3), which states that the Member takes his or her seat when once they have signed the Assembly's Roll of Membership.

Mr Weir: OK. I understand.

Mr Beggs: If that provision were adopted, someone who achieves a dual mandate in council and the Assembly could go much sooner voluntarily. The only area on which I have concerns is the issue that significant, well known Assembly Members could run cynically to gather votes, knowing that they would stand down within two months and hand the seat on to someone else. That is a more difficult situation to address.

Mr Weir: There is a flip side to that, however. Someone could cynically do the opposite. Let me give an example. Let us say, for the sake of argument, that Joe Bloggs, who is a sitting Member of the Assembly, comes into a very

marginal seat. The party wants to keep its options open. There is the option that someone might run and then vacate his seat, in that cynical way. The other possibility is that it gets an arrangement with an association on the basis that someone effectively replaces him on the ticket for the council, on the understanding that there is an agreement that, if the party wins the Assembly seat, then that person retains the council seat, but on the basis that that person runs as a proxy. Consequently, upon election to the council, if they failed to get into the Assembly, that person would then immediately resign from the council and vacate that seat.

Unfortunately, if people want to take a purely cynical view, there is a route either side of it, because a party can put forward for election someone who then resigns the seat and effectively defeat an Assembly candidate immediately after the election on that basis. The system could be manipulated, although I think that that would prompt a public backlash. It could be manipulated either way.

Mr Beggs: I see that this draft amendment will deal with the situation, particularly as Assembly and council elections are scheduled for next year to be held on the same day. At nomination, you are neither a councillor nor a Member of the Assembly, as I understand it. It is very difficult to legislate for such a situation, but it appears to be a reasonable method of doing it.

The Chairperson: There are two amendments, and I want to refer members to Dawn Purvis's amendment. It reads: Leave out clause 1 and insert

"1. (1) A person shall be disqualified from being a councillor if that person is a member of the Northern Ireland Assembly."

We have no issues with that; is everyone content with it? Please have a quick read before I put the Question.

Mr Weir: I have no problem with either amendment. However, the DUP has some concerns with the overall legislation. We want to give it further consideration. When it comes to the main clauses, we will abstain, but we will support the amendments. The two amendments make the Bill more competent and, on that basis, we are happy to support them.

Mr Kinahan: I might be being thick, but, in respect of the word "being", does that mean

that a person has gone into council and accepted the role? At what point does one become a councillor?

The Clerk of Bills: A person is a councillor from the moment that he or she comes into office. Under the Electoral Law Act (Northern Ireland) 1962, that is four days after the election. Under the sponsor's amendment, the disqualification takes effect once one becomes a councillor. It will take effect on the fourth day after the election. Under the original drafting, it was possible for candidates to be disqualified prior to their being declared elected.

Mr Weir: I will explain it to Mr Kinahan, because the issue arose last week. The time frame may be slightly artificial, particularly if, as is likely to happen next year, there are two elections on one day. It may be the fourth, or possibly even the fifth day, before some people are elected. So, if we have a double election, both acts of being elected will happen at exactly the same time. It would be slightly different if it is purely a council election. In that case, I think that candidates are elected before they become councillors. The other is simultaneous.

The Chairperson: Thank you very much, Mr Weir. Is that understood, Mr Kinahan?

Mr Kinahan: Yes.

Question proposed:

That the Committee is content with clause 1 subject to the amendment proposed by the sponsor and the amendment proposed by the Committee.

Mr Beggs: It is complicated. I am trying to understand whether we are amending an amendment.

The Chairperson: No.

The Clerk of Bills: There are two amendments to clause 1. The sponsor is proposing to leave out the definition of the disqualification. The Committee's proposed amendment is to add a new subsection to the clause to delay the impact of that disqualification. The amendments are compatible. The Committee is being asked to agree the two amendments to clause 1 and to agree clause 1 subject to the amendment proposed by the sponsor and the amendment tabled by the Committee.

Mr Weir: Procedurally, should the Question on the amendments not be put before the Question on the clause as amended?

The Clerk of Bills: The Chairperson has already asked for members' approval for the two amendments, and he will now ask for approval for the clause as amended.

The Chairperson: We will take the vote. All those in favour of the amendments —

Mr Weir: We are voting on the clause as amended.

The Chairperson: Sorry; who is in favour of the clause as amended?

Mr Beggs: There are two amendments.

Mr Weir: Apparently they have already been taken.

The Chairperson: Both amendments have been accepted.

Mr Beggs: Are we not meant to take each amendment separately?

The Clerk of Bills: We did.

Mr Beggs: I missed that.

Mr Weir: Apparently we have already agreed both amendments.

Mr Beggs: I did not realise.

Question, That the Committee is content with the amendment proposed by the sponsor, put and agreed to.

Question, That the Committee is content with the amendment proposed by the Committee, put and agreed to.

Mr Beggs: I reserve my position on that. I will not express a view at this stage.

The Chairperson: OK, gentlemen, we will move on.

Mr Weir: Can I clarify the result of that vote?

The Committee Clerk: We have not come to a conclusion; that will go into the report.

Mr Weir: OK, has everyone abstained?

The Committee Clerk: The Committee has agreed the sponsor's amendment. There is a majority agreement on the Committee's amendment and no agreement on the clause as amended.

Clause 2 (Commencement)

The Chairperson: This is the clause of the Bill that dictates when the Act will commence, which, as drafted, is the day of the first district council general elections to take place after Royal Assent of the Bill. It is not about the timing of the disqualification process.

Clause 2 agreed to.

Mr Weir: The DUP will abstain.

Mr Dallat: I abstain. It is the fashionable thing to do.

Clause 3 (Short Title)

The Chairperson: Clause 3 refers to the short title of the Bill, which is the Local Government (Disqualification) (Amendment) Bill. I advise members that Ms Purvis has indicated that, if her proposed amendment to clause 1 is accepted, she will table a consequential amendment to the short title, to ensure that it is consistent with the purpose of the Bill.

Clause 3 agreed to.

Mr Weir: We will abstain for consistency.

Long Title

The Chairperson: This refers to the long title of the Bill, which will describe in more detail exactly what the Bill will do, which is to amend the Local Government Act (NI) 1972 to disqualify members of the NI Assembly from being elected, or being a councillor. I also advise members that Ms Purvis has indicated to the Committee that if her amendment to clause 1 to stop the Bill impacting on those who wish to stand for election goes ahead, she will be required to amend the long title to reflect that change. Is the Committee content with the Long Title, subject to the amendment proposed by the sponsor?

Long title agreed to.

The Chairperson: All agreed, with one abstention.

I remind members that a late amendment was submitted from DemocraShe. The Clerk of Bills will discuss the problems with the amendment, which has been tabled to members.

The Clerk of Bills: The paper was tabled very late, so I would have to take it away should the Committee decide to propose the amendment. At first glance, I am not clear that it has any legal effect whatsoever. It seems to refer to

another piece of legislation that is already in force. There could be questions over its admissibility. Its intent is to promote gender balance in the representation in public life.

Mr Beggs: Can you confirm that one would not normally need to add references to other legislation that is in effect? That is an unnecessary amendment.

The Clerk of Bills: That is my first impression.

Mr Weir: There is a small, separate issue with the reference to: "if selected by a registered political party".

In theory, one could construe that to exclude all independent Members. I can see some merit in that; however, I take the point. As I said, when I read this, I was a little confused because, in the 2002 legislation, it is permissible to say that something "shall be used", which sends a mixed message. One might take the interpretation that it flags up that particular piece of legislation; however, normally, that is not how legislation works. Consequently, it does not achieve anything.

The Clerk of Bills: From that point of view, there would be questions about its admissibility. However, at this point, I would not give a formal view beyond that.

The Chairperson: I suggest that we write to DemocraShe to indicate our support for encouraging more women into political life. Nevertheless, do members agree that the amendment is not appropriate to the Bill?

Members indicated assent.

Mr Weir: Furthermore, according to our legal advice, it may not be admissible.

The Clerk of Bills: Procedural advice.

Mr Weir: Sorry, yes; procedural advice.

The Chairperson: That concludes the formal clause-by-clause analysis. A draft report of the Committee's deliberations on the Bill will be available to members at the Committee meeting on 17 June, with a view to the final version being approved on 24 June 2010.

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 28 May 2010

Written Answers to Questions

Office of the First Minister and deputy First Minister

People Over 65 Living in Poverty

Mr S Hamilton asked the First Minister and deputy First Minister how many people aged 65 and over are currently deemed to be living in poverty, broken down by religious background.

(AQW 5654/10)

First Minister and deputy First Minister (Mr P Robinson and Mr M McGuinness): The most recent figures available cover the 2007/08 financial year and are set out in the tables below. Table 1 details the composition of pensioners living in relative low income poverty whilst Table 2 details the relative low income poverty risk of pensioners. Estimates are not routinely available for those aged 65 years and over.

TABLE 1 RELIGIOUS COMPOSITION OF PENSIONERS LIVING IN RELATIVE LOW INCOME POVERTY

Religion	All Pensioners		Religious composition of pensioners living in relative low income poverty			
			Before housing costs		After housing costs	
	Number	Percentage	Number	Percentage	Number	Percentage
Protestant	165,200	60	46,300	61	36,300	62
Roman Catholic	93,600	34	26,200	35	18,700	32
Other religion/non determined	16,100	6	*	*	*	*
Total	274,900	100	74,800	100	58,100	100

Source: Households Below Average Income (HBAI) NI, 2007/08, DSD (2009)

Notes to table 1

- 1 Numbers are rounded to the nearest hundred, percentages to the nearest whole number.
- 2 *indicates estimate is based on a small sample size and is therefore not released.
- 3 As with any sample survey there is a degree of error associated with the estimates provided.

TABLE 2 RELATIVE LOW INCOME POVERTY RATE FOR PENSIONERS BY RELIGION

Religion	Relative low income poverty rate			
	Before housing costs		After housing costs	
	Number	Rate (%)	Number	Rate (%)
Protestant	46,300	28	36,300	22
Roman Catholic	26,200	28	18,700	20
Other religion/ non determined	*	*	*	*
All pensioners	74,800	27		21

Source: Households Below Average Income (HBAI) NI, 2007/08, DSD (2009)

Notes to table 2

- 1 Numbers are rounded to the nearest hundred, percentages to the nearest whole number.
- 2 *indicates estimate is based on a small sample size and is therefore not released.
- 3 As with any sample survey there is a degree of error associated with the estimates provided.

Public Assemblies, Parades and Protests

Dr S Farry asked the First Minister and deputy First Minister for their assessment of the level of equality or human rights screening in the current consultation on Public Assemblies, Parades and Protests in Northern Ireland.

(AQW 6744/10)

First Minister and deputy First Minister: The European Convention on Human Rights and Equality legislation were important considerations during the drafting phase of the report of the Working Group on Parades, on which the draft Bill is based. Compliance with Article 11 was of particular concern and it is our view that the proposals contained in the draft Bill have been screened to a level which has ensured that they are compliant with the Convention and will in no way unfairly restrict the right of individuals or groups to freedom of peaceful assembly and association.

Racial Equality Forum

Mrs D Kelly asked the First Minister and deputy First Minister for an update on the status and work of the Racial Equality Forum.

(AQW 6820/10)

First Minister and deputy First Minister: With increasing inward migration and greater diversity of nationalities and backgrounds here, the Racial Equality Forum, in its previous incarnation under direct rule, had expanded to the point of being very unwieldy, over 50 people regularly attended – too many to allow it properly to fulfil its purpose. Accordingly, OFMDFM officials, in consultation with the forum, reviewed its remit and structures to assess whether it was fit for purpose under devolution and to consider its work programme.

The first meeting of the reconvened Forum took place in November 2009 and included a wide range of representatives from both the statutory and voluntary sector. This meeting agreed the proposals for the new structure. It was agreed that a Racial Equality Panel should be established to take forward the business of the wider Forum, with the Forum meeting once a year. Nominations for the Panel have now been received and the successful applicants have been informed. It is expected that the Panel will meet in early summer.

The Forum also agreed at its meeting on 24 November 2009 that a thematic sub-group should be established to consider immigration-related issues within the local context. This sub-group, chaired

by the Law Centre (NI), had its first meeting on 23 March 2010. Further sub-groups, as agreed by the Panel and the Forum, may be established. Of course the Thematic Sub-Group on Migrant Workers, led by DEL, has continued its work.

The OFMDFM Junior Ministers have agreed to chair Forum meetings as appropriate.

Sexual Orientation Strategy

Mrs D Kelly asked the First Minister and deputy First Minister for an update on the status of the Sexual Orientation Strategy.

(AQW 6873/10)

First Minister and deputy First Minister: Considerable work has been done across government and public bodies to develop cross-departmental action plans to tackle identified inequalities and to deal with important problems such as homophobic crime. These have been kept under review, and there is a considerable body of recent research into the needs of the sector.

One of the outputs of the short-term funding package to the LGB sector, which has recently ended, was a needs analysis report. The needs analysis, which will help inform further work on the sexual orientation strategy, has yet to be submitted to OFMDFM.

St Patrick's Barracks Site in Ballymena

Mr D McKay asked the First Minister and deputy First Minister if housing at the St Patrick's barracks site in Ballymena will be given to the Executive; and to provide an update on this matter, including a likely time-scale for the handover.

(AQW 6876/10)

First Minister and deputy First Minister: Under the Hillsborough Castle Agreement, St Patrick's Barracks in Ballymena is one of the former military sites that are to be gifted to the Executive. We can confirm our understanding that the gifting of the site will include the former military houses. Officials are in the early stages of discussion with the Ministry of Defence about the transfer of the site. Under the Agreement, it would be expected that disposal proceeds would be used to meet exceptional resource pressures.

Maze/Long Kesh Site

Mr T Lunn asked the First Minister and deputy First Minister, pursuant to AQW 6704/10, for a breakdown of the £12.48m expenditure spent to date, including how much was spent on (i) demolition; (ii) site clearance; and (iii) decontamination.

(AQW 6878/10)

First Minister and deputy First Minister: Please see attached table detailing the breakdown of the £12.48m spent during the seven year period that we have been responsible for Maze/Long Kesh.

More detailed information sought is not held in the format requested.

Site clearance costs are included in the figures shown for demolition and remediation costs.

EXPENDITURE AT MLK FOR PERIOD 2003 TO 30/04/10

Description	Detail	Amount £m
Site management	Security guard provision General maintenance Utilities – water, electricity etc.	1.07
Consultation & oversight	MLK consultation panel MLK monitoring group Associated events and meetings	0.14
Listed buildings	Built heritage assessment Maintenance and upkeep of buildings including the hangers	0.56
Demolition and remediation	Demolition of an estimated 90% of the site including 200+ buildings and 8 h blocks Major remediation and decontamination programme to ensure that contaminants such as lead shot; aviation, diesel and petrol fuel spills; hydrocarbons and asbestos are removed from the site in strict accordance with health and safety requirements and Environment Agency guidance – this is ongoing work. This figure includes necessary preparatory work, consultation and surveys	5.45
Programme development	This includes the costs of the MLK Programme Development Unit in directing the development of the site and its management; includes site feasibility, site condition and related studies and surveys; also includes programme management	0.63
Department of Finance and Personnel – Central Procurement Directorate charges	Professional fees for procurement and legal advice on procurement issues; supervision of works and general advice on construction; project management	1.30
Business cases	Preparation of the major business cases (ie economic appraisals) for the development of the site	0.74

Description	Detail	Amount £m
Infrastructure design and development work *	Professional advice and detailed design work on site and access infrastructure, including advice Highway and transportation design and specification Preparation of the Maze/Long Kesh area transportation study	1.98
2006 Masterplan	Preparation, consultation and publication of the masterplan.	0.58
Land assembly	Transfer of land to and from OFMDFM to clarifying the boundary of the site. Ordinance survey data provision Legal advice related to this	0.03
Total		£12.48m

* involves skills that are not available in-house in the NICS

Victims and Survivors' Service

Mr D Simpson asked the First Minister and deputy First Minister to outline the new funding arrangements for victims and survivors under the new Victims and Survivors Service.
(AQO 1271/10)

First Minister and deputy First Minister: In December 2009 we published a ten-year strategy in which we outlined how we intended to make a difference to the lives of victims and survivors.

Key to the strategy is the creation of a new Victims and Survivors Service.

In April, preparatory to that Service being established, we announced transitional funding arrangements which will make support available to groups working in the victims and survivors sector over the next two years. This move to longer term funding is of significant benefit to groups who can now plan further into the future and give staff security that their posts will remain.

The funding, which will run from April 2010 to March 2012 will ensure continuity of services for victims and survivors, access to the funding scheme for groups previously unable to apply for core funding, a development programme to assist groups address issues around capacity and governance, and a clear focus on delivery of services to individual victims and survivors.

These transitional arrangements include a merging of the Core and Development grant schemes and a re-opening of the new merged scheme for new applications from existing groups and those not currently funded. The Community Relations Council are meeting with groups to explain the implications of the changes.

In the meantime, all existing core funded groups have been issued with contracts for 2010/11. These contracts will be reviewed subject to the revised applications and work plans received from groups in the coming months.

Once the Service is established it is our intention to move from an annual round of funding towards a three-year cycle. We believe this will provide greater stability and continuity to the groups that deliver vital services to the sector.

The Comprehensive Needs Assessment being conducted by the Commission for Victims and Survivors will be used to create a sound basis for funding not only groups under the new Service, but individual victims and survivors.

The Service will introduce holistic assessment of individuals' needs and funding will be targeted accordingly.

Child Poverty Commission

Mr P Doherty asked the First Minister and deputy First Minister, in light of the introduction of the Child Poverty Act, when a decision will be taken on a nomination to the Child Poverty Commission.

(AQO 1276/10)

First Minister and deputy First Minister: The Child Poverty Bill gained Royal Assent on 25 March 2010 and is now law.

The Child Poverty Act requires the lead department here, OFMDFM, to publish and lay a strategy before the Assembly by 25 March 2011. The strategy must set out the measures that all Departments here intend to take to help meet the targets set out in the Act.

The Act also provides for the creation of a Child Poverty Commission; one of the members to the Commission will be appointed by OFMDFM. We will be required to consult the Commission on our strategy and have regard to its advice.

Our officials are discussing with UK Government colleagues, timescales for appointments to the Commission and we hope to be able to provide further information shortly.

Corporation Tax

Mr T Elliott asked the First Minister and deputy First Minister if they have put forward any proposals to the new coalition Government on a reduced rate of corporation tax for Northern Ireland.

(AQO 1277/10)

First Minister and deputy First Minister: We met with the Secretary of State Owen Paterson and Prime Minister David Cameron to share our views on the key priorities for the years ahead. We made clear that we understand the financial challenges that lie ahead for everyone.

The case for a reduced rate of corporation tax is an important cross cutting issue. Any formal approach to the UK Government would therefore require agreement by the Executive, including on how to fund such a proposal.

The recent Northern Ireland Economic Reform Group's report on this issue set out a positive case for a reduced rate of corporation tax. Owen Paterson has indicated that he intends to publish a paper on how responsibility for corporation tax could be transferred to devolved areas.

While concerns exist on the public expenditure implications and deliverability of this proposal, we will liaise with the new Government on this issue. Additionally, the Executive sub-group established to consider a new economic strategy can consider this issue further.

Maze Site

Mr T Lunn asked the First Minister and deputy First Minister for an update on the establishment of a development corporation on the regeneration of the Maze site.

(AQO 1279/10)

First Minister and deputy First Minister: We have made clear that the Maze/Long Kesh site is a site of regional significance and a unique resource that can help drive economic development and contribute to the social good.

We are seeking to maximise the economic, historical and reconciliation potential of the site and we will continue to work with all those bodies interested in contributing to the development of the site.

We have announced that this work would be taken forward by a development corporation, and we are currently considering the detail of this.

In the interim, the Maze/long Kesh Programme Delivery Unit continues to prepare the site for potential future redevelopment. This work involves both preparatory works necessary to support future initiatives on the site, and in parallel, the completion of a major programme of decontamination.

Block Grant

Dr A McDonnell asked the First Minister and deputy First Minister for an update on any discussions held with the new British Government and Treasury in relation to the future block grant.

(AQO 1280/10)

First Minister and deputy First Minister: We have met with Prime Minister David Cameron and the Secretary of State Owen Paterson to share our views on the key priorities for the years ahead. We made clear that we understood the financial challenges that lie ahead for everyone. The size of our block grant is a key issue and of fundamental importance to our ability to continue delivering public services and support to local business and people. We will pursue these issues in the weeks and months ahead.

Attorney General

Mrs M Bradley asked the First Minister and deputy First Minister whether an Attorney General has been appointed and for an assessment of the impact of any continued delay in an appointment to this post.

(AQO 1281/10)

First Minister and deputy First Minister: After consulting with the new Advocate General on our proposed appointment of an Attorney General, in accordance with paragraph 13 of Schedule 7 to the Justice (Northern Ireland) Act 2002, we have appointed John Larkin QC as Attorney General.

Public Expenditure

Mr W Irwin asked the First Minister and deputy First Minister if they have raised the issue of public expenditure cuts with the Prime Minister.

(AQO 1282/10)

First Minister and deputy First Minister: We have met with Prime Minister David Cameron and the Secretary of State Owen Paterson to share our views on the key priorities in the years ahead. We made clear that we understood the financial challenges that lie ahead for everyone. The size of our block grant is a key issue and of fundamental importance to our ability to continue delivering public services and support to local business and people. We will pursue these issues in the weeks and months ahead.

Quangos

Lord Morrow asked the First Minister and deputy First Minister how many quangos have been earmarked for abolition in this financial year and to which Departments their functions and responsibilities will transfer.

(AQO 1283/10)

First Minister and deputy First Minister: Eleven public bodies have been earmarked for abolition in the current financial year.

Within our own Department, arrangements are being made to wind up the Economic Research Institute of Northern Ireland (ERINI). While no date has been set for the closure, the intention is that this will happen in the current financial year. Its functions and responsibilities will not transfer to any Department when ERINI closes and we are currently exploring a wide range of options regarding how this work might best be delivered in future.

As part of the Review of Public Administration, nine Department of Education public bodies will be abolished, namely: the five Education and Library Boards; the Council for Catholic Maintained Schools; the Council for the Curriculum, Examinations and Assessment; the Youth Council; and the Staff Commission for Education and Library Boards. The functions of these bodies (other than where no longer required) will transfer to the Education and Skills Authority.

Within the Department for Social Development, the Disability Living Allowance Advisory Board for Northern Ireland has been earmarked for abolition in this financial year. It is intended that the remit of the Disability Living Allowance Advisory Board for Great Britain will be extended to include giving advice to DSD.

Department of Agriculture and Rural Development

Cafre Farm at Greenmount

Mr G Savage asked the Minister of Agriculture and Rural Development for a breakdown of the annual cost of running the Cafre Farm at Greenmount in each of the last three years.

(AQW 6795/10)

Minister of Agriculture and Rural Development (Ms M Gildernew): The annual cost of running the CAFRE farm at Greenmount in each of the last 3 years is £346k (2009/10 – provisional figure), £402k (2008/09) and £353k (2007/08).

Chicken Litter Waste

Mr M McLaughlin asked the Minister of Agriculture and Rural Development how much tonnage of chicken litter waste requires treatment each year.

(AQW 6880/10)

Minister of Agriculture and Rural Development: Approximately 200,000 tonnes of poultry litter is generated in the north of Ireland and requires treatment each year.

Department of Culture, Arts and Leisure

Maintenance of Libraries

Mr P Weir asked the Minister of Culture, Arts and Leisure how much his Department spent on the maintenance of each library in the South Eastern Education and Library Board area in each of the last five years.

(AQW 6692/10)

Minister of Culture, Arts and Leisure (Mr N McCausland): The following table shows how much has been spent on the maintenance of each library in the South Eastern Education and Library Board area in the last five years. Since 1 April 2009 these libraries have been the responsibility of Libraries NI.

Library	2005/6	2006/7	2007/8	2008/9	2009/10
Ballynahinch	1,081	3,184	1,900	2,917	2,250
Bangor	2,532	2,535	18,880	1,470	4,904
Belvoir Park	805	672	1,364	1,229	238
Braniel	198	947	973	1,727	906
Carryduff	1,303	1,075	2,920	3,630	1,867
Castlewellan	3,256	3,775	3,933	10,913	8,184

Library	2005/6	2006/7	2007/8	2008/9	2009/10
Colin Glen	8,915	6,221	6,373	5,785	6,044
Comber	1,392	1,756	3,840	1,306	2,010
Cregagh	1,794	2,343	1,656	4,247	2,917
Donaghdee	2,673	954	1,103	1,773	1,996
Downpatrick	1,992	5,189	4,735	6,127	4,206
Dundonald	4,222	1,459	36,741	4,614	4,036
Dunmurry	1,489	66	54	161	0
Gilnahirk	1,709	805	614	738	415
Hollywood	4,567	7,075	5,584	7,452	11,769
Killyleagh	2,112	844	2,024	2,483	4,799
Laurelhill**	2,249	-	37	-	-
Lisburn**	3,293	175	-	-	-
Lisburn City*	13	-	-	-	-
Moir	2,021	546	494	1,063	750
Newcastle	11,521	2,016	2,058	2,423	6,681
Newtownards	967	1,120	1,672	3,489	7,428
Newtownbreda	6,690	18	1,597	1,346	2,136
Poleglass**	100	-	-	-	-
Portaferry	5,643	756	4,320	3,860	321
Saintfield	2,398	1,857	4,714	2,312	2,663
Tullycarnet	7,438	4,484	4,843	18,690	9,610
Total	82,373	49,872	112,429	89,755	86,130

* Spend for Lisburn City is part of a PPP (Public Private Partnership) Scheme. Maintenance costs form part of the unitary charge and are not allocated to the general maintenance budget.

** These libraries were closed in 2005/06.

The Chief Executive of SEELB has advised me of the spend attributed to each branch library under his control as Accounting Officer in the period 2005/06 to 2008/09.

The Accounts for Libraries NI have not yet been finalised and audited. Therefore the 2009-10 figures are in draft and may be subject to adjustment.

Department of Education

Community Relations Funding

Mrs N Long asked the Minister of Education for her assessment of the impact that the cuts to community relations funding in the education budget will have on the delivery of services to young people, particularly marginalised young people living in interface areas.

(AQW 6578/10)

Minister of Education (Ms C Ruane):

- (i) Caithfear mo chinneadh ar an bhuiséad um chaidreamh pobail a shocrú ag £1.1m sa bhliain 2010/11 a mheas laistigh de chomhthéacs an bhuiséid níos leithne oideachais agus laistigh de mo phleananna ar pholasaí um Chaidreamh Pobail, Comhionannas agus Ilchineálacht a thabhairt isteach.
- (i) My decision to set the community relations budget at £1.1m in 2010/11 must be viewed within the context of the wider education budget and my plans to introduce a new Community Relations, Equality and Diversity policy.

In 2010/11 funding for education has been increased by 1.9% to just over £1.9billion, but faced with meeting efficiencies required by the Executive, it has been a difficult budget involving difficult decisions. In agreeing the 2010/11 education budget, my priority has been to protect frontline services and to ensure the needs of those most disadvantaged continue to be at the forefront.

I have had to balance a range of education priorities against the need to achieve efficiencies but in recognition of the continued need for good relations I have sought to retain a funding stream and have made provision of £1.1m for 2010/11.

I am looking to the Boards to ensure as far as possible that any reductions do not impact on core services for children and youth, particularly marginalised young people living at interface areas.

With this in mind, funding which I have made available for youth services is largely unchanged and I remain committed to the youth service and its role as an important part of the education system, one which helps all young people, in particular those who feel socially excluded, to develop their potential to the full.

I am committed to encompassing a wider approach to improving relations between communities by educating children and young people to develop self-respect and respect for others, where equality and inclusion are the cornerstones of an education system which enables every learner to fulfil his or her potential.

I am investing over £200m in other policies which contribute to this wider approach, such as Supporting Newcomer Pupils and SEN and I have also made available an additional £90 per primary pupil – an increase of 3.1% compared to last year.

I am, therefore, confident that the delivery of services to young people will not be adversely affected by my decisions in relation to the education budget for 2010/11.

- (ii) I can confirm that Equality and Human Rights Screening was undertaken before any decision was taken to reduce the community relations budget. A cost benefit analysis was not completed.
- (iii) While I have not had specific discussions with OFMDFM regarding the reduction of the community relations budget, I am working closely with the Office of the First Minister and Deputy First Minister (OFMDFM) in the development of the programme for Cohesion, Sharing and Integration.

The Department of Education has developed a new Community Relations, Equality and Diversity policy which will focus on the wider concepts of diversity as well as those issues affecting the two main traditions. We live in a society today that is significantly more diverse than it was 20 years ago when the original Community Relations policy was developed. The original policy focused primarily upon bringing young people from our two main communities together, but in this new era of sharing, community relations must evolve in line with other educational developments and recognise the need for more meaningful engagement by supporting and encouraging mutual understanding and tolerance, promoting equality, working to eliminate discrimination and facilitating the recognition of, and respect for, cultural diversity. The new policy will enshrine equality and good relations as core principles, which the Department will seek to embed within the curriculum, and fully addresses Section 75 of the NI Act 1998. OFMDFM officials have been briefed in relation to the level of funding I have made available in support of the new policy.

It is for each individual Department to determine how to make best use of the funding available to ensure that all statutory obligations can be met. I have had to balance a range of education priorities against the need to achieve efficiencies while ensuring that all frontline services remain unaffected.

- (iv) I fully support the current Programme for Government and have endeavoured to meet all of my commitments in relation to a shared and better future for all. I am also working closely with the Office of the First and Deputy First Minister on the programme for Cohesion, Sharing and Integration which is being developed.

We are in a new era of sharing and community relations work in schools must evolve in line with other developments and encompass a wider approach to contribute to addressing good relations. It is my assessment that the range of policies which I am bringing forward will make a significant contribution to developing a shared and better future for all.

Community Relations Funding

Mrs N Long asked the Minister of Education whether (i) an Equality Impact Assessment; and (ii) a cost-benefit analysis was undertaken on the decision to reduce the community relations funding by 70%.

(AQW 6579/10)

Minister of Education:

- (i) Caithfear mo chinneadh ar an bhuiséad um chaidreamh pobail a shocrú ag £1.1m sa bhliain 2010/11 a mheas laistigh de chomhthéacs an bhuiséid níos leithne oideachais agus laistigh de mo phleananna ar pholasaí um Chaidreamh Pobail, Comhionannas agus Ilchineálacht a thabhairt isteach.
- (ii) My decision to set the community relations budget at £1.1m in 2010/11 must be viewed within the context of the wider education budget and my plans to introduce a new Community Relations, Equality and Diversity policy.

In 2010/11 funding for education has been increased by 1.9% to just over £1.9billion, but faced with meeting efficiencies required by the Executive, it has been a difficult budget involving difficult decisions. In agreeing the 2010/11 education budget, my priority has been to protect frontline services and to ensure the needs of those most disadvantaged continue to be at the forefront.

I have had to balance a range of education priorities against the need to achieve efficiencies but in recognition of the continued need for good relations I have sought to retain a funding stream and have made provision of £1.1m for 2010/11.

I am looking to the Boards to ensure as far as possible that any reductions do not impact on core services for children and youth, particularly marginalised young people living at interface areas.

With this in mind, funding which I have made available for youth services is largely unchanged and I remain committed to the youth service and its role as an important part of the education system, one which helps all young people, in particular those who feel socially excluded, to develop their potential to the full.

I am committed to encompassing a wider approach to improving relations between communities by educating children and young people to develop self-respect and respect for others, where equality and inclusion are the cornerstones of an education system which enables every learner to fulfil his or her potential.

I am investing over £200m in other policies which contribute to this wider approach, such as Supporting Newcomer Pupils and SEN and I have also made available an additional £90 per primary pupil – an increase of 3.1% compared to last year.

I am, therefore, confident that the delivery of services to young people will not be adversely affected by my decisions in relation to the education budget for 2010/11.

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It is for each individual Department to determine how to make best use of the funding available to ensure that all statutory obligations can be met. I have had to balance a range of education priorities against the need to achieve efficiencies while ensuring that all frontline services remain unaffected.

- (iv) I fully support the current Programme for Government and have endeavoured to meet all of my commitments in relation to a shared and better future for all. I am also working closely with the Office of the First and Deputy First Minister on the programme for Cohesion, Sharing and Integration which is being developed.

We are in a new era of sharing and community relations work in schools must evolve in line with other developments and encompass a wider approach to contribute to addressing good relations. It is my assessment that the range of policies which I am bringing forward will make a significant contribution to developing a shared and better future for all.

Community Relations Funding

Mrs N Long asked the Minister of Education what discussions her Department has had with the Office of the First Minister and deputy First Minister in relation to the impact of funding cuts for community relations.

(AQW 6580/10)

Minister of Education:

- (i) Caithefear mo chinneadh ar an bhuiséad um chaidreamh pobail a shocrú ag £1.1m sa bhliain 2010/11 a mheas laistigh de chomhthéacs an bhuiséid níos leithne oideachais agus laistigh de mo phleananna ar pholasaí um Chaidreamh Pobail, Comhionannas agus Ilchineálacht a thabhairt isteach.
- (ii) My decision to set the community relations budget at £1.1m in 2010/11 must be viewed within the context of the wider education budget and my plans to introduce a new Community Relations, Equality and Diversity policy.

In 2010/11 funding for education has been increased by 1.9% to just over £1.9billion, but faced with meeting efficiencies required by the Executive, it has been a difficult budget involving difficult decisions. In agreeing the 2010/11 education budget, my priority has been to protect frontline services and to ensure the needs of those most disadvantaged continue to be at the forefront.

I have had to balance a range of education priorities against the need to achieve efficiencies but in recognition of the continued need for good relations I have sought to retain a funding stream and have made provision of £1.1m for 2010/11.

I am looking to the Boards to ensure as far as possible that any reductions do not impact on core services for children and youth, particularly marginalised young people living at interface areas.

With this in mind, funding which I have made available for youth services is largely unchanged and I remain committed to the youth service and its role as an important part of the education system, one which helps all young people, in particular those who feel socially excluded, to develop their potential to the full.

I am committed to encompassing a wider approach to improving relations between communities by educating children and young people to develop self-respect and respect for others, where equality and inclusion are the cornerstones of an education system which enables every learner to fulfil his or her potential.

I am investing over £200m in other policies which contribute to this wider approach, such as Supporting Newcomer Pupils and SEN and I have also made available an additional £90 per primary pupil – an increase of 3.1% compared to last year.

I am, therefore, confident that the delivery of services to young people will not be adversely affected by my decisions in relation to the education budget for 2010/11.

- (ii) I can confirm that Equality and Human Rights Screening was undertaken before any decision was taken to reduce the community relations budget. A cost benefit analysis was not completed.
- (iii) While I have not had specific discussions with OFMDFM regarding the reduction of the community relations budget, I am working closely with the Office of the First Minister and Deputy First Minister (OFMDFM) in the development of the programme for Cohesion, Sharing and Integration.

The Department of Education has developed a new Community Relations, Equality and Diversity policy which will focus on the wider concepts of diversity as well as those issues affecting the two main traditions. We live in a society today that is significantly more diverse than it was 20 years ago when the original Community Relations policy was developed. The original policy focused primarily upon bringing young people from our two main communities together, but in this new era of sharing, community relations must evolve in line with other educational developments and recognise the need for more meaningful engagement by supporting and encouraging mutual understanding and tolerance, promoting equality, working to eliminate discrimination and facilitating the recognition of, and respect for, cultural diversity. The new policy will enshrine equality and good relations as core principles, which the Department will seek to embed within the curriculum, and fully addresses Section 75 of the NI Act 1998. OFMDFM officials have been briefed in relation to the level of funding I have made available in support of the new policy.

It is for each individual Department to determine how to make best use of the funding available to ensure that all statutory obligations can be met. I have had to balance a range of education priorities against the need to achieve efficiencies while ensuring that all frontline services remain unaffected.

- (iv) I fully support the current Programme for Government and have endeavoured to meet all of my commitments in relation to a shared and better future for all. I am also working closely with the Office of the First and Deputy First Minister on the programme for Cohesion, Sharing and Integration which is being developed.

We are in a new era of sharing and community relations work in schools must evolve in line with other developments and encompass a wider approach to contribute to addressing good relations. It is my assessment that the range of policies which I am bringing forward will make a significant contribution to developing a shared and better future for all.

Community Relations Funding

Mrs N Long asked the Minister of Education to outline her plans for developing a shared and better future for all, in line with Executive commitments in the Programme for Government, and in light of the 70% funding cuts to community relations from the education budget.

(AQW 6581/10)

Minister of Education:

- (i) Caithfear mo chinneadh ar an bhuiséad um chaidreamh pobail a shocrú ag £1.1m sa bhliain 2010/11 a mheas laistigh de chomhthéacs an bhuiséid níos leithne oideachais agus laistigh de mo phleananna ar pholasaí um Chaidreamh Pobail, Comhionannas agus Ilchineálacht a thabhairt isteach.
- (i) My decision to set the community relations budget at £1.1m in 2010/11 must be viewed within the context of the wider education budget and my plans to introduce a new Community Relations, Equality and Diversity policy.

In 2010/11 funding for education has been increased by 1.9% to just over £1.9 billion, but faced with meeting efficiencies required by the Executive, it has been a difficult budget involving difficult decisions. In agreeing the 2010/11 education budget, my priority has been to protect frontline services and to ensure the needs of those most disadvantaged continue to be at the forefront.

I have had to balance a range of education priorities against the need to achieve efficiencies but in recognition of the continued need for good relations I have sought to retain a funding stream and have made provision of £1.1m for 2010/11.

I am looking to the Boards to ensure as far as possible that any reductions do not impact on core services for children and youth, particularly marginalised young people living at interface areas.

With this in mind, funding which I have made available for youth services is largely unchanged and I remain committed to the youth service and its role as an important part of the education system, one which helps all young people, in particular those who feel socially excluded, to develop their potential to the full.

I am committed to encompassing a wider approach to improving relations between communities by educating children and young people to develop self-respect and respect for others, where equality and inclusion are the cornerstones of an education system which enables every learner to fulfil his or her potential.

I am investing over £200m in other policies which contribute to this wider approach, such as Supporting Newcomer Pupils and SEN and I have also made available an additional £90 per primary pupil – an increase of 3.1% compared to last year.

I am, therefore, confident that the delivery of services to young people will not be adversely affected by my decisions in relation to the education budget for 2010/11.

- (ii) I can confirm that Equality and Human Rights Screening was undertaken before any decision was taken to reduce the community relations budget. A cost benefit analysis was not completed.
- (iii) While I have not had specific discussions with OFMDFM regarding the reduction of the community relations budget, I am working closely with the Office of the First Minister and Deputy First Minister (OFMDFM) in the development of the programme for Cohesion, Sharing and Integration.

The Department of Education has developed a new Community Relations, Equality and Diversity policy which will focus on the wider concepts of diversity as well as those issues affecting the two main traditions. We live in a society today that is significantly more diverse than it was 20 years ago when the original Community Relations policy was developed. The original policy focused primarily upon bringing young people from our two main communities together, but in this new era of sharing, community relations must evolve in line with other educational developments and recognise the need for more meaningful engagement by supporting and encouraging mutual understanding and tolerance, promoting equality, working to eliminate discrimination and facilitating the recognition of, and respect for, cultural diversity. The new policy will enshrine equality and good relations as core principles, which the Department will seek to embed within the curriculum, and fully addresses Section 75 of the NI Act 1998. OFMDFM officials have been briefed in relation to the level of funding I have made available in support of the new policy.

It is for each individual Department to determine how to make best use of the funding available to ensure that all statutory obligations can be met. I have had to balance a range of education priorities against the need to achieve efficiencies while ensuring that all frontline services remain unaffected.

- (iv) I fully support the current Programme for Government and have endeavoured to meet all of my commitments in relation to a shared and better future for all. I am also working closely with the Office of the First and Deputy First Minister on the programme for Cohesion, Sharing and Integration which is being developed.

We are in a new era of sharing and community relations work in schools must evolve in line with other developments and encompass a wider approach to contribute to addressing good relations. It is my assessment that the range of policies which I am bringing forward will make a significant contribution to developing a shared and better future for all.

Schools: Community Relations

Dr S Farry asked the Minister of Education for an update on Community Relations Programmes within schools.

(AQO 1149/10)

Minister of Education: The task for education is to prepare children and young people for living in a society that is increasingly diverse. I am committed to encompassing a wider approach to improving relations for everyone by educating children and young people to develop self-respect and respect for others, where equality, inclusion and rights are the cornerstones of an education system which enables every learner to fulfil their potential.

My priority is to protect front line services and to ensure the needs of those most disadvantaged continue to be at the forefront.

The existing Community Relations policy was developed over 20 years ago with the focus on contact between Catholic and Protestants. But much has changed, including the legislative and political environments, revised curriculum, and the wider diversity in our society.

For example, in the early 1990s we had 655 newcomer pupils where English was an additional language, but this has increased by more than 1000% to 7,532 pupils in 2009/10 and the number of non-white pupils has risen by 200% from around 2,500 to 7,500 in the same period.

Given our society is much more diverse, any policy needs to reflect all of the section 75 groups – those between persons of different religious belief, political opinion, racial groups, sexual orientation, gender, age, with and without a disability and those with or without dependants. For this reason I commissioned a fundamental review to ensure the policy remains fit for purpose and was broadened to cover all section 75 groups.

In preparation for the introduction of a new Community Relations, Equality and Diversity Policy, existing funding schemes were terminated on 31 March 2010.

To facilitate the winding up of existing schemes, short term allocations have been made to ELBs, Youth Council and 26 community relations organisations. The bulk of the funding for this year will be used in preparation for implementation of the new Community Relations, Equality and Diversity policy which I plan to implement in the current financial year.

I have had to balance a range of education priorities against the need to achieve efficiencies but in recognition of the continued need for good relations I have sought to retain a funding stream and have made provision of £1.1m for 2010/11.

Our schools have an important role to play in relation to community relations. Citizenship is integrated across the revised curriculum, with Personal Development and Mutual Understanding at primary level and Learning for Life and Work at post primary level providing additional opportunities to address equality and diversity issues and promote good relations.

Agus é a chur san áireamh, tá polasaithe tugtha ar aghaidh agam cheana féin, amhail Gach Scoil ina Scoil Mhaith: Ag Tacú le Daltaí ó Thíortha Eile agus tograí comhairliúcháin ar an Bealach chun Tosaigh do Riachtanais Oideachais Speisialta, agus cuireann siad go léir leis an chur chuige níos leithne atá riachtanach anois chun caidreamh a fheabhsú idir pobail. Cuireadh cistiú de bhreis ar £200m ar fáil chun tacú leis na cláir seo. Chuir mé £90 breise ar fáil do gach dalta bunscoile fosta- is é sin, méadú de 3.1% i gcomparáid leis an fhigiúr don bhliain a chuaigh thart.

With this in mind I have already brought forward policies, such as Every School a Good School: Supporting Newcomer Pupils and consultation proposals on the Way Forward for Special Educational Needs, all of which contribute to the broader approach which is now required to improving relations between communities. Funding in excess of £200m has been made available to support these programmes. I have also made available an additional £90 per primary pupil – an increase of 3.1% compared to last year.

Other work within the Education sector, such as INTO's Race Relations Guide, UTU policies such as gender balance and cultural diversity and Amnesty International's support for teachers on human rights also provides the context within which community relations in schools is delivered.

I am committed to encompassing a wider approach to improving relations to everyone by educating children and young people to develop self-respect and respect for others, where equality, inclusion and rights are the cornerstones of an education system which enables every learner to fulfil their potential.

Nursery School Places

Mr M Durkan asked the Minister of Education (i) to list the numbers and locations of state funded nursery places available in each constituency for 2010/11; and (ii) to detail the total number of applications that were (a) received; and (b) rejected.

(AQW 6635/10)

Minister of Education: Chuir na Boird Oideachais agus Leabharlainne in iúl go bhfuil líon agus suíomhanna na n-áiteanna státchistithe náiscoil ar fáil i ngach toghcheantar don bhliain 2010/11 mar atá mionsonraithe sa tábla thíos. Is é líon na n-iarratas a fuarthas ná 24,064 agus is é líon na n-iarratasóirí nach raibh áit acu ag deireadh an phróisis iontrála, a cuireadh i gcrích ar 30 Aibreán 2010, ná 3,162. Tugtar faoi deara go bhfaighidh mórán páistí nach raibh áit acu tar éis an phróisis iontrála áit shaor náiscoil roimh thosach na scoilbhliana i mí Mheán Fómhair.

The Education and Library Boards have advised that the numbers and locations of state funded nursery places available in each constituency for 2010/11 are as detailed in the table below. The total number of applications received was 24,064 and the number of applicants unplaced at the end of the admissions process, which concluded on 30 April 2010, was 3,162. It should be noted that many children who were unplaced at the conclusion of the admissions process will secure a free nursery place before the start of the school year in September.

(I) NUMBERS AND LOCATIONS OF STATE FUNDED NURSERY PLACES AVAILABLE IN EACH CONSTITUENCY FOR 2010/11

Parliamentary Constituency	Location (Main postal area)	Number of State Funded Places
Belfast East	Belfast	932
Belfast North	Belfast	868
	Newtownabbey	245
Belfast South	Belfast	874
Belfast West	Belfast	1324

Parliamentary Constituency	Location (Main postal area)	Number of State Funded Places
East Antrim	Ballymena	61
	Carrickfergus	443
	Greenisland	15
	Larne	242
	Newtownabbey	168
East Derry	Castlerock	13
	Coleraine	475
	Feeny	16
	Limavady	242
	Derry	101
	Portrush	46
	Portstewart	50
Fermanagh & South Tyrone	Ballygawley	31
	Belleek	17
	Brookeborough	15
	Caledon	24
	Clogher	25
	Derrymore	19
	Dungannon	374
	Enniskillen	619
	Fivemiletown	45
	Lisnaskea	34
	Newtownbutler	36
	Roslea	21
	Tempo	34
Foyle	Derry	1494
Lagan Valley	Belfast	175
	Craigavon	52
	Dromara	36
	Dromore	170
	Hillsborough	93
	Lisburn	596
	Moir	64

Parliamentary Constituency	Location (Main postal area)	Number of State Funded Places
Mid Ulster	Ardboe	24
	Augher	9
	Coagh	16
	Coalisland	99
	Cookstown	291
	Dungannon	240
	Maghera	121
	Magherafelt	460
	Portglenone	29
Newry & Armagh	Ardglass	13
	Armagh	487
	Dungannon	26
	Loughgall	29
	Newry	792
	Tandragee	104
North Antrim	Ballycastle	115
	Ballymena	874
	Ballymoney	219
	Bushmills	26
	Portglenone	13
	Toomebridge	22
North Down	Bangor	656
	Donaghadee	63
	Holywood	111
	Newtownards	46
South Antrim	Antrim	430
	Ballyclare	226
	Crumlin	148
	Newtownabbey	440
	Templepatrick	20
	Toomebridge	21

Parliamentary Constituency	Location (Main postal area)	Number of State Funded Places
South Down	Ardglass	31
	Ballycrossan	24
	Ballykinler	10
	Ballynahinch	110
	Banbridge	26
	Castlewellan	113
	Crossgar	26
	Downpatrick	316
	Kilkeel	54
	Killough	16
	Newcastle	142
	Newry	381
	Rostrevor	24
	Saintfield	52
	Warrenpoint	102
Strangford	Belfast	189
	Downpatrick	24
	Newtownards	710
	Saintfield	26
Upper Bann	Banbridge	276
	Craigavon	452
	Laurencetown	26
	Lurgan	458
	Portadown	254
West Tyrone	Castlederg	109
	Dromore	44
	Omagh	647
	Strabane	365
	Trillick	21

Nursery School Places

Lord Browne asked the Minister of Education how many nursery places are available in East Belfast for 2010/11; and how many applications have been received for these places.

(AQW 6688/10)

Minister of Education: Chuir Bord Oideachais agus Leabharlaine Bhéal Feirste in iúl go bhfuil 932 áit naíscóile ar fáil i dtoghcheantar parlaiminte Oirthear Bhéal Feirste don bhliain 2010/11; agus go bhfuarthas 1,113 iarratas ar na háiteanna seo. Tugtar faoi deara go bhfaighidh mórán páistí nach raibh áit acu tar éis an phróisis iontrála áit shaor naíscóile roimh thosach na scoilbhliana i mí Mheán Fómhair.

The Belfast Education and Library Board has advised that there are 932 nursery places available in the East Belfast Parliamentary constituency for 2010/11; and 1,113 applications have been received for these places. It should be noted that many children who were unplaced at the conclusion of the admissions process will secure a free nursery place before the start of the school year in September.

Indeed, I can confirm that I have made available up to £1.3m to assist in meeting the unprecedented demand for funded pre-school places for those children in their immediate pre-school year in 2010/11.

Capital Builds

Mr P Weir asked the Minister of Education how much her Department has spent on capital builds for (i) the controlled sector; (ii) the maintained sector; (iii) the integrated sector; (iv) the Irish-medium sector; and (v) any other schools, in each of the last three years.

(AQW 6699/10)

Minister of Education: Achoimríonn na figiúirí sa tábla an caiteachas caipitil ar fhoirgneamh nua scoile a thógáil i ngach ceann de na trí bliana a chuaigh thart. Cuimsíonn na figiúirí neamhairgead ar chaiteachas an chlár chomhardaithe ar scéimeanna PPP a mheastar i gcoinne bhuiséad caipitil mo Roinne.

The figures in the table below summarise the capital expenditure on the construction of new school building in each of the last three years. The figures include non-cash, on-balance sheet spend on PPP schemes which are scored against my Department's capital budget.

Sector	2007/08 (£000s)	2008/09 (£000s)	2009/10 (£000s)
Controlled	40,232	47,368	78,196
Maintained	20,287	44,634	5,529
Integrated	4,586	7,142	3,016
Irish Medium	685	1,338	72
Voluntary Grammar	27,963	27,420	37,385

School Maintenance

Mr A Ross asked the Minister of Education to detail the level of funding for maintenance at each school in East Antrim (i) in 2009/10; and (ii) budgeted for 2010/11.

(AQW 6700/10)

Minister of Education: Tá caiteachas ar chothabháil áitreabh na scoileanna rialaithe agus na scoileanna faoi chothabháil in Oirthear Aontroma miondealaithe sa tábla thíos. Níl buiséid le haghaidh scoileanna aonair don bhliain 2010/11 ag Bord Oideachais agus Leabharlaine an Oirthuaiscirt atá freagach as cothabháil na scoileanna seo. Ní féidir, mar sin, buiséid chothabhála le haghaidh scoileanna in Oirthear Aontroma don bhliain 2010/11 a sholáthar.

Spending on the maintenance of controlled and maintained schools' premises in East Antrim in 2009/10 is detailed in the table below. The North Eastern Education and Library Board, which is responsible for the maintenance of these schools, does not have budgets for individual schools in 2010/11. It is, therefore, not possible to provide 2010/11 maintenance budgets for schools in East Antrim.

School	Expenditure 2009/10
Ballycarry Primary School	£2,963
Cairncastle Primary School	£5,295
Carnalbanagh Primary School	£7,672
Carnlough Controlled Integrated Primary School	£7,642
Carrickfergus Central Primary School	£3,966
Carrickfergus College	£35,466
Carrickfergus Grammar School	£35,123
Carrickfergus Model Primary School	£9,210
Downshire School	£59,346
Eden Primary School	£22,978
Glynn Primary School	£6,130
Greenisland Primary School	£6,123
Hollybank Primary School	£5,496
Jordanstown Special School	£9,490
Kilcoan Primary School	£22,532
King's Park Primary School	£14,738
Larne And Inver Primary School	£11,920
Larne High School	£21,411
Linn Primary School	£14,539
Lourdes Primary School	£42,683
Monkstown Community School	£76,204
Monkstown Nursery School	£1,331
Moyle Primary School	£6,151
Mullaghduh Primary School	£4,430
Oakfield Primary School	£12,913
Olderfleet Primary School	£9,504
Roddens Vale Special School	£9,427
Rosstulla Special School	£37,211
Seaview Primary School	£32,762
Silverstream Primary School	£23,695
St Anthony's Nursery School	£14,307
St Anthony's Primary School	£13,571
St Comgall's High School	£8,250
St James' Primary School	£10,821

School	Expenditure 2009/10
St John's Primary School	£8,337
St Macnissi's Primary School	£6,136
St Nicholas' Primary School	£10,859
Sunnylands Nursery School	£1,625
Sunnylands Primary School	£9,290
Thornfield Special School	£13,957
Toreagh Primary School	£5,337
Upper Ballyboley Primary School	£3,305
Victoria Primary School	£11,338
Whiteabbey Primary School	£29,348
Whitehead Primary School	£8,706
Woodburn Primary School	£12,923
Woodlawn Primary School	£9,556

Surplus School Places

Mr P Weir asked the Minister of Education to detail the number of surplus school places in each school in North Down, in the current academic year.

(AQW 6720/10)

Minister of Education: Is mar a mhionsonraítear sa tábla thíos atá líon na n-áiteanna barrachais scoile i ngach scoil i dtoghcheantar parlaiminteach an Dúin Thuaidh sa bhliain acadúil reatha.

The number of surplus school places in each school in the North Down parliamentary constituency in the current academic year is as detailed in the table below.

Name of School	Surplus Places
Ballyvester Primary School	45
Hollywood Primary School	186
Crawfordsburn Primary School	6
Ballyholme Primary School	50
Donaghadee Primary School	110
Clandeboyne Primary School	411
Millisle Primary School	107
Redburn Primary School	260
Bloomfield Primary School	159
Grange Park Primary School	7
Kilcooley Primary School	463
Rathmore Primary School	168

Name of School	Surplus Places
Towerview Primary School	20
Kilmaine Primary School	4
Ballymagee Primary School	5
St Patrick's Primary School	109
St Anne's Primary School	49
St Comgall's Primary School	4
St Malachy's Primary School	145
Bangor Central Primary School	0
Glenraig Integrated Primary School	40
Sullivan Upper School	9
Bangor Academy and 6th Form College	63
St Columbanus' College	0
Priory College	5
Glenlola Collegiate	36
Bangor Grammar School	19

Source: School Census 2009/Approved Enrolments

Nursery School Places

Mr P Ramsey asked the Minister of Education to detail (i) the number of nursery school places available; and (ii) the number of applicants, in each constituency for the academic year 2010/11. **(AQW 6721/10)**

Minister of Education: Chuir na Boird Oideachais agus Leabharlainne in iúl go bhfuil (i) líon na n-áiteanna réamhscoile atá ar fáil; agus (ii) líon na n-iarraitasóirí, i ngach toghcheantar don bhliain acadúil 2010/11 mar atá mionsonraithe sa tábla thíos.

The Education and Library Boards have advised that (i) the number of nursery school places available; and (ii) the number of applicants, in each constituency for the academic year 2010/11 are as detailed in the table below.

Parliamentary Constituency	(i) Nursery School Places Available 2010/11	(ii) Applications Received 2010/11
Belfast East	338	405
Belfast North	546	705
Belfast South	156	217
Belfast West	832	967
East Antrim	234	252
East Derry	234	282
Fermanagh & South Tyrone	156	211

Parliamentary Constituency	(i) Nursery School Places Available 2010/11	(ii) Applications Received 2010/11
Foyle	494	552
Lagan Valley	312	380
Mid Ulster	234	275
Newry & Armagh	312	388
North Antrim	260	264
North Down	182	244
South Antrim	598	732
South Down	286	331
Strangford	156	204
Upper Bann	390	514
West Tyrone	130	124

It should be noted that many children who were unplaced at the conclusion of the admissions process will secure a free nursery place before the start of the school year in September.

Indeed, I can confirm that I have made available up to £1.3m to assist in meeting the unprecedented demand for funded pre-school places for those children in their immediate pre-school year in 2010/11.

Nursery School Places

Mr T Clarke asked the Minister of Education how many nursery places are available in the South Antrim constituency for 2010/11; and how many places have been filled to date.

(AQW 6726/10)

Minister of Education: Chuir Bord Oideachais agus Leabharlainne an Oirthuaiscirt in iúl go bhfuil 1,285 áit naíscóile ar fáil i dtoghcheantar Aontroma Theas don bhliain 2010/11 agus gur líonadh gach ceann de na háiteanna seo.

The North Eastern Education and Library Board has advised that there are 1,285 nursery places available in the South Antrim constituency for 2010/11 and that all of these places have been filled.

I am aware that there has been an unprecedented demand for funded pre-school places for those children in their immediate pre-school year. As such, I have made available up to £1.3m to assist in meeting this demand in 2010/11.

Nursery School Places

Mr P Ramsey asked the Minister of Education, notwithstanding the appeal process, to detail the number of nursery school children, born before 1 July 2007, who (i) were not offered a nursery school place at any of their listed choices; (ii) have not been offered a nursery school place or; (iii) have been unable to accept a place outside their listed choices, broken down by those children whose parents (a) were; and (b) were not in receipt of qualifying benefits, in each constituency.

(AQW 6736/10)

Minister of Education: Chuir na Boird Oideachais agus Leabharlainne in iúl nach gcoinníonn siad eolas ar pháistí naíscóile nach bhfuil in ann glacadh le háit atá lasmuigh dá liosta roghanna. Ní choinnítear an chuid eile den eolas a iarradh san fhormáid a iarradh agus bheadh costas díréireach ag baint leis an eolas seo a fháil.

The Education and Library Boards have advised that they do not hold information on nursery school children who have been unable to accept a place outside their listed choices. The remainder of the information sought is not held in the format requested and could only be supplied at a disproportionate cost.

However, I am aware that there has been an unprecedented demand for funded pre-school places for those children in their immediate pre-school year. As such, I have made available up to £1.3m to assist in meeting this demand in 2010/11.

School Visits

Mr J Craig asked the Minister of Education to list the schools she has visited since taking up office. (AQW 6766/10)

Minister of Education: Liostaítear sa tábla thíos na scoileanna ar thug mé cuairt orthu ó chuaigh mé isteach i mbun oifige.

The table below lists the schools I have visited since taking up office.

School Name	Town
Belfast Royal Academy	Belfast
Riverside Special School	Antrim
Hazelwood Integrated Primary	Newtownabbey
Bunscoil an tSléibhe Dhuibh	Belfast
St Mark's High	Warrenpoint
Edmund Rice College	Glengormley
St Patrick's Primary	Mayobridge
Priory College	Hollywood
Immaculate Conception College	Derry
Limavady High	Limavady
St Louis School	Kilkeel
St Joseph's Primary	Belfast
St Paul's Junior High	Craigavon
Hazelwood College	Newtownabbey
New Lodge Irish Medium Nursery	Belfast
Ceara Special School	Lurgan
Lismore High	Craigavon
St Mary's High	Newry
Bunscoil an Iúir	Newry
St Joseph's Primary	Newry
St Mary's Primary	Banbridge
St Patrick's High School	Banbridge
Harberton Special	Belfast
Aquinas Grammar	Belfast

School Name	Town
St Colman's Primary	Lambeg
Naíscoil Uí Chléirigh	Dungannon
Ballysally Primary	Coleraine
DH Christie Memorial Primary	Coleraine
Harpurs Hill Primary	Coleraine
Glen Road Christian Brothers'	Belfast
Bunscoil na Móna	Belfast
St Oliver Plunkett's	Newry
Jonesborough Primary	Newry
Dromintee Primary	Newry
St Mary's Primary	Mullaghbawn
Lismore Comprehensive	Craigavon
Girls' Model School	Belfast
St Mary's College	Derry
St Mary's Primary and Nursery	Newcastle
St Louise's College	Belfast
St Brigid's College	Derry
De La Salle High	Downpatrick
St Peter's High	Derry
Gaelscoil Éadain Mhóir	Derry
Groarty CIP	Derry
Hazelwood Integrated Primary	Newtownabbey
Edenbrooke Primary	Belfast
St Joseph's College	Enniskillen
St Patrick's College	Dublin
All Children's Integrated Primary	Newcastle
St Mary's High	Downpatrick
Naíscoil Choin Rí Uladh	Ballymena
Dunfane School	Ballymena
St Brigid's Primary	Ballymena
St Colmcille's Primary	Ballymena
St John Bosco Primary	Ballymena
Leaney Primary	Ballymoney
Bunscoil an Chaistil	Ballycastle

School Name	Town
Millburn Primary	Coleraine
St Joseph's	Crossmaglen
St Rose's High	Belfast
St Conor's Primary	Omagh
Corpus Christie High	Belfast
Belmont Primary	Belfast
Holy Children Primary	Derry
Anahorish Primary	Toomebridge
St Brigid's Primary	Newry
St Patrick's Primary	Saul
Primate Dixon School	Coalisland
St Patrick's High	Keady
St Catherine's College	Armagh
St Patrick's Primary	Hilltown
St Eugene's High	Castlederg
St Teresa's Primary	Sion Mills
Holy Cross College	Strabane
Gaelscoil Uí Dhochartaigh	Strabane
Knockavoe Special School	Strabane
St Ciarain's High	Ballygawley
Ashfield Girls' School	Belfast
An Droichead	Belfast
Mencap Pre School Nursery	Belfast
Glenveagh Special	Belfast
St Patrick's Primary	Castlewellan
St Matthew's Primary	Belfast
St Francis de Sales Special	Belfast
Holy Family Primary	Belfast
Kindle Integrated Primary	Downpatrick
Castle Gardens Primary	Newtownards
Bangor Grammar	Bangor
St Columbanus College	Bangor
St Mary's Primary	Rathfriland
Carrick Primary	Warrenpoint

School Name	Town
De La Salle Boys High	Downpatrick
Ballynahinch Primary	Ballynahinch
Ardstraw Primary	Newtownstewart
St Bronagh's PS	Rostrevor
St Malachy's Primary	Belfast
Mitchell House Special	Belfast
St Oliver Plunkett Primary	Belfast
Foyle View Special	Derry
Limavady High	Limavady
Rossmar Special	Limavady
St Paul's College	Coleraine
St Colman's Primary	Newry
St John the Baptist Boys and Girls Primary	Belfast
Coláiste Feirste	Belfast
De La Salle College	Belfast
Bunscoil Bheann Mhadagáin	Belfast
Coláiste Feirste	Belfast
Moy Regional Primary	Moy
Gaelscoil Éanna	Glengormley
St Mary's Primary	Belfast
Fleming Fulton Special	Belfast
St Therese Nursery	Belfast
Gaelscoil Ghleann Darach	Belfast
Bunscoil an Traonaigh	Lisnaskea
Our Lady's Nursery	Belfast
St MacNissius Primary	Antrim
St Benedict's College	Antrim
St Malachy's College	Belfast
St Malachy's High	Castlewellan
St Mary's Primary	Newry
St John's Primary	Newry
St Oliver Plunkett, Forkhill	Dundalk
Strandtown Primary	Belfast
Our Lady of Lourdes	Ballymoney

School Name	Town
New Row Primary	Magherafelt
Anahorish Primary	Toomebridge
Dean Maguirc College	Omagh
Gaelscoil na gCrann	Omagh
Omagh Integrated Primary	Omagh
McClintock Controlled Primary	Omagh
St Colman's Primary	Banbridge
St Mary's High	Newry
Newry High	Newry
St Colm's High	Draperstown
St Colman's College	Newry
Oakgrove Integrated College	Derry
Gaelscoil Uí Néill	Coalisland
Shimna College	Newcastle
St Malachy's Primary	Armagh
St Malachy's Primary	Camlough
Naíscoil na mBeann	Kilkeel
Blackwater Integrated College	Downpatrick
St Bernard's Primary	Belfast
St Dominic's Grammar	Belfast
St Marks High	Warrenpoint
Holy Cross College	Strabane
Woodburn Primary	Carrickfergus
Roddensvale Special	Larne
St Francis Primary	Banbridge
St Colms High	Dunmurray
Naíscoil na Deirge	Castlederg
St Colmans College	Newry
St Cecilians College	Derry
St Mary's College	Derry
Millennium Integrated Primary	Saintfield
Killeen Primary	Newry
St Fancheas College	Enniskillen
St Malachy's Primary	Armagh

School Name	Town
Lisneal College	Derry
Botanic Primary	Belfast
Sullivan Upper	Holywood
Fleming Fulton Special school	Belfast
St Patricks	Newry
St Clares Covent Primary	Newry
St Malachys Primary	Newry
St Malachys High	Castlewellan
St Louis	Kilkeel
St Malachys Primary	Castlewellan
St Patricks Grammar	Downpatrick
Our Lady and St Pat's	Belfast
St Josephs Primary	Carryduff
St Colmans Primary	Kilkeel
Strangford Integrated College	Carrowdore
St Mary's Primary	Portglenone
Belmont House Special School	Derry
Rathore Special School	Newry
Whitehouse Primary	Belfast
St Marys Star of the Sea	Belfast
St Patricks College Bearnagheeha	Belfast
Shimna Integrated College	Newcastle
St Malachy's College	Castlewellan
St Pauls High	Newry
All Saints Primary	Omagh
St Marys High	Newry
Gilnahirk Primary	Belfast
St Malachys Primary	Kilkoo
St Brigids Primary	Magherafelt
Scoil an Droichead	Belfast
St Colmans College	Newry
Coláiste Feirste	Belfast
Lagan College	Belfast
Bunscoil Phobal Feirste	Belfast

School Name	Town
Christian Brothers Primary	Armagh
St Therese of Liseux	Belfast
Ashfield Girls' School	Belfast
St Colmans College	Ballynahinch
St Patricks Primary	Crossmaglen
St Marys Primary	Rathlin
Carrick Primary	Warrenpoint
St Marys University	Belfast
Ballycastle Controlled Integrated Primary	Ballycastle
Garryduff Primary	Ballymoney
Holy Trinity College	Cookstown
Holy Trinity Nursery School	Lisburn
Friends School	Lisburn
Glencraig Integrated Primary	Hollywood
St Josephs College	Belfast
Fleming Fulton Special	Belfast
Edenbrooke Primary	Belfast
St Patricks Bearnagheeha	Belfast
Naíscoil Éadain Mhóir	Belfast
Edenbrooke Primary	Belfast
Holy Cross Primary	Kilkeel
Corpus Christie College	Belfast
Coláiste Feirste	Belfast
St Louise's College	Belfast
Gaelscoil na Móna	Belfast
Country Kids Nursery	Donaghadee

Nursery School Places

Ms A Lo asked the Minister of Education (i) to outline her plans to address the acute shortage of nursery school provision in South Belfast; and (ii) whether she has any plans to increase the number of nursery school places available for the academic year 2010/11, in the South Belfast constituency **(AQW 6768/10)**

Minister of Education: Ní hé amháin go bhfuil áiteanna cistithe réamhscoile ar fáil in earnáil na naíscoileanna reachtúla, (is é sin, naíscoileanna agus aonaid naíscoile atá ceangailte le bunscoileanna), ach tá siad ar fáil san earnáil dheonach phríobháideach fosta – go deimhin, tá trian go neasach den soláthar cistithe réamhscoile san earnáil seo. Ag deireadh an phróisis um Iontráil Réamhscoile ar 30 Aibreán, níor tairgeadh áit chistithe réamhscoile do 33 páiste a raibh ina mbliain

dheireanach in aon suíomh i dtoghcheantar Dheisceart Bhéal Feirste, agus tá 26 áit réamhscoile fós fágtha gan líonadh. Féadaim a dhearbhu go bhfuil suas le £1.3m curtha ar fáil agam chun líon na n-áiteanna cistithe réamhscoile a mhéadú chun cuidiú leis an éileamh ar áiteanna cistithe réamhscoile a bhaint amach do na páistí sin a bhfuil ina réamh-scoilbhliain láithreach sa bhliain 2010/11.

Funded pre-school places are available not only in the statutory nursery sector, (nursery schools and nursery units attached to primary schools), but also in settings in the private and voluntary sector - indeed approximately one third of funded pre-school provision is in this sector. At the end of the Pre-School Admissions process on 30 April, in the South Belfast Constituency, 33 children in their final pre-school year had not been offered a funded pre-school place in any setting and 26 funded pre-school places remained unfilled. I can confirm that I have made available up to £1.3m to increase the number of funded pre-school places in order to assist in meeting the demand for funded pre-school places for those children in their immediate pre-school year in 2010/11.

Pre-school education is a genuine partnership between the statutory and the voluntary and private sectors. My Department, together with the Education and Library Boards, will, of course, look at all avenues to address the current shortfall in places.

Funding per Pupil

Mr J Craig asked the Minister of Education to detail the level of funding, per pupil, for (i) controlled schools; (ii) maintained schools; (iii) voluntary grammar schools; (iv) integrated schools; and (v) Irish-medium schools, in each of the last three years.

(AQW 6787/10)

Minister of Education: Tá sonraí airgeadais soláthraithe do na blianta airgeadais 2007/08; 2008/09 agus 2009/10, ach tá na sonraí don bhliain 2009/10 ar choinníoll ag an am seo. Léirítear sa tábla thíos an méid cistithe tarmhligthe agus neamhtharmhligthe in aghaidh an dalta de réir gach catagóra a iarradh do na blianta airgeadais seo.

Financial data has been provided in respect of financial years 2007/08; 2008/09 and 2009/10, however, the 2009/10 data is provisional at this stage. The level of delegated and non-delegated funding per pupil by requested category for each of these financial years is shown in the table below.

All Phases (Nursery, Primary & Post- Primary)	Total Funding per pupil (£)		
	2007/08	2008/09	2009/10
Controlled Schools ¹	3,993	4,222	4,801
Maintained Schools ²	3,949	4,144	4,200
Irish Medium Schools ³	4,020	4,232	4,134
Integrated Schools ⁴	4,377	4,575	4,803
Voluntary Grammar Schools	4,186	4,362	4,419

Footnotes:

- 1 Controlled Schools include Controlled Grammar schools and exclude Controlled Irish Medium Schools
- 2 Maintained Schools exclude Irish Medium Schools
- 3 Irish Medium Schools include Controlled and Maintained Irish Medium schools
- 4 Integrated schools include Grant-Maintained Integrated and Controlled Integrated schools

St Paul's College, Kilrea

Mr J Dallat asked the Minister of Education what steps she has taken to ensure that parents who want to send their children to St Paul's College, Kilrea, are able to do so.

(AQW 6793/10)

Minister of Education: Dhíreoinn aird an chomhalta ar an fhreagra a thug mé cheana féin ar AQW 6364/2010.

I refer the member to my earlier response to AQW 6364/2010.

Community Relations: Training

Miss M McIlveen asked the Minister of Education (i) whether community relations training is a mandatory component of teacher training courses at (a) Stranmillis University College; and (b) St Mary's University College; and (ii) how much of each course is dedicated to community relations training.

(AQW 6801/10)

Minister of Education: Dírítear i gcúrsaí oiliúna tosaigh do mhúinteoirí (COTM) ar ghairmithe ardinniúla múinteoireachta a fhorbairt agus a spreagadh a bhfuil feidhm mhorálta agus tiomantas acu d'fhorbairt iomlánaíoch a ndaltaí agus do leas na sochaí i gcoitinne.

Courses of initial teacher education (ITE) focus on developing and inspiring highly competent reflective teaching professionals with a sense of moral purpose and a commitment to the holistic development of their pupils and the betterment of society in general.

Community relations training is addressed primarily through each University College's Diversity and Mutual Understanding programme, which forms an integral and significant element of all ITE courses in both St Mary's and Stranmillis University Colleges. As a mandatory component, community relations issues and preparation are dealt with in a large number of contexts ranging from philosophical concepts within Education Studies, through curriculum implementation aspects in a variety of Curriculum Studies and Education Studies courses, to very practical issues within school-based work. Outside the modular degree structure there is a full course programme of events, jointly planned and organised between both Colleges, which focus on professional issues in this area. There are also many examples of optional experiences in this field undertaken by various groups of students within the Colleges and in collaboration with other partner institutions.

The teaching and learning aspects of community relations training within ITE courses are both discrete and embedded, and therefore it is not possible to readily identify the proportion of time spent on this area.

Community Relations: Review

Miss M McIlveen asked the Minister of Education to detail the percentage of responses which indicated a need to address community relations in schools and youth services during her Department's pre-consultation on the review of community relations.

(AQW 6803/10)

Minister of Education: D'aontaigh tromlach mór de na freagróirí (is é sin, 96.1% de cheannairí agus 98.4% de mhúinteoirí/ de chleactóirí luathbhlianta agus d'oibrithe don ógra) a d'fhreagair na ceistiúcháin réamhchomhairliúcháin go bhfuil obair shoiléir fós le déanamh ag an oideachas maidir le caidreamh pobail. Aibhsíodh an éagsúlacht atá ag méadú sa daonra i dtuaisceart na hÉireann agus an gá le grúpaí níos leithne Alt 75 mar fháthanna chun tacú leis an dearcadh seo.

An overwhelming majority of respondents (96.1% of leaders and 98.4% of teachers/early years practitioners and youth workers) who replied to the pre-consultation questionnaires agreed that there was still a need for explicit work for education to deliver on community relations. Reasons to support their view highlighted the growing diversity of the population in the north of Ireland and the need to consider the wider section 75 groups - those between persons of different religious belief, political opinion, racial groups, sexual orientation, gender, age, with and without a disability and those with or without dependants.

The main findings of the pre-consultation on the review of community relations identified the unnecessary complexity of five separate funding strands; the restrictive nature of funding criteria; the negative impact of annual funding which limited planning and did not encourage progression in community relations, inadequate monitoring and evaluation of the quality of community relations provision; insufficient in-service training for teachers and the lack of connections between community relations work and other education policies which has led to this work being seen as an add-on rather than integral to the curriculum.

In addition, the benefits of developing school links and sustained contact between schools and the benefits of mixing and meeting with others, particularly within the context of structured activities were identified.

Community Relations: Review

Miss M McIlveen asked the Minister of Education to outline the findings of her Department's pre-consultation on the review of community relations.

(AQW 6804/10)

Minister of Education: D'aontaigh tromlach mór de na freagróirí (is é sin, 96.1% de cheannairí agus 98.4% de mhúinteoirí/ de chleactóirí luathbhlianta agus d'oibrithe don ógra) a d'fhreagair na ceistiúcháin réamhchomhairliúcháin go bhfuil obair shoiléir fós le déanamh ag an oideachas maidir le caidreamh pobail. Aibhsíodh an éagsúlacht atá ag méadú sa daonra i dtuaisceart na hÉireann agus an gá le grúpaí níos leithne Alt 75 mar fháthanna chun tacú leis an dearcadh seo.

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In addition, the benefits of developing school links and sustained contact between schools and the benefits of mixing and meeting with others, particularly within the context of structured activities were identified.

Criteria for Special Consideration in Exams

Mr M Storey asked the Minister of Education what measures she has put in place to ensure that pupils whose return to Northern Ireland is delayed as a result of the volcanic eruption are not penalised in examinations, coursework or internal assessment; and whether such delays meet the published criteria for special consideration.

(AQW 6813/10)

Minister of Education: Chuir an Chomhchomhairle um Cháilíochtaí (CUC), a sheasann do gach príomhsholáthróir cáilíochtaí i Sasana, sa Bhreatain Bheag, in Albain agus i dtuaisceart na hÉireann, lena n-áirítear an Chomhairle Churaclaim, Scrúduithe agus Measúnachta (CCSM) nósanna imeachta ar bun chun déileáil le cásanna ina bhfuil iarrthóirí mífálta scrúduithe a ghlacadh.

The Joint Council for Qualifications (JCQ), which represents all of the main qualifications providers in England, Wales, Scotland and the north of Ireland, including the Council for the Curriculum,

Examinations and Assessment (CCEA), has established procedures for dealing with situations where candidates are unable to take examinations.

Under these procedures requests for Special Consideration may be made by their school where pupils have not been in attendance for an assessed element of a qualification. Each case will be considered on its merits, taking account of the particular circumstances involved.

In relation to coursework or internal assessment for CCEA examinations, marks for these have already been collected by CCEA and are therefore secure.

Glastry School, Ballyhalbert

Mr J Shannon asked the Minister of Education if she can confirm a start date for the new build for Glastry School, Ballyhalbert; and to detail the reasons for any delay.

(AQW 6891/10)

Minister of Education: Mar is eol duit, tá an t-athbhreithniú ar gach olltionscadal molta um oibreacha caipitil ar siúl faoi láthair agus tá m'fheidhmeannaigh ag obair chun an próiseas a chríochnú. Mar gheall ar thábhacht an taise seo, áfach, tá sé ríthábhachtach go mbailítear fianaise láidir agus go dtugtar breithniú iomlán ar gach tionscadal sula ndéanfar aon chinneadh. Tá an Roinn ag amharc ar an Bhreithmheas athbhreithnithe Eacnamaíochta le haghaidh Glastry College, ach braithfidh dul chun cinn an tionscadail ar chonclúid a dhéanfaí amach san athbhreithniú. De bharr na n-imthosca seo, ní fhéadaim dátaí sonracha a thabhairt faoi láthair maidir le dul chun cinn aon scéime ar leith sa toadhachá.

As you will be aware, the review of all proposed major capital work projects is ongoing and my officials are working to complete the process. Given the importance of this task, it is essential that robust evidence is collated and that full consideration is given to each project before decisions are taken. A revised Economic Appraisal for Glastry College is with the Department, however, the progression of the project will be dependent on the conclusion of the review. Given these circumstances, I cannot at present give specific dates on the future progress of any particular scheme.

Review of Capital Projects

Mr P McGlone asked the Minister of Education, pursuant to AQW 6156/10, to detail the timescale she has set for officials to complete the review of capital projects.

(AQW 6908/10)

Minister of Education: Níor tháinig athrú ar bith ar mo sheasamh ó thug mé an freagra ar AQW 6156/10.

The position remains unchanged since my answer to AQW 6156/10.

Translation

Mr T Elliott asked the Minister of Education how much her Department spent on translation and additional document production for (i) Irish; (ii) Ulster Scots; and (iii) Braille in (a) 2008/09; and (b) 2009/10.

(AQW 6917/10)

Minister of Education: Is mar seo a leanas a bhí caiteachas na Roinne Oideachais ar aistriúchán agus ar dhoiciméid a tháirgeadh sa Ghaeilge, in Albainis Uladh, agus i mBraille:

The Department of Education's expenditure on translation and document production for Irish, Ulster Scots and Braille, was as follows:

Language	(a) 2008/2009	(b) 2009/2010
(i) Irish (including production of bilingual Irish / English documents)	£67,340	£68,105
(ii) Ulster Scots	£261	£35
(iii) Braille	Nil	Nil

Many of the Department's documents are produced in a bilingual format to include Irish and English. Where this applies, the total document production cost is given as the additional printing costs for the inclusion of Irish are not calculated.

In addition to the above, the Department of Education employs 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. For information, the Staff Officer salary range is currently £24,089 - £30,520 per annum.

Drug and Alcohol Awareness and Prevention Programmes

Ms J McCann asked the Minister of Education to detail (i) the organisations which receive funding from her Department for drug and alcohol awareness and prevention programmes in the Colin area of West Belfast; and (ii) how much funding each organisation has received in each of the last three years.
(AQW 6934/10)

Minister of Education: Ní mhaoiíonn mo Roinn eagraíochtaí aonair le haghaidh clár um fheasacht agus chosc drugaí agus alcóil go díreach. Féadfar cláir ar sheirbhísí don ógra agus ar sheirbhísí sínte a reáchtáil, áfach, ina dtugann eagraíochtaí seisiúin ina dtugtar fios do pháistí ar na contúirtí a bhaineann le mí-úsáid drugaí agus alcóil. Níl mé in ann aon sonraí faoi seo a sholáthar mar ní bhailítear eolas faoi.

My Department does not specifically fund individual organisations for drug and alcohol awareness and prevention programmes. However, there can be programmes run in youth and extended services which may involve organisations delivering sessions where children are made aware of the dangers of drug and alcohol abuse. I am not able to provide any detail on this as this information is not collected centrally.

Schools, as part of the Personal Development strand of the curriculum, provide opportunities for young people to develop knowledge, understanding and skills to deal with issues such as drugs and alcohol. It is a matter for the schools themselves, within their delegated budgets, to determine how they will support the delivery of elements of this strand of the curriculum and to engage external assistance as appropriate.

Applied Behaviour Analysis

Mr G Robinson asked the Minister of Education for her assessment of the conflicting evidence which indicates (i) that Applied Behaviour Analysis is a 'science of behaviour' with international standards of training and is therefore inappropriate as a treatment for autism; (ii) that there is no research to indicate an eclectic approach which is equal, or superior to, Applied Behaviour Analysis; and (iii) that there is extensive international research which supports Applied Behaviour Analysis as a treatment for autism.
(AQW 6939/10)

Minister of Education: Athraíonn riachtanais oideachais speisialta na bpáistí ó pháiste go páiste agus tá riachtanais na bpáistí ar speictream an uathachais go háirithe éagsúil.

The special educational needs of children differ from child to child and the needs of children on the autistic spectrum are particularly diverse.

Education and Library Boards (ELBs) have statutory responsibility for identifying, assessing and meeting the special educational needs of children including those with autism. ELBs do so taking into account the individual needs of each child and, therefore, there will be variations in the provision made, based on the assessed needs of the child. Applied Behaviour Analysis (ABA) is one of many methods of intervention for autism. Currently all ELBs are providing a variety of ABA based programmes, including the provision of classroom assistants trained in ABA.

I am determined that all children with special education needs receive the very best start in life by ensuring that their education provision is tailored to their very different individual needs. Interventions for children with autism, in line with the recommendations of the Report of the Task Group on Autism, should be child-centred. The Task Group Report, launched in 2002, sets out very clear reasons why it would not be appropriate to advocate only one approach to meeting the needs of children with autism.

You will appreciate, therefore, that I cannot comment on the specific issues raised in your question regarding evidence and research relating to ABA.

Bus Transport for Schoolchildren in Rural Areas

Mr J Shannon asked the Minister of Education what consideration she has given to carrying out a review of bus transport for school children in rural areas, in light of the strategy to eradicate child poverty. **(AQW 6978/10)**

Minister of Education: Soláthraítear iompar scoile, beag beann ar imthosca airgeadais, i gcásanna ina gcónaíonn páistí thar dhá mhíle (i gcás Bunscoileanna) nó thar trí mhíle (i gcás Iarbhunscoileanna) ón scoil is cóngaraí is oiriúnaí dóibh. Ó tharla go bhfuil cuid mhór scoileanna suite i gceantair uirbeacha nó i gceantair fho-uirbeacha, go háirithe in earnáil na hIarbhunscoile, tá sé níos dóchúla go gcáileoidh daltaí tuaithe do chúnamh iompair.

School transport is provided, regardless of financial circumstances, where a pupil lives beyond two miles (in the case of Primary schools) or three miles (in the case of post-Primary schools) from their nearest suitable school. Since many schools are located in urban or sub-urban areas, particularly in the post-Primary sector, rural pupils are already more likely to qualify for transport assistance.

At present, the Department of Education does not intend to review the transport policy until the outworkings of Transfer 2010 and area-based planning are known, since both have the potential to impact considerably on the policy. Thereafter, any proposed changes to the transport policy will be rural-proofed as this is the requirement of all policy development.

St Colman's Primary School Site

Mr P Butler asked the Minister of Education for an update on the new build on the St Colman's Primary School site. **(AQW 7008/10)**

Minister of Education: Mar is eol duit, tá an t-athbhreithniú ar gach olltionscadal molta um oibreacha caipitil ar siúl faoi láthair. Mar gheall ar thábhacht an taisc seo, tá sé ríthábhachtach go mbailítear fianaise láidir agus go dtugtar breithniú iomlán ar gach tionscadal sula ndéanfar aon chinneadh. Mar gheall air sin, ní fhéadaim dátaí sonracha a thabhairt faoi láthair maidir le dul chun cinn Bhunscoil Cholmáin nó dul chun cinn aon scéime nua eile sa toadhcháí.

As you will be aware, the review of all proposed major capital works projects is ongoing. Given the importance of this task, it is essential that robust evidence is collated and that full consideration is given to each project before decisions are taken. Hence, I am unable at present to comment on the future progress of the proposed new school for St Colman's or any other new build projects.

Review of Capital Projects

Dr S Farry asked the Minister of Education to outline the criteria used to assess and rank school building projects within the current departmental review of capital projects.

(AQW 7038/10)

Minister of Education: Coimisiúnaíodh m'athbhreithniú reatha ar gach tionscadal caipitil lena chinntiú go dtógtar an mhéid cheart scoile agus an cineál ceart scoile sa suíomh ceart. Is é is aidhm dó, fosta, ná a chinntiú go bhfuil gach tionscadal molta caipitil inbhuanaithe inmharthana san fhádtéarma agus go gcloíonn siad lenár ndualgais reachtúla um chomhionannas agus go ndíríonn muid ar bhonn riachtanas oibiachtúil. Léirigh mé go measfaí gach tionscadal tríd na sé chritéar atá leagtha amach sa Pholasáí um Scoileanna Inmharthana a úsáid agus trí staid na bhfoirgneamh scoile a mheas.

My current review of all capital projects has been commissioned to ensure that the right size and type of school is built in the right location. It is also to ensure that all proposed capital projects are viable and sustainable in the long term and adhere to our statutory duties in relation to equality and targeting on the basis of objective need. I have indicated that all projects will be considered in the context of the six criteria outlined in the Sustainable Schools Policy along side the condition of the schools buildings.

The rate at which the Department can build new schools is a separate issue and dependent on the level of resources made available by the Executive for school capital projects. As a result of the current constraints on the capital budget difficult decisions will have to be taken and not all projects will go ahead in the timeframe originally planned nor at a pace that we would like to achieve.

Review of Capital Projects

Dr S Farry asked the Minister of Education what efforts are being made to inform schools of the decision making process relating to the current departmental review of capital projects.

(AQW 7040/10)

Minister of Education: A luaithe is atá an t-athbhreithniú caipitil críochnaithe agus na torthaí cíortha agam, cuirfear an toradh in iúl do gach scoil agus d'údaráis bhainistíochta scoileanna.

When the capital review is completed and I have considered the findings all schools and school managing authorities will be informed of the outcome.

Department for Employment and Learning

Reviews

Ms S Ramsey asked the Minister for Employment and Learning to detail (i) the reviews currently taking place within his Department; (ii) the timelines for completion of each review; (iii) who is undertaking each review; and (iv) the estimated cost of each review.

(AQW 6690/10)

Minister for Employment and Learning (Sir Reg Empey): The attached table sets out details of ongoing Departmental reviews which are not being undertaken by Departmental officials.

Review	Timeline for completion	Review undertaken by:	Estimated cost of review
Northern Ireland Higher Education Innovation Fund (Round 2). Jointly commissioned by Department for Employment and Learning and Invest Northern Ireland	Began October 2009; due to complete May 2010	FGS McClure Watters	Total cost will amount to £27,491, of which 75% will be met by the Department and 25% by Invest Northern Ireland.
Education Maintenance Allowance (EMA). Jointly commissioned by Department for Employment and Learning and the Department of Education.	Began April 2010; final report due 29 October 2010.	PricewaterhouseCoopers	Estimated cost is £39,339.
Review of all funded initiatives for Widening Participation in Higher Education.	To be completed by end June 2010.	McClure Watters	Estimated cost is £19,500.
Evaluation of the Workable (NI) Programme.	Completion expected 31 May 2010.	KPMG is undertaking this review.	£28,000
Value for Money Review of the Labour Relations Agency	Completion expected end June 2010	KPMG	£21,000 excluding VAT

Review	Timeline for completion	Review undertaken by:	Estimated cost of review
Review of the progress2work (p2w) pilot programme.	Final report was received on 12 May 2010.	The main element of the review is being undertaken by Departmental staff. Deloitte MCS Limited engaged to carry out the 'client survey' and data analysis aspect of the review.	The cost for the survey element carried out by Deloitte MCS Limited is £14,285.

Academic Staff

Mr P Ramsey asked the Minister for Employment and Learning if a member of academic staff returns to work after a period of sickness and is not able to assume full-time hours, or has to reduce working hours on a temporary basis due to limited health capacity, whether it is policy that the employee should be paid on a pro-rata basis for the reduced hours.

(AQW 6722/10)

Minister for Employment and Learning: All contractual issues relating to staff employed within Further Education Colleges are a matter for the College's Governing Body.

Similarly, Universities are responsible for their own policies and procedures on implementing a phased return to work, following a period of sickness.

My Department has no role to play in these processes.

Merger of Further Education Colleges

Mr C McDevitt asked the Minister for Employment and Learning, following the merger of the 16 Further Education Colleges to 6 Regional Colleges in August 2007, whether the 6 new colleges are designated for the purpose of Section 75 of the Northern Ireland Act; and when they will be designated.

(AQW 6742/10)

Minister for Employment and Learning: Under Article 7(6) of the Further Education (Northern Ireland) Order 1997 the liabilities of governing bodies affected by an amalgamation are transferred to the governing body of the new institution. Consequently, the six Further Education Colleges, whilst not individually named, have “inherited” designation as public authorities under section 75 of the Northern Ireland Act 1998.

The designation of public authorities is a matter for the Northern Ireland Office.

Academic Staff of Further and Higher Education Colleges

Mr P Ramsey asked the Minister for Employment and Learning, pursuant to AQW 6152/10, to detail (i) the percentage level of absence, due to sickness, amongst academic staff of Further and Higher Education Colleges; and (ii) the level of sickness cover provided within each of the six Regional Colleges, in each month since the merger in August 2007.

(AQW 6746/10)

Minister for Employment and Learning:

- (i) The level of absence due to sickness amongst academic staff, as a percentage, in each month since August 2007, as advised by the six Further Education Colleges, is detailed in the table below:

2007

Month	BMC	NRC	NWRC	SERC	SRC	SWC
August 2007	3.7	1.2	1.6	1.9	0.9	Figure not available
September 2007	7.1	3.9	6.3	5.5	4.9	9.7
October 2007	11.3	7.7	8.8	9.5	8.0	17.1
November 2007	17.4	10.2	10.1	11.9	10.4	19.5
December 2007	12.5	7.0	8.2	12.8	6.2	14.6

2008

Month	BMC	NRC	NWRC	SERC	SRC	SWC
January 2008	15.5	9.0	12.3	8.7	8.8	17.5
February 2008	13.9	11.4	10.3	10.8	7.2	12.6
March 2008	11.0	7.6	5.3	8.3	3.2	11.0
April 2008	13.1	8.9	7.8	8.7	3.4	13.0
May 2008	7.1	4.7	4.3	3.5	3.9	8.1
June 2008	8.3	3.7	2.9	3.2	2.2	5.3

Month	BMC	NRC	NWRC	SERC	SRC	SWC
July 2008	2.1	1.3	2.1	0.8	1.1	3.2
August 2008	2.0	1.5	2.3	0.8	1.4	5.3
September 2008	7.9	3.9	5.9	3.0	4.6	9.7
October 2008	8.9	5.5	8.8	7.2	6.9	12.8
November 2008	14.4	7.6	11.1	8.7	8.9	15.1
December 2008	12.1	5.0	9.9	10.7	8.0	15.1

2009

Month	BMC	NRC	NWRC	SERC	SRC	SWC
January 2009	18.4	10.0	11.9	8.3	6.3	15.4
February 2009	12.5	7.8	8.2	5.3	5.3	11.4
March 2009	15.4	7.2	6.1	5.8	6.9	10.9
April 2009	9.8	4.9	5.9	5.2	4.5	5.5
May 2009	9.5	4.4	7.7	4.3	4.6	8.1
June 2009	8.0	2.5	4.2	4.4	2.8	7.2
July 2009	2.7	1.6	2.4	0.6	0.3	3.5
August 2009	3.3	1.2	2.6	2.2	0.4	2.2
September 2009	13.4	5.4	8.4	5.9	5.6	7.8
October 2009	16.0	10.5	9.9	11.9	8.4	13.2
November 2009	18.4	11.3	12.6	11.9	10.5	16.4
December 2009	12.2	8.5	9.6	7.5	8.7	8.4

2010

Month	BMC	NRC	NWRC	SERC	SRC	SWC
January 2010	16.2	11.8	10.3	8.2	8.9	13.7
February 2010	15.3	8.7	10.9	6.4	6.9	12.5
March 2010	12.5	10.0	8.0	2.6	Figures not yet available	9.9

- (ii) The information requested is not readily available. I am advised that Further Education Colleges do not maintain records on the level of cover or methods used for covering periods of sickness.

Lecturers

Mr P Ramsey asked the Minister for Employment and Learning, pursuant to AQW 6154/10, in relation to the initiative to increase the contracted hours of associated lecturers within Further and Higher Education Colleges, to provide a breakdown by college of the curriculum area of those who were not successful.
(AQW 6748/10)

Minister for Employment and Learning: All contractual matters relating to staff employed within Further Education

Colleges are a matter for the College's Governing Body.

The information requested by the member is outlined in the table below:

College	Curriculum area	No. of associate lecturers who were not successful
Belfast Metropolitan College	Information Technology	3
	Architecture & Construction	1
Northern Regional College	Art & Design	1
	Hospitality & Catering	1
	Social Care & Early Years	1
	Travel & Tourism	1
	Access & Special Needs	1
North West Regional College	Art & Design	4
	Computerised Accounts	2
	Business	2
	Basic ICT	1
	Essential Skills (inc ICT Essential Skills)	7
	Hairdressing	1
	Hospitality & Catering	4*
	Health & Social Care	3
	Sport	1
	Travel & Tourism	1
South Eastern Regional College	N/A	N/A
Southern Regional College	N/A	N/A
South West College	N/A	N/A

* North West Regional College has subsequently approved applications from four Hospitality and Catering lecturers, who had initial requests turned down.

Travel Allowance for Job Seekers

Mr M McLaughlin asked the Minister for Employment and Learning how she will redress the imbalance in relation to the £10 travel allowance for job seekers who are required to attend training centres, which causes hardship, particularly for job seekers living in rural areas.

(AQW 6759/10)

Minister for Employment and Learning: My Department does not have a specific £10 travel allowance in its main programmes for jobseekers.

My Department's main adult return to work programme, Steps to Work, offers all unemployed and economically inactive adults the opportunity to help find and sustain work. While on the programme participants are entitled to either full or partial reimbursement of their travel costs. Where partial

reimbursement is applicable all travel costs in excess of £4 per week are refunded. These arrangements apply irrespective of geographical area.

Northern Regional College

Mr G Robinson asked the Minister for Employment and Learning what changes are planned for (i) the Coleraine campus of the Northern Regional College; and (ii) the Limavady campus of the North West Regional College under the proposed Business Improvement Plan.

(AQW 6761/10)

Minister for Employment and Learning: The Governing Body of Northern Regional College is currently consulting on proposals for the long term development of the College over the next 5 years. These include a strategic assessment of the College's estates infrastructure. A Strategic Outline Case, prepared by the College, is currently being considered by the Department. It includes a proposal to build a new college in Coleraine which will replace the current Coleraine and Ballymoney campuses. More detailed business cases will be prepared for the proposed estates infrastructure solution if the Strategic Outline Case is approved.

- (ii) The Limavady campus of the North West Regional College is not within the scope of the above Business Improvement Plan.

Department of Enterprise, Trade and Investment

North West 200

Mr M Storey asked the Minister of Enterprise, Trade and Investment what was the estimated total number of spectators attending this year's North West 200; and how this compares to the previous three years.

(AQW 6783/10)

Minister of Enterprise, Trade and Investment (Mrs A Foster): The organisers estimate that between 120,000 -150,000 people were in attendance at the North West 200 in recent years.

This year a fuller and more accurate survey is underway but the information will not be available until early - mid June 2010.

Potential Inward Investors

Mr J Dallat asked the Minister of Enterprise, Trade and Investment how many potential inward investors visited (i) Coleraine; and (ii) Limavady in the last 12 months.

(AQW 6794/10)

Minister of Enterprise, Trade and Investment: In the last 12 months, Invest NI facilitated 4 potential inward investor visits to the Coleraine District Council Area and 1 potential inward investor visit to the Limavady District Council Area. Invest NI remains in contact with the visitors in order to pursue any investment opportunities. However, Invest NI is conscious of the impact of the current economic conditions on investment decisions. Furthermore, securing an inward investment project is the end point of an extensive process which may span a considerable period, e.g. 18 to 24 months and involve a number of visits to Northern Ireland.

Invest NI's role is to promote Northern Ireland as an attractive and viable location for new inward investment opportunities. Whilst Invest NI makes its best efforts to ensure a spread of investment across the region its role is to promote Northern Ireland as an entity. Ultimately, the final location decision rests with the investor. If the investor seeks information on specific areas within Northern Ireland then Invest NI will work with the local stakeholders to best promote the area.

Northern Ireland Tourist Board Information Pack

Mrs M O'Neill asked the Minister of Enterprise, Trade and Investment, pursuant to AQW 4834/10, to outline the timeline for the production of the Northern Ireland Tourist Board information pack for the hotel sector on accessible accommodation.

(AQW 6861/10)

Minister of Enterprise, Trade and Investment: Disability Action in partnership with the Northern Ireland Tourist Board (NITB) has designed an Information Pack and Access Statement Template which will be available to NITB in prototype at the end of May 2010.

Disability Action are expected to make recommendations on the implementation of both the Information Pack and Template which NITB will review and take forward in association with partners in the hotel sector.

The ultimate aim is to provide visitors to Northern Ireland with information on accessible hotel accommodation. However, timelines will be dependent on the contents of the Information Pack and the recommendations on implementation of the Access Statement approach.

Regulatory Barriers to Cross-border Trade

Mr P Butler asked the Minister of Enterprise, Trade and Investment what steps she is taking to address the regulatory barriers to cross-border trade.

(AQW 7009/10)

Minister of Enterprise, Trade and Investment: My Department has the policy lead in relation to better regulation in Northern Ireland. During a review of the Northern Ireland Better Regulation Strategy in 2009, my officials met their counterparts in the Republic of Ireland to consider, amongst other things, issues relating to the effect of regulation on cross border trade. Both sets of officials will continue to liaise in relation to this and one of the action points arising from the review is to consider incorporating a cross border impact test as part of the wider regulatory impact assessment process.

In Northern Ireland we are also working to ensure that all regulations that affect business on this side of the border are accessible through one route –www.NIBusinessInfo.co.uk.

Furthermore, InterTradelreland published a report in July 2009 on the regulatory barriers to cross border trade and business. This highlighted the importance of ensuring that users can easily get access to meaningful and useful information. InterTradelreland has therefore established a 'first stop shop' for businesses on both sides of the border to provide guidance on regulations which affect companies wishing to undertake cross border business. InterTradelreland is now undertaking an additional study concentrating on environmental regulations and their impact on cross border business.

Department of the Environment

Handover of Planning Powers

Mr P McGlone asked the Minister of the Environment to detail his Department's estimates of any costs for local government in relation to the handover of planning powers.

(AQW 6687/10)

Minister of the Environment (Mr E Poots): A fundamental principle of the Review of Public Administration is that the transfer of functions from departments to local government should have no additional cost for the ratepayer at the point of transfer and I will ensure that this is the case when the planning function transfers to local government.

Planning Service Staff

Mr P Weir asked the Minister of the Environment to outline the timescale for the redeployment of Planning Service staff.

(AQW 6707/10)

Minister of the Environment: A special Regrading Scheme has been developed to provide professional and technical (P&T) graded Planning Service staff with the option to voluntarily re-grade to the General Service discipline. Re-grading is expected to open up more redeployment opportunities for individuals identified as surplus.

Additionally a Redeployment Scheme has also been created to provide a mechanism for non-P&T staff in the Planning Service who are identified as surplus to be moved to other vacancies in DOE and in the wider Northern Ireland Civil Service.

It is necessary to complete consultation with staff representatives before implementing these schemes, and at this point it is not possible to provide a timescale for redeployment.

My officials are pushing forward on this work as quickly as possible.

Economic Development

Mr P Weir asked the Minister of the Environment how much each of the 26 local councils spent on economic development in each of the last five years.

(AQW 6719/10)

Minister of the Environment: The gross expenditure on economic development by the 26 district councils in each of the last five financial years for which information is available is detailed in the table below

Council	2004/05	2005/06	2006/07	2007/08	2008/09
Antrim	892,245	477,497	416,380	475,730	473,593
Ards	486,267	473,367	867,970	598,435	811,593
Armagh	572,808	506,043	481,038	776,300	741,725
Ballymena	699,758	750,739	728,374	546,934	694,407
Ballymoney	313,818	350,817	276,045	312,589	196,788
Banbridge	702,068	583,029	640,946	715,828	603,385
Belfast	4,547,412	5,103,699	6,710,346	7,638,524	9,248,448
Carrickfergus	349,913	289,091	293,764	374,999	241,024
Castlereagh	214,312	227,412	178,652	197,554	251,269
Coleraine	528,352	614,373	569,570	674,023	648,337
Cookstown	312,486	441,526	506,088	539,253	736,070
Craigavon	943,150	1,016,069	1,053,062	1,284,704	1,133,746
Derry	1,378,035	2,058,095	3,897,071	3,157,519	4,661,984
Down	712,088	525,835	556,154	597,916	522,074
Dungannon	968,509	1,384,453	1,226,874	1,377,777	1,035,040
Fermanagh	528,029	493,374	453,732	601,934	291,627
Larne	208,468	188,461	180,845	245,466	261,879

Council	2004/05	2005/06	2006/07	2007/08	2008/09
Limavady	460,961	467,125	242,512	419,636	314,816
Lisburn	1,002,970	833,160	1,067,552	951,195	1,186,798
Magherafelt	171,169	243,984	394,489	309,936	334,304
Moyle	328,413	267,836	314,990	307,135	312,314
Newry & Mourne	715,911	647,847	517,529	643,012	568,369
Newtownabbey	783,192	543,382	652,713	676,801	556,803
North Down	1,007,096	849,987	867,988	949,781	1,686,066
Omagh	2,163,708	1,548,228	1,300,063	1,130,912	1,335,038
Strabane	247,129	342,503	320,284	879,373	927,846
Total	21,238,267	21,227,932	24,715,031	26,383,266	29,775,343

Practices of Driving Instructors

Mr P Weir asked the Minister of the Environment what consideration is being given to reviewing the practices of driving instructors, as part of the review of the Road Safety Strategy.

(AQW 6762/10)

Minister of the Environment: The draft Northern Ireland Road Safety Strategy includes commitments to fundamentally review the way that people learn to drive and to implementing the 'Learning to Drive' programme. The 'Learning to Drive' programme includes improvements to the driving test, improved learning processes, improved training of driving instructors, and better information about instructors. Based on responses received to the 'Learning to Drive' consultation, my officials will consult later this year in further detail on a fundamental review of the driving instruction industry.

The Road Safety Strategy also includes a commitment to introduce an Approved Motorcycle Instructor Register; it is proposed to introduce this register in October 2010.

Electronic Planning Information for Citizens System

Mr K McCarthy asked the Minister of the Environment whether he can confirm that the purchase of the Electronic Planning Information for Citizens system has been value for money; and whether the system is being used for the purposes for which it was purchased.

(AQW 6771/10)

Minister of the Environment: The business cases for ePIC have provided economic justification for the investment in the project. A revised business case approved in 2009 subjected ePIC to repeat rigorous economic appraisals in line with the guidance set out in the Northern Ireland Practical Guide to the Green Book published in 2003. This included a number of non-monetary and financial benefits which will accrue as a result of the system implementation. On completion of full roll-out of ePIC to all Divisional Planning Offices, planned November 2010, and following a period of operational service, a formal Post Project Evaluation will be undertaken to assess the benefits achieved.

Upon live implementation, ePIC will be the system through which all planning applications will be processed, and the means by which the public will have access to a range of information and services relating to planning.

Illegal Dumping

Mr M Storey asked the Minister of the Environment how many people were prosecuted for illegal dumping in each of the last five years; and the total amount of the fines imposed each year.

(AQW 6810/10)

Minister of the Environment: The table below sets out the 356 successful prosecutions overseen by NIEA's Environmental Crime Unit between 2005 and 2009, and their associated fines of £1.02M. NIEA does not record the number of people prosecuted, as cases can involve a number of individuals, or can be directed towards a company. Neither are waste offences necessarily just confined to illegal deposit or "dumping". The majority of convictions are made up of a number of elements of unlicensed activity, namely transporting, treating or storing, and depositing the waste, and causing harm to human health or the environment.

Year	2009	2008	2007	2006	2005
No. of illegal waste prosecutions	39	73	68	116	60
Value of fines (£)	149,500	177,350	276,050	305,650	111,670

Disposal of Slurry

Mr J Shannon asked the Minister of the Environment how many farmers (i) applied for derogation; and (ii) used other methods to dispose of slurry and therefore did not apply for derogation, in each of the last three years and broken down by constituency.

(AQW 6818/10)

Minister of the Environment:

(i) In 2008 there were 322 applications for derogation and in 2009 175 applications were made.

In 2008 and 2009 respectively, 110 and 32 of the applicants provided information to NIEA which demonstrated that they no longer needed to avail of the derogation and withdrew. This resulted in 212 applicants in 2008 and 143 applicants in 2009 who availed of the derogation.

In 2010, there were 149 applications for derogation, with only 1 farm subsequently withdrawing as they have demonstrated that they no longer needed to avail of the derogation.

The locations of derogated farms is recorded against the postcode of the registered address of the farm which is not necessarily the location of the land to which the derogation applies. They are not recorded on a Local Council, NI Assembly or Westminster constituency basis. Therefore this information cannot be broken down by constituency.

(ii) The Agency does not hold information about farmers who use alternative methods to dispose of slurry, and therefore statistics for farmers who used methods other than derogation, are not available.

Wildlife Bill

Mr J Shannon asked the Minister of the Environment if he will consult the British Association for Shooting and Conservation and the Countryside Alliance before adding the names of any birds or plants to the Wildlife Bill.

(AQW 6829/10)

Minister of the Environment: My officials have consulted regularly with these two organisations throughout the development of the Bill and I have no plans for further consultation.

Volunteer Clean-up in the Strangford Lough Area

Mr J Shannon asked the Minister of the Environment whether his Department can offer any assistance to the annual volunteer clean-up by wildfowling clubs in the Strangford Lough area.

(AQW 6830/10)

Minister of the Environment: My Department already supports the National Trust Strangford Lough Wildlife Scheme under which the Trust issues favourably priced permits to members of wildfowling clubs in the Strangford Lough area on the understanding that members undertake conservation work such as the annual clean-up. The Trust supplies gloves, litter-picking devices and bags for the clean-up and collects the bagged litter for disposal. My Department is not in a position to offer any assistance beyond that already provided through the National Trust.

Rose Energy incinerator at Glenavy

Mr M McLaughlin asked the Minister of the Environment (i) if any environmentally friendly alternatives to the proposed Rose Energy incinerator at Glenavy have been considered by his Department; and (ii) in relation to the alternative proposals, to detail (a) how many planning applications have been received, including the locations; (b) how many of these applications have been approved or are in the approval process; and (c) how many of these applications propose to treat chicken litter waste.

(AQW 6839/10)

Minister of the Environment: In April 2009, at the request of Planning Service, the Agri Food Bio Sciences Institute (AFBI) provided a detailed scientific assessment of potential technologies to dispose of poultry litter. The report's findings were that many of the alternative technologies were at development stage and suitable outlets for the end products of the process had not yet been identified.

In December 2009, at the request of Planning Service, the DARD Departmental Scientific Adviser provided a research update on alternative technologies. The paper confirmed the conclusions of the earlier AFBI report namely that, whilst development has taken place in a number of alternative technologies in recent years, none of these technologies, with the exception of combustion, has yet been integrated into commercial poultry production.

The Minister for Agriculture and Rural Development is keen that all policy options in relation to utilizing poultry litter are kept under review. DARD continues to monitor developments in alternative technologies and their potential to deal with the disposal of poultry litter.

In the determination of the Rose Energy planning applications, my Department will carefully consider the expert advice provided by AFBI and DARD regarding alternative solutions to the disposal of poultry litter.

To-date, no planning application has been received by my Department that indicates that it is an alternative to the Rose Energy proposal, nor has any planning application been received that proposes to treat chicken litter waste.

Councils Allotments

Mr A Ross asked the Minister of the Environment to detail how many councils own allotments; and the number of allotments in each council area.

(AQW 6840/10)

Minister of the Environment: A total of 8 district councils own allotments. The number of allotments in each council area is set out in table below.

District Council	Belfast	Carrickfergus	Castlereagh	Derry	Larne	Lisburn	Newtownabbey	North Down	Total
No of Allotments	167	189	6	31	8	53	25	18	497

Bird Survival Rates

Mr J Shannon asked the Minister of the Environment if his Department has carried out or is aware of any surveys in relation to bird survival rates during the severe weather last winter.

(AQW 6894/10)

Minister of the Environment: Northern Ireland's bird populations are routinely monitored through a number of survey programmes.

Our main wetlands are surveyed through the UK-wide Wetland Birds Survey. These surveys are undertaken to assess non-breeding wetland bird populations. Our breeding bird populations are mainly assessed through the Breeding Bird Survey, targeting our commoner birds.

The wetland surveys will provide information on any waterbird population changes (which will be mainly due to bird migration) resulting from the cold conditions. The Breeding Bird Survey results will provide similar information on changes in wider bird populations.

Northern Ireland Environment Agency relies on the results of these surveys to show if populations of particular species are changing significantly.

The results of the relevant waterbird surveys will be available early next year. Those from the current Breeding Bird Survey will not be available until later next year.

No specific surveys were undertaken by NIEA to assess bird survival rates last winter. However, there is anecdotal information suggesting that some song bird populations have declined.

During the extended cold period NIEA liaised regularly with other relevant conservation and shooting bodies, recognising the vulnerability of waterbird populations. A temporary suspension of wildfowl shooting was brought in to help minimise disturbance and stress on these populations.

Supplementary Planning Guidance for PPS18

Mr D McKay asked the Minister of the Environment when the Supplementary Planning Guidance for PPS18 will be brought before the Executive for approval.

(AQW 6897/10)

Minister of the Environment: I plan to circulate the revised Supplementary Planning Guidance to my Executive colleagues shortly.

Department of Finance and Personnel

Construction Projects

Mr D Kennedy asked the Minister of Finance and Personnel how many construction projects, in each Department, have been cancelled or postponed due to efficiency savings and what is the total savings in cash terms.

(AQW 6632/10)

Minister of Finance and Personnel (Mr S Wilson): No construction projects have been cancelled or postponed due to efficiency savings.

As part of the 2008-11 Budget process the Executive agreed that NI Departments should work to deliver cumulative efficiency gains of 3% a year over the period 2008-09 to 2010-11. All of the efficiency savings made over this period were to be resource releasing and hence redeployed to enhance the provision of public services. In total, NI departments were required to deliver some £790 million efficiency gains by 2010-11.

Ground Rents

Mr P Weir asked the Minister of Finance and Personnel how many people have bought out their ground rents in each of the last five years.

(AQW 6717/10)

Minister of Finance and Personnel: The number of people who bought out their ground rent in each of the last five years is set out below:

- 1st January 2005 to 31st December 2005 - 410 people
- 1st January 2006 to 31st December 2006 - 321 people
- 1st January 2007 to 31st December 2007 - 367 people
- 1st January 2008 to 31st December 2008 - 392 people
- 1st January 2009 to 31st December 2009 - 275 people

Civil Service Staff Standing for Election

Dr S Farry asked the Minister of Finance and Personnel to outline the parameters under which staff in (i) Government Departments; (ii) Executive Agencies; and (iii) Non-Departmental Public Bodies, are able to stand for election to (a) Westminster; (b) the Assembly; and (c) Local Government.

(AQW 6747/10)

Minister of Finance and Personnel: All Northern Ireland civil servants are disqualified from election to Westminster, the Assembly and Local Government and must resign from the Northern Ireland Civil Service before standing for election. This applies also to civil servants on secondment to outside organisations including Non-Departmental Public Bodies.

Civil Service Equal Pay Settlement

Ms M Anderson asked the Minister of Finance and Personnel to outline the terms and conditions required to qualify for the Civil Service Equal Pay settlement; and what provision is in place for retired Civil Servants.

(AQW 6835/10)

Minister of Finance and Personnel: The terms of the equal pay settlement, including eligibility criteria for current and former staff, can be found on the NICS pay website at <http://www.dfpni.gov.uk/pay>

Department of Health, Social Services and Public Safety

Outreach Respite Centre in Omagh

Dr S Farry asked the Minister of Health, Social Services and Public Safety (i) if he can provide a commitment that the new outreach respite centre in Omagh for children with autism and learning disabilities will open in early 2011; and (ii) that the necessary funding will be available so that the centre can operate to its maximum capacity.

(AQW 6201/10)

Minister of Health, Social Services and Public Safety (Mr M McGimpsey): I should first explain that the new facility is planned as an 8 bedded residential respite facility with some incorporated outreach services. The provision of this service is the responsibility of the Health and Social Care Trust.

- (i) The Western Health and Social Care Trust advises that it expects to open the centre as planned in February 2011;
- (ii) Funding allocations for 2010/11 are currently being considered by my Department.

Lisburn Health Centre

Mr J Craig asked the Minister of Health, Social Services and Public Safety what additional car parking will be made available given the proposal to relocate Lisburn Health Centre to the Lagan Valley Hospital. (AQW 6637/10)

Minister of Health, Social Services and Public Safety: The South Eastern Health and Social Care Trust is currently considering proposals for the redevelopment of the Lagan Valley Hospital site which will include a health and care centre. As part of the business case process, the Trust will take into account the provision of car parking on the site and the number of spaces to be made available will be agreed before plans are finalised.

Specialist Epilepsy Services

Mr G Robinson asked the Minister of Health, Social Services and Public Safety how much funding will be provided for specialist epilepsy services in the 2010/11 financial year. (AQW 6651/10)

Minister of Health, Social Services and Public Safety: While I provide considerable funding for specialist epilepsy services each year, data on total planned spending is only collected by medical specialty, in this case Neurology. For that reason the information requested is not available.

Swine Flu

Lord Morrow asked the Minister of Health, Social Services and Public Safety how many cases of Swine Flu have been confirmed by laboratory tests to date. (AQW 6654/10)

Minister of Health, Social Services and Public Safety: There have been 1369 laboratory confirmed cases of pandemic (H1N1) in Northern Ireland as of 5th May 2010.

Nursing Staff in the Causeway Hospital

Mr G Campbell asked the Minister of Health, Social Services and Public Safety how many full-time equivalent nursing staff, on average, were employed in the Causeway Hospital in (i) 2008; and (ii) 2009. (AQW 6655/10)

Minister of Health, Social Services and Public Safety: The number of qualified full-time equivalent nursing staff working in Causeway Hospital was 402.99 as at September 2008 and 393.94 as at September 2009.

This information was extracted from the Human Resource Management System as at September 2008 and September 2009.

Managerial Positions in the Northern Health and Social Care Trust

Mr G Campbell asked the Minister of Health, Social Services and Public Safety how many personnel were employed in managerial positions within the Northern Health and Social Care Trust in (i) 2008; and (ii) 2009. (AQW 6656/10)

Minister of Health, Social Services and Public Safety: The Northern Health & Social Care Trust advises that the information requested is not available retrospectively.

Physiotherapists

Mr G Campbell asked the Minister of Health, Social Services and Public Safety how many qualified physiotherapists are currently available for patients at the Causeway Hospital.

(AQW 6657/10)

Minister of Health, Social Services and Public Safety: The number of qualified physiotherapists at Causeway Hospital as at March 2010 was 10 (headcount) 9.05 (WTE).

This information was extracted from the Human Resources Management System as at March 2010.

Childhood Obesity

Mr G Campbell asked the Minister of Health, Social Services and Public Safety to detail the proposals currently (i) being implemented; and (ii) under consideration to counter increasing childhood obesity.

(AQW 6658/10)

Minister of Health, Social Services and Public Safety: Significant progress has been made by a range of stakeholders at both the regional and local level in support of the delivery of Fit Futures (a strategy to address childhood obesity), and work in relation to physical activity and food and nutrition.

Initiatives are in place which targets various population groups and settings. These include the development of public information campaigns; delivery of training and support; development of nutritional guidelines for schools meals; community based initiatives on food and physical activity; support for professionals; improved interventions, including physical activity referrals; strengthened code for advertising high fat, sugar, or salt foods to children; and work with food industry, including progress on reformulation and improved labelling.

My Department is leading the development of a cross-sectoral Obesity Prevention Framework which I anticipate will go out for public consultation later this year. The Framework, which builds on Fit Futures to address obesity across all age groups, contains outcomes to be achieved by a wide variety of delivery partners under life course themes, including Ante-natal, Maternal & Early Years and Children & Young People.

Occupational Therapist Visits

Mr J Spratt asked the Minister of Health, Social Services and Public Safety if, when a nurse is attending a patient at home and the patient requires aids or equipment, whether a system can be set up so that the nurse can contact the occupational therapist to visit the patient.

(AQW 6674/10)

Minister of Health, Social Services and Public Safety: When nurses working within the community assess that a patient requires aids or equipment to be provided through occupational therapy services, a referral is made through a formal system of referral which has been in place for some time. This system is used by all community nurses including health visitors, community mental health, children's, learning disability and district nurses and is the source through which the majority of OT referrals are received. Should the nurse consider the case to be very urgent the referrer follows up the initial referral with a phone call to the OT Department.

ME

Mr J O'Dowd asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 1059/10, to detail the 'quality standards' and which body is responsible for ensuring that these are met.

(AQW 6686/10)

Minister of Health, Social Services and Public Safety: The Northern Ireland Quality Standards for the Out of Hours Services are set out in the Service Specification for the provision of Urgent Primary Care Out-of-Hours in Northern Ireland. These can be access at:

<http://www.gpoutofhours.hscni.net/performance/standards.html#TopOfPage>

The Health and Social Care Board has responsibility for monitoring the out of hours services ensuring that the Northern Ireland Quality Standards are met.

Respite Care in the Lagan Valley Hospital

Mr J Craig asked the Minister of Health, Social Services and Public Safety how many beds were available for respite care in the Lagan Valley Hospital for the 2009/10 financial year; and how many are currently available.

(AQW 6698/10)

Minister of Health, Social Services and Public Safety: In 2009/10 and at present there are no beds specifically dedicated to respite care in the Lagan Valley Hospital.

Mother and Baby Services in Crumlin and Glenavy

Mr M McLaughlin asked the Minister of Health, Social Services and Public Safety (i) if he is aware that, from the end of June 2010, the South Eastern Health and Social Care Trust will no longer provide vital Health Visitor led mother and baby services in the Crumlin and Glenavy districts and that the resources to maintain these services have not been forthcoming from the Northern Health and Social Care Trust; (ii) whether he can reassure families that this service will continue; and (iii) if he will make a statement on this matter.

(AQW 6734/10)

Minister of Health, Social Services and Public Safety: (i) There are ongoing discussions and negotiations between the South Eastern and Northern Trusts regarding the transfer of responsibility for Health Visiting Services from the South Eastern Trust to the Northern Trust.

A joint meeting will be convened by both Trusts in mid June 2010 to agree the details of the new arrangement which will include timescales for the transfer of responsibility of these services

- (ii) The Northern Trust advise that as part of the transfer arrangements they will wish to consider and ensure the efficient and effective use of resources and that services meet the needs of the local population.
- (iii) It is not appropriate for Minister to make a statement on this matter as plans have not been finalised at this stage.

Health Posts at County Hall, Ballymena

Mr D McKay asked the Minister of Health, Social Services and Public Safety, in relation to the relocation of health posts to Belfast from County Hall, Ballymena (i) if he can confirm that draft staffing structures have been issued; and (ii) as outlined in his letter of 4 April 2009, whether he can provide an assurance that over 80% of staff and over one third of tier 3 posts will not be relocated.

(AQW 6735/10)

Minister of Health, Social Services and Public Safety: The new HSC organisations have all commenced early work to examine in particular, the realignment and location of legacy HSS Board functions, with the HSC Board, Public Health Agency and the Business Services Organisation all having issued draft staffing structures.

This work is still under consideration and it would therefore be inappropriate to comment on the numbers of posts at any location until such times as this process is complete. I remain committed however to ensuring, that a strong local presence continues to be a feature of our health and social care system.

Health Posts at County Hall, Ballymena

Mr D McKay asked the Minister of Health, Social Services and Public Safety, in relation to the relocation of health posts to Belfast from County Hall, Ballymena, to detail (i) the number of Northern Health and Social Services Board staff who will remain in County Hall; and (ii) the number of staff who have been relocated since 1 April 2009 from County Hall to Belfast, broken down by post and grade.

(AQW 6760/10)

Minister of Health, Social Services and Public Safety: The new HSC organisations have all commenced work to examine in particular, the realignment and location of legacy HSS Board functions. This work is still under consideration and it would therefore be inappropriate to comment on the numbers of posts remaining at any location until such times as this process is complete. I remain committed however to ensuring, that a strong local presence continues to be a feature of our health and social care system.

The number of staff who have been relocated since 1 April 2009 from County Hall, Ballymena to Belfast is four - one Band 8a within the Business Services Organisation; and three who have been temporarily relocated within the Public Health Agency (1 Band 8a and 2 Band 6). To date no HSC Board staff have been relocated.

Closure of Accident and Emergency Units

Mr P McGlone asked the Minister of Health, Social Services and Public Safety (i) to outline the reasons for the closure of (a) the Accident and Emergency units at the Mid-Ulster Hospital and Whiteabbey Hospital; and (b) the High Dependency unit at the Mid-Ulster Hospital; and (ii) when the Minister was notified of these closures.

(AQW 6846/10)

Minister of Health, Social Services and Public Safety: The fundamental reason for these changes is the need to ensure patient safety. The change in service configuration from accident and emergency to minor injuries services at the Whiteabbey and Mid Ulster hospitals has become necessary as it is simply not possible to maintain the medical staffing needed to ensure safe services for patients attending A&E.

In order to ensure that those patients who require hospital admission have access to the level of support and care they require the remaining acute medical beds from Whiteabbey and the high dependency beds from Mid-Ulster will transfer over the next few months. The remaining medical beds will move from the Mid-Ulster by mid 2011.

I was informed of the pressing need for these actions at a meeting with the Chief Executive of the Northern Trust and Trust's Clinical Director for Unscheduled Care on 26th April 2010.

Antrim Area Hospital

Mrs M O'Neill asked the Minister of Health, Social Services and Public Safety how many additional (i) nurses; (ii) doctors; (iii) consultants; and (iv) anaesthetists will be put in place at the Antrim Area Hospital to cope with patients who would previously have been seen at the Mid-Ulster and Whiteabbey Accident and Emergency departments if the closure of these departments goes ahead.

(AQW 6859/10)

Minister of Health, Social Services and Public Safety: The Northern Trust has advised that following the service changes at Mid-Ulster and Whiteabbey hospitals on 24 May the following additional staff will be available at Antrim Area Hospital;

	Additional staff at Antrim Area Hospital from 24 May 2010
Nurses	28
Healthcare assistants	4
Doctors	2 specialty grades 3 trainee 5 locum medium grades
Consultants	2
Anaesthetists	0
Total	44

Mother and Baby Clinic in Crumlin

Mr T Burns asked the Minister of Health, Social Services and Public Safety to detail the annual running costs of the Mother and Baby Clinic in Crumlin; and the current funding status of this facility.

(AQW 6867/10)

Minister of Health, Social Services and Public Safety: The annual running costs for the Mother and Baby Clinic in Crumlin are £8846.

This includes the costs of 2 staff working for 3 hours per week and the rental of the hall.

The service is currently being funded by the South Eastern Trust.

Knockbracken Healthcare Park

Ms D Purvis asked the Minister of Health, Social Services and Public Safety if his Department plans to close any wards or reduce services at Knockbracken Healthcare Park, including the Rathlin ward.

(AQW 6885/10)

Minister of Health, Social Services and Public Safety: Belfast Trust has advised that it is committed to progressing the resettlement of patients from hospital continuing care to supported community placements and this will entail the transfer of resources presently used for hospital care into the strengthening of community services. The number of beds to be retained will be kept under review as patients move from hospital to community settings.

Belfast Trust has consulted on a new model of acute psychiatric inpatient care and developed a business case for a single inpatient unit to meet the needs of the population of Belfast.

Rathlin Unit provides acute psychiatric inpatient care and there are no plans to change the use of Rathlin Unit in advance of a new inpatient unit becoming available.

Drug and Alcohol Awareness and Prevention Programmes

Ms J McCann asked the Minister of Health, Social Services and Public Safety to detail (i) the organisations which receive funding from his Department for drug and alcohol awareness and prevention programmes in the Colin area of West Belfast; and (ii) how much funding each organisation has received in each of the last three years.

(AQW 6898/10)

Minister of Health, Social Services and Public Safety: Through my Department's New Strategic Direction for Alcohol and Drugs, funding has been allocated via the Public Health Agency/the legacy Eastern Health and Social Services Board to a range of community and voluntary sector organisations across Belfast to raise awareness, and to prevent and address alcohol and drug related harm.

All the services outlined below operate across the whole of the Belfast/South Eastern Trust Areas unless otherwise stated. However, priority is given to areas that have significant problems in relation to drug and alcohol use, this includes Neighbourhood Renewal Areas such as the Colin area.

Education and Prevention

- Community Drug and Alcohol Awareness training programmes for local community workers. These are targeted on a locality basis.
- Targeted Education Programmes are provided for young people at risk.
- Alcohol Education Project is delivered in the majority of post-primary schools across the Belfast and South Eastern Education and Library Boards.

Service	Organisation	2007/08	2008/2009	2009/10
Education and Prevention				
Targeted Education Programmes	FASA/Falls Community Council/ASCERT	£133,350	£136,576	N/A
Community Drug Awareness training	FASA/Falls Community Council/ASCERT	£69,810	£71,499	84,998
Targeted Education Programmes	ASCERT /Opportunity Youth	N/A	N/A	£155,629
Alcohol Education Project in post primary schools	Lisburn YMCA	£109,652	£112,306	£89,967

Treatment and Support

- Personal Development Programmes for young people who are identified as beginning to use drugs and alcohol on an occasional or regular basis.
- Youth Treatment and Support Service

Service	Organisation	2007/08	2008/2009	2009/10
Youth treatment and support programmes				
Youth Treatment Service	Contact Youth/ Opportunity Youth	£222,975	£228,371	N/A
Youth Treatment Service	ASCERT /Opportunity Youth	N/A	N/A	£411,198
Personal development programmes	ASCERT	£175,584	£176,760	N/A

Community Support

- Community Support Worker for Down and Lisburn.
- Colin area was identified as an intensive support area during 2007/2008.
- PHA staff and the Community Worker are represented on the Down and Colin Drug and Alcohol forum which is a sub-group of the Colin Neighbourhood Partnership. The partnership has undertaken a range of drug awareness initiatives over the past number of years.

Service	Organisation	2007/08	2008/2009	2009/10
Community Support Services				
Community Support Service for South Eastern Trust Area	ASCERT	£81,650	£93,202	£78,125

Out-of-hours GP Service

Mr G Robinson asked the Minister of Health, Social Services and Public Safety to detail the estimated percentage saving to the Western Health and Social Care Trust as a result of the reconfiguration of the out-of-hours GP service.

(AQW 7015/10)

Minister of Health, Social Services and Public Safety: It is anticipated that the reconfiguration of the out-of-hours service in the western area will result in annual savings of 10.6% on the overall running costs incurred for out-of-hours services.

Acute Services in the Mid-Ulster Hospital

Mr I McCrea asked the Minister of Health, Social Services and Public Safety for how long Acute Services in the Mid-Ulster Hospital have relied on locum cover.

(AQW 7058/10)

Minister of Health, Social Services and Public Safety: The Northern Trust has advised that locum cover is required on a regular basis across the Trust to cover various situations including leave. However the Accident and Emergency Department at the Mid-Ulster hospital has been totally reliant on locum cover over the past six months in order to maintain the service.

Mother and Baby Clinic in Crumlin

Mr T Burns asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 6867/10, (i) whether any plans are in place to terminate this service in June; (ii) whether the Northern Health and Social Care Trust intend to fund, or part fund, this service in the future; and (iii) for how long.

(AQW 7078/10)

Minister of Health, Social Services and Public Safety: There are no plans to terminate this service in June.

A meeting is taking place on 14 June to discuss the transfer of the service from the South Eastern to Northern HSC Trust. Until this takes place I am unable to confirm future funding arrangements.

Department of Justice

Legislation

Mr P Weir asked the Minister of Justice to outline the timescale for any legislation planned by his Department for 2010/11.

(AQW 6685/10)

Minister of Justice (Mr D Ford): We plan to introduce a Justice (Miscellaneous Provisions) Bill into the Assembly in September 2010. Future legislative requirements are under consideration and will be notified as required to the Assembly in due course.

Juveniles in Prison

Mr P Weir asked the Minister of Justice what was the average number of juveniles in prison at any one time over the last twelve months.

(AQW 6691/10)

Minister of Justice: During the period from April 2009 until March 2010, the average daily juvenile population was 16.

Sex Offenders

Lord Morrow asked the Minister of Justice to outline the difference in the three categories of sex offenders; and for the current number of offenders in each category.

(AQW 6708/10)

Minister of Justice: Guidance issued by the Secretary State in October 2008, under the Criminal Justice (NI) Order 2008, set out arrangements through which agencies can work together and share information with the aim of discharging their statutory responsibilities to protect the public from offenders in the community in the most effective way. These arrangements, referred to as the public protection arrangements in Northern Ireland, require the agencies to assess the risks posed by certain offenders. The guidance provides a description of the categories of risk as follows:

Category 1: Someone whose previous offending, current behaviour and current circumstances present little evidence that they will cause serious harm through carrying out a contact sexual or violent offence.

Category 2: Someone whose previous offending, current behaviour and current circumstances present clear and identifiable evidence that they could cause serious harm through carrying out a contact sexual or violent offence.

Category 3: Someone whose previous offending, current behaviour and current circumstances present compelling evidence that they are highly likely to cause serious harm through carrying out a contact sexual or violent offence.

The following table sets out the number of sexual offenders in the community by assessed category of risk of serious harm on 17 May 2010. Only categories 2 and 3 are assessed as posing a risk serious enough to require multi agency risk management.

Category of risk	Category 3	Category 2	Category 1
Offenders	8	131	921

Police Overtime

Mr A Ross asked the Minister of Justice to detail the amount spent on police overtime in each of the last five years.

(AQW 6711/10)

Minister of Justice: The amount of spend on police overtime from 2005/6 to 2009/10 is as follows:

Financial Year	2005/06	2006/07	2007/08	2008/09	2009/10
Total Overtime Spend £'000's	57,173	50,646	46,152	41,198	43,650

Small Claims Court

Mr D O'Loan asked the Minister of Justice if he will consider increasing the limit in the Small Claims Court from £2000 to at least £5000.

(AQW 6822/10)

Minister of Justice: The jurisdiction of the small claims court is currently the subject of public consultation. A decision will be taken once responses to the consultation have been considered.

Access NI and Independent Safeguarding Authority Checks

Ms A Lo asked the Minister of Justice why volunteers in the statutory and voluntary sector are not offered free Access NI and Independent Safeguarding Authority checks.

(AQW 6824/10)

Minister of Justice: AccessNI provides free disclosures to all volunteers except where the volunteering is for a statutory organisation or funding has been obtained from Government for the cost of disclosures. It is our intention to replicate this arrangement under the planned Independent Safeguarding Authority arrangements.

Driving Without Insurance

Lord Morrow asked the Minister of Justice how many cases of driving without insurance in each court division have resulted in (i) a suspended sentence; and (ii) a prison sentence in each of the last two years.

(AQW 6826/10)

Minister of Justice: The tables below give the number convicted for the offence 'no insurance' and the number given a suspended sentence or immediate custody by court division. The majority of offenders convicted of this offence are given a fine. Figures for fines, along with statistics for other disposals, have also been included for information.

Data cover the calendar years 2005 and 2006 (the latest year for which figures are currently available) and are collated on the principal offence rule; only the most serious offence for which an offender is convicted is included.

DISPOSALS GIVEN TO THOSE CONVICTED OF THE OFFENCE 'NO INSURANCE' BY COURT DIVISION 2005^{1,2}

Court division	Immediate custody	Suspended custody	Fine	Other disposal ³	Total
Belfast	0	1	1068	22	1091
Antrim	0	0	417	9	426
Ards	1	0	442	13	456
Armagh & South Down	0	1	481	43	525
Craigavon	0	0	411	17	428
Fermanagh & Tyrone	0	0	424	9	433
Londonderry	0	0	506	19	525
Total	1	2	3749	132	3884

**DISPOSALS GIVEN TO THOSE CONVICTED OF THE OFFENCE 'NO INSURANCE'
BY COURT DIVISION 2006^{1,2}**

Court division	Immediate custody	Suspended custody	Fine	Other disposal³	Total
Belfast	0	2	842	17	861
Antrim	0	0	467	7	474
Ards	0	0	466	3	469
Armagh & South Down	0	0	453	17	470
Craigavon	0	0	389	6	395
Fermanagh & Tyrone	0	0	766	9	775
Londonderry	0	0	415	9	424
Total	0	2	3798	68	3868

- 1 Includes the offence 'causing no insurance'.
- 2 It is not possible to determine from the court conviction datasets if the offence related to no insurance for a car or another type of vehicle.
- 3 Includes supervision in the community and conditional discharge.

Driving Without Insurance

Lord Morrow asked the Minister of Justice how many motorists have been convicted for having no car insurance in each of the last two years broken down by court division.

(AQW 6831/10)

Minister of Justice: The tables below give the number convicted for the offence 'no insurance' and the number given a suspended sentence or immediate custody by court division. The majority of offenders convicted of this offence are given a fine. Figures for fines, along with statistics for other disposals, have also been included for information.

Data cover the calendar years 2005 and 2006 (the latest year for which figures are currently available) and are collated on the principal offence rule; only the most serious offence for which an offender is convicted is included.

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Total	0	2	3798	68	3868

- 1 Includes the offence 'causing no insurance'.
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- 3 Includes supervision in the community and conditional discharge.

Access NI

Mr P Weir asked the Minister of Justice how many vetting applications Access NI has processed in each of the last three years.

(AQW 6888/10)

Minister of Justice: The number of applications for disclosure received by AccessNI since 1 April 2008 to 31 March 2010 is as set out below;

Year	Basic	Standard	Enhanced	Total
2008/09	15,561	3,207	102,194	120,962
2009/10	17,464	9,784	120,140	147,388

AccessNI was not established until 1 April 2008 and therefore no figures are available for before that time

Non-molestation Orders

Lord Morrow asked the Minister of Justice how many non-molestation orders have been granted in each court division in each of the last two years.

(AQW 6995/10)

Minister of Justice: The table below includes the number of non-molestation orders granted in the High Court, and in each County Court Division (each County Court Division comprises both County Courts and Magistrates' Courts) in 2008 and 2009.

NUMBER OF NON-MOLESTATION ORDERS MADE

	2008	2009 ^[1]
High Court	272	249
County Court		
Antrim	1189	1425
Ards	1129	1050
Armagh & South Down	947	956
Belfast	1742	1374
Craigavon	603	538
Fermanagh & Tyrone	464	487
Londonderry	1413	1292
Total	7759	7371

NB. Includes interim and final orders

1 2009 data is provisional

Public Prosecution Service

Mrs M O'Neill asked the Minister of Justice, in light of recent public concern regarding the Public Prosecution Service, whether he intends to discuss this issue with the Director of Public Prosecutions. **(AQO 1304/10)**

Minister of Justice: My first concerns are with Thomas Devlin's family, and I want to join publicly with all those who have expressed horror at Thomas's murder and sympathy to Penny Holloway and Jim Devlin. This was a brutal murder of a popular teenager which shocked people across Northern Ireland and beyond, and I hope that the recent sentencing brought some comfort to the family.

Members should be aware that the Public Prosecution Service is not accountable to me as Justice Minister. Prosecutorial decisions and policy are matters for the Director of Public Prosecutions, who will have an important consultative relationship with the Attorney General for Northern Ireland.

That said, I of course take an interest in any matters affecting the justice system. I had an initial meeting with the Director and Deputy Director of the PPS in my first weeks in office, and intend to meet them on a regular basis.

I recognize, while this case has given rise to particular concerns, there is a wider debate about whether the arrangements and relationships we have inherited from Westminster legislation passed in 2002 are the right ones in 2010. This was an issue that arose during last week's debate on Robberies, when I indicated that the Attorney General would be accountable to the Assembly for the operation of the Public Prosecution Service. This was not strictly correct, though the exact nature of the relationship has not yet been determined.

I will be discussing this and other matters with the Attorney General, with whom I had an initial meeting following his appointment yesterday, and will welcome the views of members.

Legal Aid

Mr S Neeson asked the Minister of Justice for an update on the reform of legal aid.
(AQO 1306/10)

Minister of Justice: Reforming legal aid is a very important matter as we are currently spending too much money on legal aid in Northern Ireland. What we have to do is to cut spending by 25% and yet ensure that we continue to provide access to justice for all our citizens who need legal help.

I have asked my officials in the Courts and Tribunals Service to take forward a comprehensive programme of legal aid reform. Last September the rates of remuneration paid in 'very high cost criminal cases' in the Crown Court were reduced to the levels paid in England and Wales. Proposals for further reform have been published to bring 'standard' fee levels in the Crown Court here into line with England and Wales and to tighten the criteria applied by the court when assigning two counsel in a case. I will be seeking the Assembly's support for legislation on these proposals in due course.

In addition, I propose to introduce a Justice Bill shortly which will include further initiatives to bring greater control to legal aid spending. The Bill will facilitate the introduction of means testing, initially in the magistrates' court, and allow the recovery of legal aid funds from defendants with sufficient means who have been convicted in the Crown Court.

Looking further ahead, I am giving consideration to establishing a fundamental review of the Northern Ireland legal aid scheme. A review of this nature would provide the opportunity to reposition public funded services here in a way which better meets the requirements of devolution.

District Policing Partnerships and Community Safety Partnerships

Mrs N Long asked the Minister of Justice to outline his proposals for the restructuring of District Policing Partnerships and Community Safety Partnerships.
(AQO 1307/10)

Minister of Justice: It is my intention to bring District Policing Partnerships and Community Safety Partnerships together through legislation contained in the forthcoming Justice Bill. Amalgamating the roles and functions of DPPs and CSPs will build on the strengths of both partnerships, and bringing them together will align more effectively their main functions of engagement, accountability and delivery.

This matter is currently out to public consultation and I am very interested to hear the views and ideas of everyone. I am aiming to engage further with political parties, Councils, the Policing Board and other stakeholders over the coming weeks to take on board their views and listen to any concerns and issues that exist.

Cohesion, Sharing and Integration Strategy

Mr B Armstrong asked the Minister of Justice what discussions he has had with his Executive colleagues concerning the publication of a Cohesion, Sharing and Integration Strategy.
(AQO 1308/10)

Minister of Justice: I have met Gerry Kelly and Robin Newton to discuss aspects of the Shared Future agenda which affect both OFMDFM and the Department of Justice. In relation to the publication of the Cohesion, Sharing and Integration Strategy, my Department has offered comments on the draft and I look forward to a full Executive discussion in due course.

The Department of Justice has an important part to play in the delivery of any meaningful shared future strategy and I am committed to ensuring the justice aspects are as full and effective as possible to move this agenda forward. As the Department can only deliver effectively in a number of areas by working in partnership with other Departments, I will be engaging colleagues in the weeks ahead to ensure a concerted approach is adopted.

Public Prosecution Service: Thomas Devlin

Mr P J Bradley asked the Minister of Justice what action he is able to take regarding the concerns raised over the handling of the Thomas Devlin case by the Public Prosecution Service.

(AQO 1309/10)

Minister of Justice: My first concerns are with Thomas Devlin's family, and I want to join publicly with all those who have expressed horror at Thomas's murder and sympathy to Penny Holloway and Jim Devlin. This was a brutal murder of a popular teenager which shocked people across Northern Ireland and beyond, and I hope that the recent sentencing brought some comfort to the family.

I should clarify that the Public Prosecution Service is not accountable to me as Justice Minister. Prosecutorial decisions and policy are matters for the Director of Public Prosecutions, who will have an important consultative relationship with the Attorney General for Northern Ireland. The Attorney General will be able to answer questions in this Assembly in regard to the system of prosecutions, with the necessary changes in standing orders.

That said, I of course take an interest in any matters affecting the justice system. I had an initial meeting with the Director and Deputy Director of the PPS in my first weeks in office, and intend to meet them on a regular basis.

I recognize, while this case has given rise to particular concerns, there is a wider debate about whether the arrangements and relationships we have inherited from Westminster legislation passed in 2002 are the right ones in 2010. I am seeking an early meeting with the Attorney General on this and other matters, and welcome the views of members.

PSNI College

Mr P Weir asked Minister of Justice what discussions he has had with the Minister of Health, Social Services and Public Safety regarding the potential involvement of the Fire and Rescue Service in the proposed police college at Desertcreat, Cookstown.

(AQO 1310/10)

Minister of Justice: Plans are well underway for a public services training college for the police, fire and rescue, and prison services that will ensure that they can provide the highest level of service to the public. The Fire and Rescue Service has been fully involved in the Desertcreat College Programme since 2007.

I met with the Minister of Health, Social Services and Public Safety on 20 April 2010 and discussed a range of matters including the proposed college at Desertcreat. If there is delay in approving the business case for the college I shall be seeking a further meeting with him and the Finance Minister.

PSNI and Prison Service: Risk

Mr J Bell asked the Minister of Justice to outline the current risk assessment of the police and prison services.

(AQO 1311/10)

Minister of Justice: Whilst it is not appropriate to comment on the detailed threat assessments applying to individual groups, it is clear that a threat exists to police and prison officers as they carry out their duties on our behalf.

Those who target such public servants fail to understand that the devolution of policing and justice means that we have ownership as a community for our justice system. These attempts to target public servants are an attempt to divide the community from those responsible for the maintenance of law and order. Those responsible do so for their own selfish ends.

This society has moved on and we are not going to allow them to turn the clock back by targeting those who play such an important role in different ways to help keep us safe.

Mephedrone: East Antrim

Mr D Hilditch asked the Minister of Justice how many seizures and arrests have been made for the possession or supply of mephedrone in East Antrim since the drug was made illegal.

(AQO 1312/10)

Minister of Justice: I welcome the decision to make mephedrone a Class B illegal drug from 16 April 2010 and know that the PSNI will actively pursue anyone involved in the supply or possession of the drug. While arrests and seizures are operational matters, as at 16 May the PSNI inform me that they have not made any arrests or seizures for possession or supply of mephedrone in East Antrim.

My Department is keeping in close contact with the Home Office in relation to any other so-called “legal high” substances which may be considered for banning in future.

Maghaberry Prison: Review Panel

Mr P Maskey asked the Minister of Justice, in light of his announcement of a review of Maghaberry prison, whether he can name the review panel members and outline the terms of reference.

(AQO 1313/10)

Minister of Justice: I regret that I am not yet in a position to announce the full details of the review, but I can confirm that it will be in line with the commitment in the Hillsborough Agreement of 5 February.

I have in mind a balanced review team, led by an expert in the field, consisting of practitioners and others from academic and relevant areas. I am looking to appoint a blend of experience from within Northern Ireland and outside this jurisdiction.

As I explained to the Justice Committee, I have in mind a rolling review encompassing the three establishments and the Service more widely. It may be valuable to report in two stages and be completed by early in the New Year.

The review is to be informed by recent reports, including the current review of the Prison Service's governance being conducted by the Criminal Justice Inspectorate Northern Ireland.

I hope to announce the full details very shortly.

Department for Regional Development

Minor Roads Network

Mr G Campbell asked the Minister for Regional Development how much was spent on maintenance and improvement of the minor roads network in (i) the Limavady Borough Council area; and (ii) the Coleraine Borough Council area, in each of the last two years.

(AQW 6662/10)

Minister for Regional Development (Mr C Murphy): My Department's Roads Service does not maintain specific details of its expenditure on the minor roads network. However, it does maintain details of actual total expenditure on Operation and Maintenance activities and Capital during the preceding financial year in each Council area.

Roads Service's total expenditure on operation and maintenance, includes Structural Maintenance, Routine Maintenance, Traffic Maintenance, Winter Maintenance, Street Lighting Maintenance, and Car Parking Maintenance.

Its total expenditure on Capital, includes spend on Major Capital, Minor Capital, Street Lighting Renewal and Other Capital activities. The figure provided in the following table refers to Minor Capital schemes, as these would predominately be on the minor road network.

The following table also includes details of expenditure on operation and maintenance in the Limavady and Coleraine Council areas, during the last two years.

District Council	Operation and Maintenance		Minor Capital Spend	
	07-08	08-09	07-08	08-09
Limavady	£3,573,000	£2,830,000	£581,000	£702,000
Coleraine	£4,449,000	£4,275,000	£1,289,000	£315,000
Total	£8,022,000	£7,105,000	£1,870,000	£1,017,000

Road Repairs

Mr P Weir asked the Minister for Regional Development how much money has been spent on road repairs in each council area, in each of the last five years.

(AQW 6682/10)

Minister for Regional Development: My Department's Roads Service does not maintain specific details of its expenditure on a road repairs only basis. However, it does maintain details of actual total expenditure on Operation and Maintenance activities for the proceeding years in each Council area.

Roads Service's total expenditure on operation and maintenance, includes Structural Maintenance, Routine Maintenance, Traffic Maintenance, Winter Maintenance, Street Lighting Maintenance, and Car Parking Maintenance.

The following table details expenditure in each Council area, during the last five years:-

District Council	Operation and Maintenance 04/05	Operation and Maintenance 05/06	Operation and Maintenance 06/07	Operation and Maintenance 07/08	Operation and Maintenance 08/09
Antrim	£3,913,000	£4,218,000	£3,251,000	£3,494,000	£3,507,000
Coleraine	£3,960,000	£3,960,000	£4,139,000	£4,449,000	£4,275,000
Limavady	£3,156,000	£3,327,000	£2,737,000	£3,573,000	£2,830,000
Moyle	£1,835,000	£2,111,000	£1,860,000	£2,093,000	£1,674,000
Ballymoney	£2,442,000	£2,410,000	£2,283,000	£2,430,000	£2,395,000
L'derry	£5,655,000	£5,324,000	£5,281,000	£5,828,000	£5,876,000
Ballymena	£5,020,000	£5,493,000	£4,432,000	£4,537,000	£5,168,000
Larne	£2,316,000	£2,632,000	£2,754,000	£2,546,000	£2,238,000
Belfast	£15,123,000	£15,576,000	£13,730,000	£16,990,000	£13,976,000
Castlereagh	£2,179,000	£3,149,000	£3,029,000	£3,552,000	£3,429,000
Newtownabbey	£3,676,000	£2,418,000	£3,189,000	£4,576,000	£3,388,000
Carrickfergus	£1,325,000	£1,296,000	£1,764,000	£1,971,000	£1,642,000
North Down	£2,409,000	£4,160,000	£3,640,000	£3,974,000	£2,962,000
Lisburn	£7,369,000	£6,245,000	£5,695,000	£4,948,000	£7,704,000
Ards	£3,661,000	£3,706,000	£3,468,000	£5,014,000	£3,394,000
Armagh	£5,863,000	£6,011,000	£5,477,000	£7,539,000	£7,013,000

District Council	Operation and Maintenance 04/05	Operation and Maintenance 05/06	Operation and Maintenance 06/07	Operation and Maintenance 07/08	Operation and Maintenance 08/09
Newry and Mourne	£7,567,000	£6,839,000	£5,843,000	£6,212,000	£5,372,000
Banbridge	£3,690,000	£3,702,000	£3,841,000	£3,996,000	£3,404,000
Craigavon	£5,380,000	£5,241,000	£5,217,000	£5,478,000	£4,219,000
Down	£5,042,000	£4,914,000	£4,503,000	£4,262,000	£5,813,000
Magherafelt	£3,029,000	£3,242,000	£2,612,000	£3,834,000	£3,239,000
Omagh	£6,173,000	£6,004,000	£5,587,000	£6,487,000	£5,699,000
Strabane	£5,312,000	£4,758,000	£4,746,000	£5,258,000	£5,068,000
Cookstown	£3,026,000	£2,605,000	£2,857,000	£2,759,000	£2,739,000
Fermanagh	£6,809,000	£6,142,000	£6,737,000	£6,598,000	£7,036,000
Dungannon	£5,397,000	£5,395,000	£5,477,000	£5,781,000	£5,391,000
Total	£121,327,000	£120,878,000	£114,149,000	£128,179,000	£119,451,000

Water and Sewerage Infrastructure

Mr P Weir asked the Minister for Regional Development what plans NI Water has for water and sewerage infrastructure in the North Down constituency, in each of the next three years.

(AQW 6718/10)

Minister for Regional Development: I have been advised by Northern Ireland Water (NIW) that it is awaiting the outcome of the price control review before finalising its capital programme for the next 3 years. However, funding arrangements are currently in place for 2010/11 and although NIW does not hold details of capital infrastructure projects broken down by parliamentary constituency, the table below lists the projects that are believed to cover the North Down constituency.

Project Name	Expenditure in 2010/11 £000s	Expenditure in 2011/12 £000s	Expenditure in 2012/13 £000s
Crawfordsburn Road, Bangor - Storm and Foul Sewer Extensions	34	0	0
Gransha Road, Bangor - Trunk Sewer Replacement.	70	0	0
Craigdarragh Road to Seahill Road Sewer Replacement	70	0	0
Morston Park, Bangor - Flood Alleviation Scheme	150	0	0
Ballyholme (Bangor) Drainage Area Plan	257	0	0
Lukes Point (Bangor) Drainage Area Plan	612	0	0
Gransha Road, Bangor - Wastewater Pumping Station Refurbishment	222	0	0
Millisle Drainage Area Plan Stage 2	500	750	0
Bangor Drainage Area Plan Stage 1	210	2,500	2,290

Flooding Problems at Crossgar

Mr J Shannon asked the Minister for Regional Development if he is aware of the flooding problems at Crossgar; and what action has he taken to address this issue.

(AQW 6728/10)

Minister for Regional Development: My Department is aware of flooding problems at Crossgar, in particular at the Downpatrick Street area close to the Post Office. This flooding occurs during periods of prolonged and heavy rainfall.

With regard to the most recent significant flooding event that occurred in June 2007, my Department's Roads Service has advised that, while the road drainage system remained fully operational throughout this period, it did not have sufficient capacity to deal with the vast quantities of water that flowed off private property onto the public roads.

Roads Service ensures that the road drainage system in the area is regularly inspected and cleaned if necessary, in line with road maintenance guidelines, which are applied equally to all Council areas. In addition, when Roads Service receives an advanced warning of the possibility of flooding, the area is inspected to ensure that the drainage system is operational.

Northern Ireland Water has advised that it proposes to undertake a scheme at Downpatrick Street to extend the storm sewer to serve a new housing development. This extended sewer can also be utilised to remove surface runoff storm water, and thereby relieve the loading on the combined sewerage system in the centre of Crossgar. It is estimated the scheme will commence in spring 2011, subject to the progress of the new housing development.

Road Repairs

Mr J Craig asked the Minister for Regional Development how much has been spent on (i) resurfacing entire roads; and (ii) filling in potholes and maintenance work on roads, in each of the last five years.

(AQW 6764/10)

Minister for Regional Development: My Department's Roads Service does not maintain figures in relation to the resurfacing of entire roads, nor does it maintain figures solely in relation to the repair of potholes. However, the table below details Roads Service's total expenditure on carriageway resurfacing, carriageway patching and structural maintenance over the last five financial years from 2004/05 to 2008/09.

	04/05	05/06	06/07	07/08	08/09
Carriageway Resurfacing	37,000,000	32,700,000	28,700,000	38,300,000	24,400,000
Carriageway Patching	15,600,000	15,800,000	16,300,000	17,300,000	19,000,000
Total Structural Maintenance	73,800,000	70,500,000	65,500,000	77,300,000	62,900,000

Table Notes:

1. The Total Structural Maintenance figures include the amounts given for resurfacing and patching.
2. The Total Structural Maintenance figures include resurfacing and patching of footways, surface dressing and structural drainage
3. The Carriageway Resurfacing figures include parts of roads, as well as whole roads.
4. The Carriageway Patching figures relate to the repair of all surface defects, including potholes on carriageways, lay-bys and hard shoulders.

Roads in North Down

Mr A Easton asked the Minister for Regional Development how much has been spent on (i) resurfacing entire roads; and (ii) general maintenance work on roads, in the North Down area, compared to all other constituencies, in each of the last three years.

(AQW 6765/10)

Minister for Regional Development: My Department's Roads Service does not record details of its spend on a parliamentary constituency basis. However, it does keep details of its actual spend on Operation and Maintenance activities and Structural Maintenance, for the preceding years, in each Council area.

Roads Service total expenditure on operation and maintenance, includes Structural Maintenance, Routine Maintenance, Traffic Maintenance, Winter Maintenance, Street Lighting Maintenance, and Car Parking Maintenance.

Details of actual spend on Operation and Maintenance activities, for each of the last three years, is shown in the table below:

District Council	Operation & Maintenance Spend		
	2006/07	2007/08	2008/09
Antrim	£3,251,000	£3,494,000	£3,507,000
Coleraine	£4,139,000	£4,449,000	£4,275,000
Limavady	£2,737,000	£3,573,000	£2,830,000
Moyle	£1,860,000	£2,093,000	£1,674,000
Ballymoney	£2,283,000	£2,430,000	£2,395,000
Derry	£5,281,000	£5,828,000	£5,876,000
Ballymena	£4,432,000	£4,537,000	£5,168,000
Larne	£2,754,000	£2,546,000	£2,238,000
Belfast	£13,730,000	£16,990,000	£13,976,000
Castlereagh	£3,029,000	£3,552,000	£3,429,000
Newtownabbey	£3,189,000	£4,576,000	£3,388,000
Carrickfergus	£1,764,000	£1,971,000	£1,642,000
North Down	£3,640,000	£3,974,000	£2,962,000
Lisburn	£5,695,000	£4,948,000	£7,704,000
Ards	£3,468,000	£5,014,000	£3,394,000
Armagh	£5,477,000	£7,539,000	£7,013,000
Newry & Mourne	£5,843,000	£6,212,000	£5,372,000
Banbridge	£3,841,000	£3,996,000	£3,404,000
Craigavon	£5,217,000	£5,478,000	£4,219,000
Down	£4,503,000	£4,262,000	£5,813,000
Magherafelt	£2,612,000	£3,834,000	£3,239,000
Omagh	£5,587,000	£6,487,000	£5,699,000

District Council	Operation & Maintenance Spend		
	2006/07	2007/08	2008/09
Strabane	£4,746,000	£5,258,000	£5,068,000
Cookstown	£2,857,000	£2,759,000	£2,739,000
Fermanagh	£6,737,000	£6,598,000	£7,036,000
Dungannon	£5,477,000	£5,781,000	£5,391,000
Totals	£114,149,000	£128,179,000	£119,451,000

Structural Maintenance includes Resurfacing, Surface Dressing and Structural Drainage, and details of actual spend on this, for each of the last three years, is shown in the table below:

District Council	Structural Maintenance Spend		
	2006/07	2007/08	2008/09
Antrim	£1,740,000	£2,096,000	£1,742,000
Coleraine	£2,317,000	£2,597,000	£1,862,000
Limavady	£1,561,000	£2,391,000	£1,558,000
Moyle	£1,187,000	£1,340,000	£993,000
Ballymoney	£1,433,000	£1,648,000	£1,463,000
Derry	£2,510,000	£2,998,000	£2,673,000
Ballymena	£2,471,000	£2,749,000	£2,654,000
Larne	£1,280,000	£1,273,000	£1,116,000
Belfast	£4,946,000	£6,009,000	£4,063,000
Castlereagh	£1,842,000	£2,165,000	£1,623,000
Newtownabbey	£1,869,000	£2,846,000	£1,860,000
Carrickfergus	£934,000	£1,186,000	£783,000
North Down	£2,368,000	£2,465,000	£1,462,000
Lisburn	£3,077,000	£3,066,000	£4,364,000
Ards	£2,118,000	£3,335,000	£1,726,000
Armagh	£3,661,000	£4,907,000	£4,439,000
Newry & Mourne	£3,634,000	£3,944,000	£2,700,000
Banbridge	£2,222,000	£2,734,000	£1,880,000
Craigavon	£2,948,000	£3,614,000	£2,231,000
Down	£2,794,000	£2,552,000	£3,336,000
Magherafelt	£1,755,000	£2,771,000	£2,107,000
Omagh	£3,458,000	£4,424,000	£2,971,000
Strabane	£3,056,000	£3,617,000	£3,028,000
Cookstown	£1,980,000	£1,976,000	£1,738,000

District Council	Structural Maintenance Spend		
	2006/07	2007/08	2008/09
Fermanagh	£4,522,000	£4,578,000	£4,638,000
Dungannon	£3,911,000	£4,051,000	£3,410,000
Totals	£65,594,000	£77,332,000	£62,986,000

Flags

Mr C McDevitt asked the Minister for Regional Development what steps he has taken to address the issue of flags which are flown throughout the summer, particularly in mixed areas and on arterial routes.

(AQW 6772/10)

Minister for Regional Development: My Department's Roads Service is signed up to the multi-agency Protocol on the Display of Flags in Public Areas. Under this protocol, Roads Service will provide support facilities, such as tower wagons, to take down unwanted flags where there is agreement within the local community to do so, but removal has not taken place.

Pay and Display Car Parking

Lord Morrow asked the Minister for Regional Development to detail the revenue raised from the Pay and Display car parks in Perry Street East and Perry Street West, Dungannon, in each of the last three years.

(AQW 6781/10)

Minister for Regional Development: My Department's Roads Service has advised that the amount of revenue raised from Perry Street East car park for the last three financial years is detailed in the table below:

REVENUE RAISED FROM PERRY STREET EAST CAR PARK

Year	2007/08	2008/09	2009/10*
Amount	£25,572.99	£22,405.65	£12,977.85

* For 2009/10 there was a reduction in the number of charged spaces in the car park.

VAT is payable on the revenue raised, but has not been deducted from these figures.

The Perry Street West car park is not a charged car park.

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. The cost of managing off-street car parks, and enforcing the on-street parking restrictions, exceeds the total revenue received.

Pay and Display Car Parking

Lord Morrow asked the Minister for Regional Development to outline the criteria used to determine whether Pay and Display car parking is introduced in our cities and towns.

(AQW 6784/10)

Minister for Regional Development: My Department's Roads Service has advised that the provision of convenient short stay parking, close to a town or city centre, is a recommendation within all local transport plans.

Short stay parking is recommended in order to provide a turnover of parking spaces, and consequentially customers, for the benefit of shops and other businesses in the area.

Roads Service generally controls on-street short stay parking by using either a limited waiting regime or a Ticket Zone 'pay and display' parking operation. While it could be argued that both achieve the same overall goal, ticketed parking is more efficient in terms of both the usage of the space, as people will only stay for the length of time paid for, and the management of enforcement. Paid parking also contributes to the cost of the enforcement operation.

There are no set criteria for the introduction of Ticket Zone on-street parking, although it is generally recommended as the preferred option. However, to date Roads Service has only introduced ticketed on-street parking where the local Council is fully supportive of it.

In terms of off-street parking, Roads Service operates its car parks on the same general basis. The charged car parks use 'pay and display', a manned kiosk or an automatic barrier type operation. However, some are free and this will depend on local circumstances, such as, the distance from the main shopping area or the proximity of other 'free' parking.

Volcanic Ash Cloud

Mr T Burns asked the Minister for Regional Development to make a statement on the increased number of passengers using ferry services to travel to and from Northern Ireland due to the volcanic ash cloud.

(AQW 6870/10)

Minister for Regional Development: The ferry ports have observed a significant increase in passenger numbers using ferry services during the recent period of disruption of air travel due to volcanic ash. The various ferry companies can accommodate up to 20,000 passengers each day on their services.

Latest reports indicate a near cessation of volcanic eruption. However, should disruption in air travel reoccur, the ferry companies have arrangements in place to allocate additional staff to assist travellers with booking services. Belfast and Larne Ports have the capacity to accommodate any additional sailings.

Translink can operate additional bus and rail services to help cope with the increase in foot passengers. Additional cross channel coach services would be operated in conjunction with Scottish City Link, National Express and Euro Lines.

Travel updates and advice for stranded passengers are available through the NIDirect website with links to all of the key government and transport provider websites.

Given the possibility of future intermittent disruption to air travel my officials will continue to monitor the situation and to work closely with transport providers and the Consumer Council.

Double Yellow Lines

Mr C McDevitt asked the Minister for Regional Development (i) to define what constitutes an 'official' double yellow line on a public highway; (ii) if the Department knows how many 'unofficial' double yellow lines, not placed by the Roads Service currently exist; and (iii) whether anyone has been penalised for using an unofficial double yellow line.

(AQW 6886/10)

Minister for Regional Development: My Department's Roads Service has advised that an official double yellow line is classified as a traffic sign of the size, colour and type prescribed in diagram 1018.1 of Schedule 6 to the Traffic Signs Regulations (NI) 1997, that has been lawfully placed on a road.

Roads Service does not hold information on the number of unofficial double yellow lines within the public road network. However, where Roads Service becomes aware of lines that have been placed unlawfully, and are presenting a misleading message to the public, arrangements are made to have them removed.

Roads Service does not keep a record of Penalty Charge Notices (PCN) that may have issued to a vehicle parked on an unofficial yellow line. Traffic Attendants would most likely assume that all double yellow lines are official. However, the PCN could be challenged if this proved not to be the case.

Public Service Agreement 13

Mr C McDevitt asked the Minister for Regional Development how many million passengers journeys have been achieved and maintained across all bus, rail and public transport, in accordance with objective 3 of Public Service Agreement 13, in 2009/10.

(AQW 6902/10)

Minister for Regional Development: The total number of bus and rail passenger journeys delivered by Translink in 2009/10 was 78.2 million. This compares against the Public Service Agreement target of 77 million passenger journeys by March 2011.

Public Service Agreement 15

Mr C McDevitt asked the Minister for Regional Development to detail the mean zonal compliance in water quality achieved by the water industry, in accordance with objective 3, Public Service Agreement 15, at March 2010.

(AQW 6904/10)

Minister for Regional Development: Water quality is higher than it has ever been with a mean zonal compliance of 99.74% achieved for 2009. Provisional figures for the first three months of 2010 indicate further improved compliance but these are only projections at this stage. Through my Social & Environmental Guidance I expect the industry to maintain these high water quality levels over the next 3 years.

Accidents on Public Footpaths

Mr G Campbell asked the Minister for Regional Development how much was paid out in compensation claims to members of the public who had met with an accident on public footpaths in (i) 2008; and (ii) 2009.

(AQW 7087/10)

Minister for Regional Development: The compensation payments made in respect of concluded footpath accident claims in the 2008 and 2009 calendar years are, as follows:

	2008	2009
Number of Claims	149	131
Total	£875,690.29	£830,159.51

Department for Social Development

Social Security Benefits

Ms M Anderson asked the Minister for Social Development whether any social security benefit exists to assist people who are forced to take time off work to care for a relative; and whether she would consider lobbying the Minister for Work and Pensions to introduce a payment to assist people in such circumstances.

(AQW 6675/10)

Minister for Social Development (Ms M Ritchie): Subject to certain conditions Income Support may be awarded to a person who is temporarily looking after a member of their family who is ill or who is substantially caring for a disabled person. Carer's Allowance also provides a measure of financial support for people who have given up the opportunity to work full-time to care for a severely disabled person.

The introduction of a National Insurance credit for carers from April 2010 also ensures that carers have improved opportunities to build up State Pension entitlement and entitlement to certain Bereavement Benefits, by crediting a carer with Class 3 contributions for each week they spend caring.

Trees and Hedges

Mr I McCrea asked the Minister for Social Development to outline the Housing Executive's policy on the facing or cutting of trees and hedges that are extending onto Housing Executive property from private dwellings or properties.

(AQW 6706/10)

Minister for Social Development: A tree or hedge on private land is the responsibility of the owner. By law the owner has a duty of care to take reasonable steps to prevent or minimise the risk of injury or damage that could be caused by their trees and hedges. Where trees or hedges are close enough to Housing Executive property to potentially cause problems, the Housing Executive carries out an initial inspection and then recommends that the owner arranges for a detailed inspection to be carried out and that any necessary work is undertaken.

Ballynahinch Town Centre

Mr S Hamilton asked the Minister for Social Development what plans are in place for the regeneration of Ballynahinch town centre.

(AQW 6752/10)

Minister for Social Development: I recently accepted an invitation from Down District Council to visit Ballynahinch to see the potential for public realm works in the town. The Department considers that there is a need for public realm works and the visit will allow me to see at first hand possible regeneration plans for the town centre. Approval of funding for any scheme will of course depend on the amount of capital funding for urban regeneration which can be secured by the Department and on the outcome of an appraisal of any proposed scheme.

Antisocial Behaviour

Mr S Hamilton asked the Minister for Social Development how many instances of anti-social behaviour have been registered by the Housing Executive in each of the last 5 years, broken down by district office.

(AQW 6753/10)

Minister for Social Development: The table below details anti-social behaviour complaints by Housing Executive District Office for each of the last five years:-

	2005/2006	2006/2007	2007/2008	2008/2009	2009/2010
Belfast East	72	80	48	51	52
Belfast West	170	316	283	340	373
Belfast North	102	71	110	182	189
Shankill	21	11	15	30	41
Belfast South	72	55	37	88	104
Bangor	411	204	230	201	225
Newtownards	182	147	226	160	173
Castlereagh	93	121	191	139	137
Lisburn	444	508	423	463	261
Dairyfarm	181	84	169	99	137

	2005/2006	2006/2007	2007/2008	2008/2009	2009/2010
Downpatrick	77	47	81	142	218
Banbridge	92	64	118	132	112
Newry	352	314	252	286	301
Armagh	68	75	73	92	58
Lurgan	53	57	83	90	140
Portadown	87	63	64	113	134
Dungannon	114	73	53	67	103
Fermanagh	223	208	147	127	186
Ballymena	215	307	233	112	75
Antrim	256	215	306	348	252
Newtownabbey ¹	158	79	132	67	104
Newtownabbey ²	38	40	34	64	170
Carrickfergus	67	60	49	62	135
Larne	95	64	64	78	69
Ballycastle	7	28	42	32	26
Ballymoney	113	106	91	89	87
Coleraine	193	153	115	81	81
Waterloo	18	26	18	32	54
Waterside	140	76	85	96	113
Collon Terrace	160	158	166	209	192
Limavady	41	45	31	64	98
Magherafelt	88	24	46	50	65
Strabane	114	93	47	79	93
Omagh	88	54	99	72	76
Cookstown	27	32	28	53	50

Renovation of Housing Executive Properties

Mr G Robinson asked the Minister for Social Development to outline the budget available in the 2010/11 financial year for the renovation of Housing Executive properties in (i) Limavady; and (ii) Coleraine.

(AQW 6755/10)

Minister for Social Development: The table below details the proposed works and associated costs planned in 2010/11 for Housing Executive properties in Limavady and Coleraine:

Scheme	Dwellings	Work Type	Cost
Limavady			
Kennaught Terrace / Church Street	33	External Cyclical Maintenance	£92,400
Greysteel / Ballykelly	63	Revenue Replacement	£299,250
Roe Mills Gardens	50	Heating Installation	£300,000
Coleraine			
The Heights	395	External Cyclical Maintenance	£750,500
Ballysally Area Phase ¹	82	Revenue Replacement	£360,800

Benefit Fraud

Mr J Craig asked the Minister for Social Development (i) how many staff are employed by her Department to deal with benefit fraud, including their grades and pay scales; (ii) the total amount spent on employing these staff; and (iii) the total budget in each of the last three financial years to deal with benefit fraud.

(AQW 6857/10)

Minister for Social Development:

- (i) The number of staff employed by the Department for Social Development to deal with benefit fraud, including their grades and pay scales, is set out in Table 1.

TABLE 1

Grade	Number	Minimum of pay scale * for the grade	Maximum of pay Scale * for the grade
Grade 7	1	£39,823	£50,796
Deputy Principal	2	£30,142	£38,893
Staff Officer	12	£24,089	£30,520
Executive Officer 1	19	£20,801	£26,086
Executive Officer 2	110	£19,450	£23,250
Administrative Officer	32	£15,277	£22,180
Administrative Assistant	9	£13,280	£17,533
Typists	6	£13,280	£17,533
Total	191		

Figures have been rounded to show Whole Time Equivalent staff in post.

* The pay scales shown are the pay scales currently applicable, following the implementation of the pay award and Equal Pay settlement from August 2008 and February 2009 respectively. An increase to rates is due in respect of an outstanding pay award from August 2009 or February 2010, depending on the grade involved.

** The figures show the number of posts funded at the 31 March 2010 and do not reflect variations or vacancies in staffing that may have occurred throughout the year.

- (ii) The total amount spent employing the benefit fraud staff detailed in Table 1 during the 2009/10 year was £4.94m.

- (iii) The total budget in each of the last three financial years to deal with benefit fraud is detailed in Table 2.

TABLE 2

Financial Year	2007/08	2008/09	2009/10
Total Budget	£5.43m	£5.45m	£5.50m

Benefit Fraud

Mr J Craig asked the Minister for Social Development how many convictions there have been for benefit fraud as a result of investigations by her Department; and how much money has been saved as a result of these convictions in each of the last three years.

(AQW 6862/10)

Minister for Social Development: The number of benefit fraud convictions and the overpayments identified as a result in each of the last three years is set out in the table below.

Financial Year	Number of Convictions	Overpayments
2007/2008	393	£2,875,054
2008/2009	530	£3,726,625
2009/2010	455	£3,295,204

Maintenance Schemes for Kilcooley and Rathgill Estates

Mr A Easton asked the Minister for Social Development for an update on this financial year's maintenance schemes for the (i) Kilcooley; and (ii) Rathgill estates in Bangor.

(AQW 6945/10)

Minister for Social Development: One heating scheme for 55 dwellings is planned for Kilcooley estate this year at an estimated cost of £242,000. There are currently no schemes planned for Rathgill estate in 2010/11.

Drug and Alcohol Awareness and Prevention Programmes

Ms J McCann asked the Minister for Social Development to detail (i) the organisations which receive funding from her Department for drug and alcohol awareness and prevention programmes in the Colin area of West Belfast; and (ii) how much funding each organisation has received in each of the last three years.

(AQW 6975/10)

Minister for Social Development: My Department does not directly fund any organisation in respect of drug and alcohol awareness programmes within the Colin Neighbourhood Area. The Belfast Regeneration Office does, however, provide funding to a number of organisations where functions carried out involve drug and alcohol awareness activities.

The Colin Neighbourhood Partnership, Cloona Oasis Centre, Footprints Women's Centre and Youth Initiatives have or are receiving Neighbourhood Renewal funding and deliver drug and alcohol awareness activities. It is not possible however to disaggregate out those parts of the funding which might support drug and alcohol awareness services in the Colin Area.

Work for Your Benefit Scheme

Ms A Lo asked the Minister for Social Development for an assessment of the potential benefits to long-term unemployed people of the Work For Your Benefit scheme proposed under the Welfare Reform Bill.
(AQO 1289/10)

Minister for Social Development: The Work for Your Benefit scheme will be designed to move long term jobseekers closer to and help them find sustained work in the open labour market. The programme will ensure jobseekers continue to receive support and benefit from the opportunity to develop work habits and routines that they may not have experienced for some time. This is because long term jobseekers still on benefit are likely to face particular barriers, for example loss of skills, due to the length of time they have been away from employment. Evidence shows that the closer work-experience is to real work the greater the chance of participants finding work. Work is of course, considered the best route out of poverty.

Work for Your Benefit builds on existing welfare reforms and represents an excellent chance for long term unemployed people to re-engage with the labour market.

Urban Regeneration: Derry

Mr P Ramsey asked the Minister for Social Development for an update on the Department's urban regeneration work in the Derry City Council area.
(AQO 1290/10)

Minister for Social Development: Since 2007 my Department has invested close to £24m in Urban Regeneration work in the Derry City Council area.

Currently my Department is progressing work on a number of projects, including the multi million Public Realm Scheme at Guildhall Square and Waterloo Place, due for completion in July, redevelopment of the Clondermot school site, a £1m Environmental Improvement Scheme at Victoria Road, of which phase 1 is complete, the development of nearly two miles of pedestrian and cycle pathway at Clooney Greenway and a new shared space at Foyle Street.

Work is also well advanced by Ilex, the Urban Regeneration Company sponsored by my Department and OFMDFM, on a regeneration plan, which will include development of Fort George. Ilex is also taking forward the Peace Bridge, a £13million project which my Department is contributing too. The Bridge should be complete early next year.

Furthermore in 2009/10, my Department invested over £5.8 million of Neighbourhood Renewal funding in Derry. This is the highest amount of Neighbourhood Renewal investment in Derry since the programme commenced.

Town Centre Regeneration: Carrickfergus and Larne

Mr S Neeson asked the Minister for Social Development to outline the Department's plans to regenerate Carrickfergus and Larne town centres.
(AQO 1291/10)

Minister for Social Development: My Department has funded the preparation of masterplans for both Carrickfergus and Larne town centres. These masterplans will be published by the end of June this year. They will set the strategic direction for the regeneration of both towns and identify regeneration activities and supporting projects which may be taken forward by central Government Departments, local authorities, statutory agencies and the private sector over the next 10 to 15 years.

My Department is currently working up plans to implement some of the projects identified in the masterplans, including a proposal for a public realm scheme for Carrickfergus Town Centre and some shopfront and streetscape improvements through a ReStore programme in Larne town centre. These projects are at the initial preparation stage and still have to go through the necessary appraisal and approval stages. The implementation of these and any other projects identified in the masterplans is

dependent on sufficient resources for urban regeneration being provided for my Department's budget in the current and future financial years.

Social Housing: East Londonderry

Mr A McQuillan asked the Minister for Social Development how many new build social housing units are proposed for East Londonderry in this year's social housing development programme.

(AQO 1292/10)

Minister for Social Development: I am pleased to report that following on from a year in which we built the largest number of new homes in one year for over a decade; we are continuing to build on that success. In this financial year we have proposed six housing schemes and a total of 60 homes for the East Londonderry Parliamentary Constituency with the total over the next three years being nine schemes and 87 homes.

Of course the Social Housing Development Programme is just one way that we meet housing need in any given location or constituency. The re letting of existing homes in the public sector is another way we can help to put more people into homes with more and more people turning to the Private Rented Sector to address their own housing need.

Mortgage Relief Scheme

Mr W Clarke asked the Minister for Social Development if a mortgage relief scheme will be introduced to help people who are at risk of losing their homes as a result of the economic crisis.

(AQO 1293/10)

Minister for Social Development: I do not have the money to launch the full scheme. In the absence of a commitment for sufficient funds as other jurisdictions have provided, I am not prepared to raise expectations that cannot be fulfilled. In May 2009 the Mortgage Debt Advice Service was launched. This specialised service is preventing where at all possible, people here from becoming homeless as a consequence of housing related debt. An evaluation of the service is due to be completed over the summer.

Social Housing: Newbuilds

Mr B Leonard asked the Minister for Social Development if the Department will give responsibility for new build social housing back to the Housing Executive.

(AQO 1294/10)

Minister for Social Development: Responsibility for delivery of the Social Housing Development Programme transferred to the Housing Executive from my Department in 2007. In effect the Housing Executive are now responsible for assessing housing need, identifying areas where new housing should be delivered and then appointing Housing Associations to take forward development activity to meet that identified need.

Due to existing Treasury Rules regarding Public Sector Borrowing, the Housing Executive themselves are not able to borrow privately to complement the funding my Department already makes available for new build development. This is because as a Non Departmental Public Body any borrowing secured by them counts as public expenditure and would therefore score against the Departmental Expenditure Limit and adds nothing extra to the housing budget. That is why Housing Associations are now best placed to deliver new social housing as they can access private finance in a way the Housing Executive can not. In the last year alone this private borrowing amounted to nearly £75m and contributed significantly to the delivery of 1,838 new homes, the largest for a decade.

Benefit Take-up: West Tyrone

Mr B McElduff asked the Minister for Social Development what action the Department is taking to encourage the maximum uptake of benefits in the West Tyrone constituency.

(AQO 1295/10)

Minister for Social Development: My Department provides a range of services to make people aware of their entitlements; including outreach services, participation in local promotional activity, the production of specific publications, some in minority ethnic languages, DSD and NIHE websites and a new online Benefits Adviser Service. Furthermore, on top of the general assistance provided through our local and centralised offices to clients seeking a specific benefit, where appropriate, staff also highlight other benefits to which they may be entitled.

In addition to these general services, a targeted approach to benefit uptake was introduced in 2005. Specific exercises, targeting people with potential benefit entitlement, were undertaken. These exercises included people living in the West Tyrone constituency. By June 2009 this work had generated an additional £27 million of annual benefit and arrears.

Social Housing: Private Developers

Mr J O'Dowd asked the Minister for Social Development how much has been spent since May 2007 on purchasing apartments from private developers for social housing and how many required additional work to bring them up to a livable standard.

(AQO 1296/10)

Minister for Social Development: Acquiring what we refer to as “off the shelf” housing can very often represent good value for money and bring much needed units of housing into the market more quickly than through the traditional acquisition and new build route. However any new homes acquired like this must still in effect be the right homes, in the right location, at the right price. This sort of acquisition is only approved after the Housing Association has confirmed that they meet the necessary standards and as such there is usually no further expense associated with bringing them up to a “liveable standard”.

The average unit cost in terms of grant paid for this sort of acquisition in 2007/08 was £133,260, in 2008/09 it reduced to £112,984 per unit and in 2009/10 it further reduced to £81,795. It is not possible to provide a figure for apartments only.

In terms of representing value for money, acquiring these sort of homes last year was on average £14,000 cheaper when compared to a more traditional method of acquiring land and procuring work to build out the scheme. Whilst the majority of the programme is focussed on a more traditional method of development, “off the shelf” housing has an important role to play in meeting housing need and when it continues to represent such good value for money it will continue to do so.

Town Centre Regeneration: Limavady

Mr G Robinson asked the Minister for Social Development, following confirmation of investment in a masterplan for the project, whether the regeneration of Limavady town centre will be given priority when funding is available.

(AQO 1297/10)

Minister for Social Development: The Limavady Masterplanning commenced on 10 May and the final report is due in January 2011.

Further progress, following on from the completion of the Limavady Masterplan, will be dependent on the availability of funding. And whilst there are many competing priorities for the budget, my Department will seek to bring forward projects which will most benefit Limavady as a result of this exercise.

Benefit Fraud

Mr S Gardiner asked the Minister for Social Development to outline the cost to the Department of benefit fraud in the 2009/10 financial year.

(AQO 1298/10)

Minister for Social Development: The estimated cost to the Department of benefit fraud in 2009/2010 will not be published until later this year.

Northern Ireland Assembly

Friday 4 June 2010

Written Answers to Questions

Office of the First Minister and deputy First Minister

Public Assemblies, Parades and Protests.

Dr S Farry asked the First Minister and deputy First Minister what consideration was given to compliance with Article 11 of the European Convention on Human Rights within the proposed restrictions of (i) a threshold of more than 50 people; and (ii) a 37 day notification period on public meetings in the current consultation on Public Assemblies, Parades and Protests in Northern Ireland.

(AQW 6745/10)

First Minister and deputy First Minister (Mr P Robinson and Mr M McGuinness): The European Convention on Human Rights and Equality legislation were important considerations during the drafting phase of the report of the Working Group on Parades, on which the draft Bill is based. Compliance with Article 11 was of particular concern and it is our view that the proposals contained in the draft Bill have been screened to a level which has ensured that they are compliant with the Convention and will in no way unfairly restrict the right of individuals or groups to freedom of peaceful assembly and association. The threshold of 50 people is intended as a workable trigger for the initiation of the formal consideration process for a proposed assembly of significant size and the 37 day notification period allows for consideration of all issues, in particular, objections relating to any proposed assembly, in a carefully managed and pro-active way.

Maze/Long Kesh Development Corporation

Mr P Butler asked the First Minister and deputy First Minister (i) to outline the legislation that will establish the Maze/Long Kesh Development Corporation; (ii) when the draft legislation will be introduced in the Assembly; and (iii) the likely composition of the Development Corporation.

(AQW 7030/10)

First Minister and deputy First Minister: The OFMDFM Committee approved the Statutory Rule to establish the MLK Development Corporation on 25 November 2009. That SR will be made pursuant to Article 15(1) and Article 15(3) of, and paragraph 2(1)(b) of Schedule 1 to, the Strategic Investment and Regeneration of Sites (Northern Ireland) Order 2003. A date has not yet been set to bring this SR to the Assembly for approval.

At this early stage the full composition of the Development Corporation has not been determined.

Community Safety Strategy for Older People

Mr A McQuillan asked the First Minister and deputy First Minister to outline any plans to introduce a community safety strategy for older people.

(AQW 7064/10)

First Minister and deputy First Minister: The Minister of Justice (DoJ) is responsible for implementing “Safer Ageing: A Strategy and Action Plan for ensuring the safety of older people”, which was launched in November 2009. The Strategy sets out the actions and initiatives to help older people be safe and feel safe in their homes, neighbourhoods and communities.

Whilst OFMDFM has no plans to introduce a similar strategy document, Junior Ministers have asked the Older People's Advisory Panel, chaired by the Older People's Advocate, Dame Joan Harbison, to review the effectiveness of its existing Older People's strategy 'Ageing in an Inclusive Society' and make recommendations to inform its revision.

In developing the revised Age Strategy, we will consider any recommendations made by the Panel, including any in relation to community safety. Any new strategy will, of course, be subject to a period of public consultation and will be brought before the OFMDFM Committee and the Executive for their consideration and approval.

Agencies and Bodies Funded by the Department

Mr J Craig asked the First Minister and deputy First Minister to detail (i) all the agencies and bodies funded by, and associated with, their Department; and (ii) the total running costs of each agency or body for each of the last five years.

(AQW 7144/10)

First Minister and deputy First Minister: The agencies and bodies funded by, and associated with OFMDFM, along with the total running costs of each body for each of the last five financial years, are detailed in the table below. It should be noted that as the Departmental Accounts for the financial year 2009/10 have yet to be published, the figures noted for this year are estimates and have not yet been confirmed.

(i) All the agencies and bodies funded by, and associated with OFMDFM	(ii) The total running costs of each agency or body for each of the last five years				
	2005/06	2006/07	2007/08	2008/09	2009/10
NI Civic Forum*	Nil	Nil	Nil	Nil	Nil
District Councils Community Relations Programme	1.85m	1.91m	1.97m	2.54m	2.76m
Equality Commission for Northern Ireland	6.656m	7.130m	7.294m	7.226m	6.980m
Community Relations Council (total funding by Sponsorship funding and Governance)	5.654m	5.986m	4.680m	7.399m	8.873m
Commission for Victims and Survivors	N/A	N/A	N/A	0.783m	1.264m
Children and Young Peoples Commissioner	1.897m	1.847m	1.722m	1.853m	1.838m
Economic Research Institute of NI	1.144m	0.84m	0.92m	0.924m	0.993m
Ilex Urban Regeneration Company	1.092m	1.233m	1.857m	2.274	3.721m
Planning and Water Appeals Commissions	1.905m	1.858m	1.914m	2.347m	2.642m
Commissioner for Public Appointments	0.116m	0.117m	0.138m	0.189m	0.250m
Strategic Investment Board	8.705m	8.475m	7.276m	6.978m	6.740m
Older People's Advocate	N/A	N/A	N/A	N/A	0.150m**

(i) All the agencies and bodies funded by, and associated with OFMDFM	(ii) The total running costs of each agency or body for each of the last five years				
	2005/06	2006/07	2007/08	2008/09	2009/10
Northern Ireland Judicial Appointments Commission	N/A	N/A	N/A	N/A	N/A
Attorney General for Northern Ireland	N/A	N/A	N/A	N/A	N/A

* NI Civic Forum last sat in 2002. A Review of the Civic Forum commenced in May 2008. Options and recommendations are under consideration by the Review Project Board prior to final submission to Ministers.

** The Advocate was appointed in December 2008 but figures for the period from December 2008 to March 2009 cannot be disaggregated.

Department of Agriculture and Rural Development

Countryside Management Scheme

Mr J Shannon asked the Minister of Agriculture and Rural Development how many people have availed of the Countryside Management Scheme in the Strangford constituency since its introduction; and how this compares with the uptake in other constituencies.

(AQW 6799/10)

Minister of Agriculture and Rural Development (Ms M Gildernew): My Department does not hold constituency-based information for the number of farmers and landowners who are participating in the Countryside Management Scheme (CMS). However, I can provide you with information on a county basis.

Table 1 shows participation for both the previous CMS and the new CMS at 31 December 2009. The previous CMS was introduced in 2001. Agreements for the new CMS commenced in 2009.

TABLE 1: PARTICIPATION IN CMS AT 31 DECEMBER 2009

County	Previous CMS	New CMS	Total CMS
Antrim	1,796	165	1,961
Armagh	1,059	98	1,157
Derry	1,514	126	1,640
Down	1,179	90	1,269
Fermanagh	831	271	1,102
Tyrone	2,099	193	2,292
Total	8,478	943	9,421

Decommissioning of Fishing Boats

Mr T Elliott asked the Minister of Agriculture and Rural Development if funding is currently available for the decommissioning of fishing boats.

(AQW 6825/10)

Minister of Agriculture and Rural Development: There is no funding currently available for decommissioning fishing boats. Decommissioning of fishing boats has been included in the package

of measures that the Fisheries Forum has recommended to address the long term sustainability of the fishing fleet. I expect to be in a position to respond to the recommendations of the Forum by the end of June 2010. Any decision to launch a decommissioning scheme will be dependent on being able to develop a robust business case which demonstrates value for money and takes into account impacts on all sectors of the fishing industry.

Free Range Chickens and Eggs

Mr D Hilditch asked the Minister of Agriculture and Rural Development what action her Department is taking to encourage farmers to produce free range chickens and eggs.

(AQW 6852/10)

Minister of Agriculture and Rural Development: My Department encourages the development of a thriving and sustainable agri-food industry and has a range of support measures in place for those farmers who choose to respond to market demands. This is also the case with regard to the production of free-range chickens and eggs, which have been increasing steadily here, due to farmers responding to that particular market demand.

My Department provides the sector with a range of training, advisory and technical support which is provided by CAFRE and AFBI. Support has also been provided towards events organised by the Poultry Association offering advice to producers on the recent legislation regarding conventional cages and requirements within the Broiler Welfare Directive legislation.

The Department also provides financial support to the University of Ulster through its Dunnhumby project to compile consumer food purchasing information which can be accessed by farmers to support future business development plans.

Free Range Chickens and Eggs

Mr D Hilditch asked the Minister of Agriculture and Rural Development what action her Department is taking to encourage the public to buy free range chickens and eggs as opposed to cage or barn produced products.

(AQW 6853/10)

Minister of Agriculture and Rural Development: The European Commission State Aid rules place severe constraints on the use of Government funds for the promotion of local agri-food products.

However, 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 poultry sector and would be an ideal revenue stream to help the poultry industry to promote its products.

I refer the member to my answer of his Assembly Written Question 6852/10 which outlines the support provided by my Department to producers of free-range poultry and eggs.

Rural Anti-poverty Strategy

Mrs D Kelly asked the Minister of Agriculture and Rural Development how many projects have been funded through the rural anti-poverty strategy in the Upper Bann constituency in each of the last two years.

(AQW 6927/10)

Minister of Agriculture and Rural Development: As you are aware the Programme for Government included a commitment to bring forward a £10.4m package of actions to address rural poverty and social exclusion across the budget years 08/09-10/11. Research and consultation during 2008/09 identified 5 priority areas (Childcare; Fuel Poverty; Transport and Access; Community Development; and, the Challenge programme) for intervention:

In 2008/09, DARD in conjunction with DSD funded (c£198,000) the installation of home heating systems in 41 properties in the Upper Bann constituency. In the same year DARD provided the Tyrone, Armagh, Down and Antrim (TADA) Rural Network with just under £67,000 to assist rural community development across an area inclusive of the Upper Bann constituency.

Community Development funding is also provided to the Rural Women's Network (NIRWN) and the Rural Community Network (RCN) organisations to provide regional support services to community and voluntary groups.

During 2009/10 DARD in partnership with DSD and NIE funded (£14,000) installation of home insulation in 24 properties in the Upper Bann constituency. Two projects in the Upper Bann constituency were awarded the maximum grant (£5000) under the 'Local' Rural Challenge Programme in 2009/10 and one Super Output Area was included in the agreed target area for intervention through the Maximising Access to Grants Benefits and Services Project. The Tyrone, Armagh, Down and Antrim (TADA) Rural Network received just under £63,000 for Rural Community Development in 2009/10. Under the Assisted Rural Travel Scheme, in partnership with DRD, 352 individual journeys were funded by DARD in the Upper Bann constituency and delivered by Down and Armagh Rural Transport (DART) Partnership.

Imported Pork

Mr W Irwin asked the Minister of Agriculture and Rural Development how much pork meat has been imported in the last twelve months.

(AQW 7183/10)

Minister of Agriculture and Rural Development: There have been no imports of pork meat into the north of Ireland from outside the European Union in the last twelve months. DARD Veterinary Service portal controls inspectorate keep no record of pork imports within the single European market.

Supermarkets Ombudsman

Mr A Maginness asked the Minister of Agriculture and Rural Development to outline the potential benefits to the agricultural industry of a Supermarkets Ombudsman.

(AQO 1320/10)

Minister of Agriculture and Rural Development: For many years suppliers have been reluctant to voice their concerns about their relationship and dealings with the large supermarkets. They were concerned that being proactive in this way could result in them being de-listed. This would be totally unreasonable for those suppliers who have genuine issues to be addressed. It is therefore clear that without a Supermarket Ombudsman the new Groceries Supply Code of Practice introduced earlier this year would be of little value.

I also wish to say that whilst the appointment of an Ombudsman is a reserved matter, I do welcome the British Government's acceptance in principle of the need for an Ombudsman. Also, the recent consultation on the nature of such a body and what powers it might have is a significant step forward. The aim of an Ombudsman would be to strike a right balance between farmers getting a fair deal and the aspirations of consumers.

I believe that all links in the food chain are dependant on each other and that it is important for retailers to recognise that in the long run it is in their interests, and their customers' interests, to have a sustainable local based supply chain. The appointment of an Ombudsman should benefit everyone in the food chain and in particular help ensure that farmers receive a fair price for their produce

Bluetongue

Mr P Doherty asked the Minister of Agriculture and Rural Development what action she can take to prevent Bluetongue disease, in the vector active period during the summer months.

(AQO 1322/10)

Minister of Agriculture and Rural Development: The higher risk period for Bluetongue is the summer months when the midges that spread the disease are active. I am amazed therefore that despite the my warnings about the threat of Bluetongue, some importers and farmers are prepared to risk introducing the disease from Bluetongue affected countries. In mid May 11 individual farmers imported a total of 75 animals from Holland and Germany.

Be very clear, that while my Department will do all it can to protect the industry, the economic penalties if Bluetongue becomes established here will be paid by the whole of the farming community in lost production and trade.

I have been urging farmers now for more than two years to think carefully before they import susceptible animals from Bluetongue affected areas and I have reinforced that message through the media in recent weeks. I have the backing of industry representatives who fully support the position I have taken.

Any farmer who contacts my Department to notify that they intend to import animals from Bluetongue affected areas or who applies for an import licence is advised of the risk to their own herd and the national herd if they import animals from Bluetongue affected areas. They are also advised that any imported animal found to have Bluetongue will be slaughtered to prevent the spread of disease and no compensation will be paid.

My Department has a number of preventative measures in place to deal with the threat of Bluetongue.

For animals imported from Bluetongue zones, pre-import testing is one of the conditions laid down by EU regulations. In addition, any susceptible animals that are imported must be kept in isolation until they have been post import tested and my Department is content that they do not pose a threat.

My Department works closely with our key industry stakeholders and our joint Government Industry Working Group on Bluetongue is due to meet again shortly to consider the current situation.

We have provided advice to the industry regarding the clinical signs of this disease and information is also available on the DARD website.

My Department also continues to work closely with counterparts in Dublin to ensure all appropriate measures are taken to retain the island's Bluetongue free status.

Our current veterinary risk assessment is that the preventative measures we already have in place continue to be appropriate to the risk from the disease being introduced through live animal imports.

European Fisheries Fund

Miss M McIlveen asked the Minister of Agriculture and Rural Development whether she can confirm that European Fisheries Fund monies will be used to deliver a short-term aid programme to assist fishermen.

(AQO 1323/10)

Minister of Agriculture and Rural Development: Short term aid for fishermen has been included in the package of measures that the Fisheries Forum has recommended to address the long term sustainability of the fishing fleet. I want to consider the Forum Report carefully and I expect to be in a position to respond to the recommendations of the Forum by the end of June 2010.

Dangerous Dogs Legislation

Mr G Robinson asked the Minister of Agriculture and Rural Development when the Dangerous Dogs legislation will be introduced in the Assembly.

(AQO 1324/10)

Minister of Agriculture and Rural Development: I introduced the Dogs (Amendment) Bill in the Assembly on 24 May 2010.

The Bill will strengthen and improve the existing arrangements to tackle dog control issues and promote responsible ownership.

The Bill will introduce compulsory microchipping, and will allow district council dog wardens to impose controls on dogs where there has been breach of dog control laws. The Bill will also make it an offence to allow a dog to attack and injure another person's dog.

I am maintaining the prohibition on certain breeds of dangerous dogs and will bring forward subordinate legislation to introduce further strict exemption conditions aimed specifically at protecting children. In addition, new powers for dog wardens to impose control conditions recognise the importance of 'deed' as well as 'breed' and will allow dog wardens to take account of the dangerous or potentially dangerous behaviour of any individual dog whatever its breed.

When the Bill is enacted I believe that it will, taken in its entirety, mean that we have the strongest dog control legislation in these islands.

Balmoral Show

Ms A Lo asked the Minister of Agriculture and Rural Development for her assessment of the 2010 Balmoral Show.

(AQO 1325/10)

Minister of Agriculture and Rural Development: As Minister of Agriculture and Rural Development I always look forward to Balmoral Show, which is staged by the Royal Ulster Agricultural Society. This prestigious event is one of the key highlights within the local agri-food industry's calendar.

I attended this year's Balmoral Show, which was my fourth as Minister of Agriculture and Rural Development, on each of its three days. In addition to touring the Showgrounds I also hosted the traditional DARD Breakfast event which was attended by my Special Guest, the President of Ireland, Mary McAleese and her husband Dr Martin McAleese along with a large number of agri-food industry and rural stakeholders. The Executive's Exhibition at this year's Balmoral Show, which was co-ordinated by my Department, incorporated a broad spectrum of government services provided by a total of eight departments. This exhibition, which included a large DARD exhibit, brings government closer to the citizen and was very popular over the 3 days of the show.

I was delighted to see at first hand another very successful Balmoral Show this year and I wish to convey congratulations to the Royal Ulster Agricultural Society for all of its achievements with the continued development and growth of the show.

Appeals

Mr D McClarty asked the Minister of Agriculture and Rural Development whether she has any plans to review the appeals process available to farmers to challenge decisions made by her Department.

(AQO 1326/10)

Minister of Agriculture and Rural Development: My Department has several Appeals and Review processes available to farmers who wish to challenge decisions made.

The Single Farm Payments scheme attracts most requests for reviews of decisions made and I previously informed Assembly colleagues that I had initiated an examination into this process.

My aim is to ensure farmers and rural dwellers have access to a fair, objective, transparent and independent review processes that delivers our obligations in adherence to EU and national Legislation.

In undertaking this examination of the Single Farm Payment Review of Decisions process I have asked that my officials to ensure that lessons learnt from it can be transferred to other review procedures in my Department.

My officials are working closely with representatives of the Ulster Farmers Union and NI Agricultural Producers Association in taking this review forward.

Forestry

Rev Dr R Coulter asked the Minister of Agriculture and Rural Development to outline any progress made in meeting the Programme for Government targets in relation to forestry planting.

(AQO 1327/10)

Minister of Agriculture and Rural Development: The current forestry Programme for Government (PfG) target is to increase woodland cover by 1,650 hectares by March 2011, primarily through the conversion of agricultural land to woodland under the Woodland Grant Scheme. 502 hectares of new woodland have been created by farmers and landowners under the Scheme up to the end of March this year. This is less than I had planned, at this point of the target period, which is largely due to the difficult economic conditions in farming and business and also the strong commitment of landowners to continue to farm.

In order to encourage more farmers and landowners to create their own woodland and put us back on course for meeting the PfG woodland target, I announced increases in grant rates of up to 30 per cent in November 2009. Since then, there has been a 70% rise in the woodland area applied for, compared with the same period last year. Our aim is to ensure that this, and other initiatives, put us back on course to meet our woodland target.

Department of Culture, Arts and Leisure

Minutes of the Libraries NI Board Meetings

Mr D Bradley asked the Minister of Culture, Arts and Leisure when the minutes of the Libraries NI Board meetings for January 2010 through to April 2010 will be posted on the Libraries NI website.

(AQW 6877/10)

Minister of Culture, Arts and Leisure (Mr N McCausland): The Libraries NI Board did not meet in January 2010.

The Minutes of the Board meetings held on 11 February 2010 and 11 March 2010 are available on the Libraries NI website.

The minutes of the April 2010 Board meeting will be posted on the website after they have been agreed by the Board and signed by the Chairperson at the next meeting on 27 May 2010.

Publicly Funded Museums

Mr G Campbell asked the Minister of Culture, Arts and Leisure, pursuant to AQW 5887/10, to list the current information available on the net cost to the public purse of each museum.

(AQW 7052/10)

Minister of Culture, Arts and Leisure: Pursuant to the answer given to your previous question AQW 5887/10, "To ask the Minister of Culture, Arts and Leisure (i) to list all the publicly funded museums; (ii) the number of visitors to each museum in each of the last three years; and (iii) the net cost of each facility in each of these years" the answer to the part of third part of the question that both the NMNI and NIMC do not routinely collect this information in the format required and the information provided in AQW 5887/10 remains current.

Sport Matters

Mr B McElduff asked the Minister of Culture, Arts and Leisure why there was no public launch of 'Sport Matters - The Northern Ireland Strategy for Sport and Physical Recreation 2009-2019'.

(AQO 1334/10)

Minister of Culture, Arts and Leisure: During the period when I was awaiting Northern Ireland Executive approval of Sport Matters: The Northern Ireland Strategy for Sport and Physical Recreation, 2009-

2019, I had been considering different options for publicly launching the document. It was partly for this reason, that I had been pressing, and continued to press, for Sport Matters to be considered and agreed by the Executive as soon as possible.

However, by the time Sport Matters was finally approved, it was evident that a public launch was of much lower priority than commencing actual delivery of the Strategy. On this basis, I concluded that it was best, in the circumstances, to launch Sport Matters in a context where the Northern Ireland public could clearly see that the real work of delivery was at last under way. I therefore launched the document at the first meeting of my Sport Matters Monitoring Group which I have set up to oversee implementation and delivery of the actions and targets within the Strategy.

Libraries

Lord Browne asked the Minister of Culture, Arts and Leisure when he anticipates that Libraries NI will present the finalised report detailing the libraries proposed for closure.

(AQO 1336/10)

Minister of Culture, Arts and Leisure: On the 27 May the Libraries NI Board agreed the final outcome of the review of libraries in the Greater Belfast Area. The Board includes elected Councillors from my own party, the SDLP, Sinn Féin and the UUP.

At that meeting the Board confirmed the recommendations of the Services Committee which had previously met on 18 May.

At that earlier meeting the full report was presented, considered and agreed.

The final report included an Equality Impact Assessment and the findings of the public consultation.

Libraries NI intends to retain four libraries out of the original fourteen initially identified for closure. Ballyhackamore will remain open. Cloughfern, Tullycarnet and Woodstock will remain open pending further investigation into the delivery of library services in those areas.

Salmon Conservation

Mr T Burns asked the Minister of Culture, Arts and Leisure how many rivers are currently (i) meeting; and (ii) not meeting targets for salmon conservation.

(AQO 1337/10)

Minister of Culture, Arts and Leisure: The United Kingdom, through the European Union, is a party to the North Atlantic Salmon Conservation Organisation (NASCO), which was established to conserve, restore, enhance and rationally manage wild salmon in the North Atlantic Ocean.

Parties to NASCO have agreed to adopt and apply a precautionary approach to the conservation, management and conservation of wild salmon. DCAL, in co-operation with the Loughs Agency, has developed a Salmon Management Plan for Northern Ireland and the cross border catchments. Conservation Limits have been established for some index salmon rivers, which define annual minimum numbers of adult salmon needed to spawn in each river to avoid decline of that river population.

Data for 2009 indicates that 2 rivers attained the conservation limits and 3 rivers failed to meet the limits.

World Police and Fire Games

Mr D Kennedy asked the Minister of Culture, Arts and Leisure what steps he has taken to help plan the World Police and Fire Games in 2013.

(AQO 1338/10)

Minister of Culture, Arts and Leisure: A Business Case which includes a recommended delivery mechanism for implementing the 2013 World Police and Fire Games has been commissioned and referred to DFP for approval.

In the interim a 2013 Stakeholder Group, chaired by DCAL and incorporating key stakeholders that include Police Service for Northern Ireland, NI Prison Service, NI Fire and Rescue Service, Belfast City Council and Sport NI, are managing the 2013 World Police and Fire Games project until such times as a permanent delivery vehicle is established.

The Stakeholder Group has identified and taken forward preparatory work on various workstreams including Volunteering, Tourism, Legacy, Transport and Logistics and Sport for the planning and organisation of the Games in conjunction with relevant external bodies.

My officials are also liaising with DFP in regard to the Business Case.

Windsor Park

Mr T Lunn asked the Minister of Culture, Arts and Leisure how the investment at Windsor Park will contribute to his Department's commitment to a shared future.

(AQO 1339/10)

Minister of Culture, Arts and Leisure: Improving relationships between and within communities in Northern Ireland and building a shared and better future, based on equity, diversity and interdependence remains a high priority for my Department. In this regard sport has been widely acknowledged to play a major role in promoting inclusion, developing communities and enhancing cultural values in society.

I recently launched "Sport Matters": The Northern Ireland Strategy for Sport and Physical Recreation 2009-2019 which includes a series of targets to encourage greater participation and representation and formally commits Government to promote sport in the context of a "shared future".

Sport Matters also includes a target of developing, by 2014, major sports stadiums to meet the strategic needs of football, rugby and Gaelic games. We have been working closely with the Governing Bodies of these sports who have indicated that the development of three separate stadiums tailored to their sports' individual requirements as the most practical and effective way forward.

The IFA has stated that, in principle, it is committed to the development of Windsor Park as its preferred option for meeting its long-term strategic needs. It, together with the Governing Bodies of the other sports, already operate well-developed strategies and mechanisms to bring reconciliation and community cohesion benefits to their individual sports. In investing in the future of the sports I will be encouraging them all to further enhance those strategies and mechanisms in order to maximise the opportunities to promote the concept of a "shared future".

Casement Park

Mr A Maskey asked the Minister of Culture, Arts and Leisure for an update on his Department's discussions with the Gaelic Athletic Association regarding the development of Casement Park.

(AQO 1340/10)

Minister of Culture, Arts and Leisure: The Irish Football Association, the Ulster Gaelic Athletic Association and the Ulster Branch of the Irish Rugby Football Union have provided their preferred options for regional stadium development. The GAA's preference is to redevelop Casement Park in Belfast to accommodate around 40,000 spectators. In practice this will mean demolishing the existing stadium and building a new fit-for-purpose facility on the site.

Consultants have been commissioned, through Sport NI, to produce an Outline Business Case which will include a review of the value for money, operational viability, sustainability and affordability of all the options presented by the Governing Bodies. As part of this process I have met jointly with the GAA, IFA and the IRFU to highlight key aspects of the process.

In addition, all the Governing Bodies have had considerable individual interaction with the consultants, my department and Sport NI throughout the assessment process. It is anticipated the consultants will report in the near future and make recommendations as to how the strategic needs of all three Governing Bodies can be delivered through the provision of new fit-for-purpose, sustainable stadiums.

Irish Language Strategy

Mr M Brady asked the Minister of Culture, Arts and Leisure for an update on his Department's proposals for a strategy to enhance and promote the Irish language.

(AQO 1341/10)

Minister of Culture, Arts and Leisure: Since coming into office at the beginning of July 2009, I have given special attention to the development of a Minority Languages Strategy.

I am currently engaged in correspondence with the Minister for Education on this issue.

It is my intention to bring forward a draft Strategy to the Executive in the near future.

Department of Education

I CAN Early Years Centre in Ballynahinch Primary School

Mr G Savage asked the Minister of Education to outline the reasons why her Department did not provide the £85,000 funding required to keep the I CAN Early Years Centre in Ballynahinch Primary school open.

(AQW 6481/10)

Minister of Education (Ms C Ruane): Ní thugann an Roinn Oideachais (RO) cistiú go díreach do sheirbhísí amhail Ionad Luathbhlianta I CAN. Leithdháileann an Roinn bloodheontas ar Bhoird Oideachais agus Leabharlainne gach bliain agus úsáideann siad é seo chun réimse seirbhísí, lena n-áirítear oideachas speisialta, a mhaoiniú. Leithdháiltear an cistiú seo ar bhonn cothrom ar Bhoird a bhfuil dualgas reachtúil acu soláthar a aithint agus a dhéanamh do pháistí a bhfuil riachtanais oideachais speisialta acu. Tá siad sa suíomh is fearr chun na cistí seo a dhíriú ar sholáthar áitiúil d'fhonn riachtanais oideachais speisialta na bpáistí a bhaint amach ina gcuid limistéar Boird ar an bhealach is éifeachtaí. Don bhliain airgeadais reatha, tá bloodheontas de £78.7m soláthraithe agam agus, ina theannta sin, tá cistiú leithdháilte agam ar Bhord Oideachais agus Leabharlainne an Oirdheiscirt (BOLOD) le haghaidh feidhmeanna sonracha, mar shampla, £300k le haghaidh soláthar oideachais speisialta i leith urlabhra agus teanga.

The Department of Education (DE) does not provide direct funding to services such as the I CAN Early Years Centre. The Department distributes to Education and Library Boards a block grant each year from which they fund a range of services, including special education. This funding is distributed on an equitable basis to Boards who have a statutory duty to identify and make provision for children with special educational needs. They are best placed to direct those funds to local provision that most effectively meets the special educational needs of children in their Board area. In the current financial year I have provided a block grant of £78.7m, and, in addition, I have provided funding for specific purposes such as £300k for speech and language special education provision to the South Eastern Education and Library Board (SEELB).

At a meeting with an all party delegation on Monday 17 May, I welcomed and encouraged a proposal from the delegation to convene a meeting of the South Eastern Education and Library Board, the South Eastern Health and Social Care Trust and the Department for Social Development to bring about a resolution to this matter. I understand that the delegation met with the Chief Executive (CE) of the SEELB on Wednesday 19 May. I am advised the SEELB Commissioners have confirmed the position that the Board is not in a position to prioritise funding for the continuation of the I CAN Centre.

When I made my announcement of the education budget for 2010-11 on 21 April, I made it clear that my priority was to protect as far as possible core services for children and youth. In line with other Education and Library Boards, the SEELB is required to submit a plan for approval by the Department detailing the services it will provide within the resources made available. In submitting its plan for 2010-11, the Board will be required to provide sufficient evidence to support its decisions in relation to the services it will provide and to demonstrate that it has taken all necessary steps to protect

core frontline services. These plans will be received and considered by the Department in the coming weeks.

Preschool Places

Mrs D Kelly asked the Minister of Education to detail the shortfall in pre-school places in each ward in the Upper Bann constituency in 2009/10 and 2010/11 and how she plans to address this shortfall.
(AQW 6865/10)

Minister of Education:

2009/10			2010/11	
Ward	No. of funded pre-school places	Shortfall	No. of funded pre-school places	Shortfall in funded pre-school provision
Aghagallon	26	6	32	12
Ballydown	65	7	26	34
Ballyoran	113	-12	113	27
Corcrain	52	-12	52	3
Court	128	1	128	7
Derrytrasna	42	7	44	1
Donacloney	26	7	26	8
Drumgask	104	24	104	8
Drumgor	104	12	104	8
Drumnamoe	83	9	91	14
Edenderry	47	3	47	8
Fort	98	2	98	3
Gilford	26	4	26	4
Kernan	52	25	52	30
Killycomain	78	0	78	6
Knockshane	52	6	52	0
Laurencetown	50	17	58	14
Magheralin	39	2	44	8
Mourneview	26	7	26	4
Parklake	52	8	78	20
Seapatrick	52	11	52	13
Taghnevan	3	3	0	0
Tavanagh	52	45	52	44
The Birches	22	4	37	-3
The Cut	21	-18	21	-11

2009/10			2010/11	
Ward	No. of funded pre-school places	Shortfall	No. of funded pre-school places	Shortfall in funded pre-school provision
Woodville	26	23	26	7
Total	1393	45	1467	67

Sa scoilbhliain 2009/10 leithdháileadh cistiú breise ar an SELB tar éis dheireadh an phróisis um iontrálacha réamhscoile d'fhonn cumasú dó tuilleadh áiteanna réamhscoile a mhaoiniú.

In the 2009/10 school year additional funding was allocated to the SELB after the end of the pre-school admissions process to enable more pre-school places to be funded.

I can confirm that I have made available up to £1.3m to increase the number of funded pre-school places in order to assist in meeting the demand for funded pre-school places for those children in their immediate pre-school year in 2010/11. I have also recently approved a Development Proposal for the creation of an additional nursery unit at Millington Nursery School. My Department, together with the Education and Library Boards, will continue to look at all avenues to address the current shortfall in places within the resources available.

Education and Library Boards Staff

Miss M McIlveen asked the Minister of Education to detail the number of staff employed (i) on temporary contracts; and (ii) as agency staff as a percentage of the total number of employees in the Education and Library Boards.

(AQW 6935/10)

Minister of Education: Chuir na Príomhfheidhmeannaigh ar na Boird Oideachais agus Leabharlainne líonta agus céatadáin na foirne sealadaí agus na foirne gníomhaíochta a fhostaítear in iúl dom. Leagtar amach sa tábla thíos an staid i ngach limistéar Bhoird:

I have been advised by the Chief Executives of the Education and Library Boards of the numbers/percentages of temporary and agency staff employed. The table below outlines the position for each Board area:

Board Area	Temporary Staff	Agency Staff
BELB	59 (14%)	39 (9%)
NEELB	82 (15%)	18 (3.3%)
SELB	190 (22.76%)	22 (2.63%)
SEELB	92 (18.6%)	18 (3.6%)
WELB	136 (1.99%)	10 (0.147%)

The table below details the roles in which these individuals are employed.

Board Area	Temporary Staff	Number	Agency Staff	Number
BELB	Advisor/Assistant Advisory Officer	3	CAD Technician	2
	Parent Support Co-ordinator	1	Education Welfare Officer	4

Board Area	Temporary Staff	Number	Agency Staff	Number
	Curriculum Support Officer	1	Quantity Surveyor	3
	Achieving Belfast Teachers	11	Maintenance Officer	2
	Project Co-ordinator	1	Library Assistant	1
	Development Officer	1	Clerical Officer	20
	Quantity Surveyor	2	Senior Clerical Officer	6
	Clerk of Works	1	Security Attendant/Porter	1
	Maintenance Officer	3		
	Security Advisor	1		
	Implementation officer – Resourcelink Payroll Project	4		
	Senior Executive Officer	1		
	SEO – Nutritional standards	1		
	Executive Officer	1		
	Payroll Officer	3		
	Senior Clerical Officer	14		
	Clerical Officer	5		
	Clerk Typist	2		
	Asst Building Cleaning Supervisor	1		
	Building Cleaning Area Officer	1		
	Building Superintendant/Porter	1		
NEELB	Admin Officer	1	Architectural Technician	2
	Asst Advisory Officer	3	Cleaner	1

Board Area	Temporary Staff	Number	Agency Staff	Number
	Behaviour Programmer	2	Clerical Officer	10
	Class Asst EOTAS	2	Contracts Officer	1
	Catering Asst	2	Education Welfare Officer	2
	Cleaner	5	Maintenance Officer	1
	Clerical Officer	9	Senior Clerical Officer	1
	Executive Officer	11		
	Field Officer Inc&Diversity	8		
	Interlinks officer mod lang	1		
	Instrumental Tutor	3		
	Project Co-ordinator	1		
	Psychologist	2		
	Physical Literacy Co-ord	1		
	Snr Clerical Officer	29		
	Snr Exec Officer	1		
	Technician	1		
SELB	Adolescent Partner Tutor	1	Clerical Officer	13
	Advisory Teacher	12	Clerical Officer with Word Processing Duties	3
	Architect	1	Senior Clerical Officer	3
	Area Youth Worker 2	3	Executive Officer	1
	Area Youth Worker 1	4	Financial Support Officer	1
	Assistant Adviser	16	Management Accountant	1
	Behavioural Asst	4		
	Behavioural Team Leader	1		

Board Area	Temporary Staff	Number	Agency Staff	Number
	Building Supervisor (No Supervision)	2		
	Building Supervisor (With Supervision)	1		
	Catering Assistant	4		
	Classroom Asst - ASEN	11		
	Cleaner	11		
	Clerical Officer	19		
	Caretaker/Driver	1		
	Cook	2		
	Dispute, Avoidance & Resolutions Service (Adviser)	1		
	Educational Psychologist	2		
	Education Transitions Co-ordinator	2		
	Executive Officer	10		
	Instrumental Tutor	22		
	Lang & Comm Intervention Officer	2		
	Library Assistant	4		
	Moving Image Trainer	2		
	Multi-media & Training Co-Coordinator	1		
	Music Media Engineer	2		
	Music Service Area Co-Coordinator	1		
	Payroll Officer (Executive)	8		

Board Area	Temporary Staff	Number	Agency Staff	Number
	Phonics Support Officer	1		
	Physical Literacy Co-Coordinator	1		
	Project Manager – European Studies	1		
	Project Worker - EWO	1		
	Psychology Assistant	4		
	Regional Education Welfare Officer	1		
	Secretary	1		
	Senior Clerical Officer	24		
	Sport Partnership Officer	1		
	Teacher for Foreign Language	3		
	Technician 4	1		
	Traveller Youth Worker	1		
SEELB	Asst Adviser	9	Capital Accountant	1
	Asst Principal Officer	4	Catering Assistants	2
	Asst Education Officer	1	Clerical Officers	12
	Catering Asst	1	Education Welfare Officer	1
	Cleaner	1	Executive Officer	1
	Clerical Officer	15	Storeman/Driver	1
	Education Officer	4		
	Educational Psychologist	3		
	Education Welfare Officer	2		
	Executive Officer	10		
	Field Officer	3		

Board Area	Temporary Staff	Number	Agency Staff	Number
	Project Officer	1		
	Seconded Teacher	3		
	Senior Clerical Officer	25		
	Senior Executive Officer	5		
	Senior Principal Officer	1		
	Solicitor	2		
	Technician	1		
WELB	Advisory Teacher	3	Technical Support Officer	2
	Asst Advisory Officers	8	Clerical Officer	8
	Advisor	1		
	Communications Officer	1		
	Research Development Officer	1		
	Inter Schools Liaison Manager	1		
	Sports Development Manager	1		
	Musical Pathway to Learning Tutors	7		
	Instrumental Tutors	4		
	Senior Clerical Officers	37		
	Clerical Officers	21		
	Executive Officer	5		
	Education Welfare Officers	4		
	Special Needs Support Officer	1		
	Psychologist	2		

Board Area	Temporary Staff	Number	Agency Staff	Number
	Language & Communications Officer	3		
	Autism Intervention Officer			
	Early Years Primary Teacher	1		
	Educational Transition Co-ordinator	1		
	Senior Architect	1		
	Building Maintenance Officer	1		
	H&S Support Officer	1		
	Student Awards Assessor	1		
	PA/Office Manager	1		
	Senior Youth Worker	1		
	Web Development Officer	1		
	Area Youth Worker	1		
	Outreach Worker	2		
	Youth Support Worker in Charge	3		
	Curriculum Consultant	3		
	Senior Support Officer	2		
	Core & Curriculum Officer	6		
	Technical Support Officer	4		
	Support Officer	3		

Education and Library Boards Staff

Miss M McIlveen asked the Minister of Education to detail the number of staff employed (i) on temporary contracts; and (ii) as agency staff in each Education and Library Board; and to list the roles in which they are employed.

(AQW 6936/10)

Minister of Education: Chuir na Príomhfheidhmeannaigh ar na Boird Oideachais agus Leabharlainne líonta agus céatadáin na foirne sealadaí agus na foirne gníomhaíochta a fhostaítear in iúl dom. Leagtar amach sa tábla thíos an staid i ngach limistéar Bhoird:

I have been advised by the Chief Executives of the Education and Library Boards of the numbers/ percentages of temporary and agency staff employed. The table below outlines the position for each Board area:

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The table below details the roles in which these individuals are employed.

Board Area	Temporary Staff	Number	Agency Staff	Number
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	Parent Support Co-ordinator	1	Education Welfare Officer	4
	Curriculum Support Officer	1	Quantity Surveyor	3
	Achieving Belfast Teachers	11	Maintenance Officer	2
	Project Co- ordinator	1	Library Assistant	1
	Development Officer	1	Clerical Officer	20
	Quantity Surveyor	2	Senior Clerical Officer	6
	Clerk of Works	1	Security Attendant/Porter	1
	Maintenance Officer	3		
	Security Advisor	1		

Board Area	Temporary Staff	Number	Agency Staff	Number
	Implementation officer – Resourcelink Payroll Project	4		
	Senior Executive Officer	1		
	SEO – Nutritional standards	1		
	Executive Officer	1		
	Payroll Officer	3		
	Senior Clerical Officer	14		
	Clerical Officer	5		
	Clerk Typist	2		
	Asst Building Cleaning Supervisor	1		
	Building Cleaning Area Officer	1		
	Building Superintendant/ Porter	1		
NEELB	Admin Officer	1	Architectural Technician	2
	Asst Advisory Officer	3	Cleaner	1
	Behaviour Programmer	2	Clerical Officer	10
	Class Asst EOTAS	2	Contracts Officer	1
	Catering Asst	2	Education Welfare Officer	2
	Cleaner	5	Maintenance Officer	1
	Clerical Officer	9	Senior Clerical Officer	1
	Executive Officer	11		
	Field Officer Inc&Diversity	8		
	Interlinks officer mod lang	1		
	Instrumental Tutor	3		

Board Area	Temporary Staff	Number	Agency Staff	Number
	Project Co-ordinator	1		
	Psychologist	2		
	Physical Literacy Co-ord	1		
	Snr Clerical Officer	29		
	Snr Exec Officer	1		
	Technician	1		
SELB	Adolescent Partner Tutor	1	Clerical Officer	13
	Advisory Teacher	12	Clerical Officer with Word Processing Duties	3
	Architect	1	Senior Clerical Officer	3
	Area Youth Worker 2	3	Executive Officer	1
	Area Youth Worker 1	4	Financial Support Officer	1
	Assistant Adviser	16	Management Accountant	1
	Behavioural Asst	4		
	Behavioural Team Leader	1		
	Building Supervisor (No Supervision)	2		
	Building Supervisor (With Supervision)	1		
	Catering Assistant	4		
	Classroom Asst - ASEN	11		
	Cleaner	11		
	Clerical Officer	19		
	Caretaker/Driver	1		
	Cook	2		

Board Area	Temporary Staff	Number	Agency Staff	Number
	Dispute, Avoidance & Resolutions Service (Adviser)	1		
	Educational Psychologist	2		
	Education Transitions Co-ordinator	2		
	Executive Officer	10		
	Instrumental Tutor	22		
	Lang & Comm Intervention Officer	2		
	Library Assistant	4		
	Moving Image Trainer	2		
	Multi-media & Training Co-Coordinator	1		
	Music Media Engineer	2		
	Music Service Area Co-Coordinator	1		
	Payroll Officer (Executive)	8		
	Phonics Support Officer	1		
	Physical Literacy Co-Coordinator	1		
	Project Manager – European Studies	1		
	Project Worker - EWO	1		
	Psychology Assistant	4		
	Regional Education Welfare Officer	1		
	Secretary	1		

Board Area	Temporary Staff	Number	Agency Staff	Number
	Senior Clerical Officer	24		
	Sport Partnership Officer	1		
	Teacher for Foreign Language	3		
	Technician 4	1		
	Traveller Youth Worker	1		
SEELB	Asst Adviser	9	Capital Accountant	1
	Asst Principal Officer	4	Catering Assistants	2
	Asst Education Officer	1	Clerical Officers	12
	Catering Asst	1	Education Welfare Officer	1
	Cleaner	1	Executive Officer	1
	Clerical Officer	15	Storeman/Driver	1
	Education Officer	4		
	Educational Psychologist	3		
	Education Welfare Officer	2		
	Executive Officer	10		
	Field Officer	3		
	Project Officer	1		
	Seconded Teacher	3		
	Senior Clerical Officer	25		
	Senior Executive Officer	5		
	Senior Principal Officer	1		
	Solicitor	2		
	Technician	1		
WELB	Advisory Teacher	3	Technical Support Officer	2

Board Area	Temporary Staff	Number	Agency Staff	Number
	Asst Advisory Officers	8	Clerical Officer	8
	Advisor	1		
	Communications Officer	1		
	Research Development Officer	1		
	Inter Schools Liaison Manager	1		
	Sports Development Manager	1		
	Musical Pathway to Learning Tutors	7		
	Instrumental Tutors	4		
	Senior Clerical Officers	37		
	Clerical Officers	21		
	Executive Officer	5		
	Education Welfare Officers	4		
	Special Needs Support Officer	1		
	Psychologist	2		
	Language & Communications Officer	3		
	Autism Intervention Officer			
	Early Years Primary Teacher	1		
	Educational Transition Co-ordinator	1		
	Senior Architect	1		
	Building Maintenance Officer	1		

Board Area	Temporary Staff	Number	Agency Staff	Number
	H&S Support Officer	1		
	Student Awards Assessor	1		
	PA/Office Manager	1		
	Senior Youth Worker	1		
	Web Development Officer	1		
	Area Youth Worker	1		
	Outreach Worker	2		
	Youth Support Worker in Charge	3		
	Curriculum Consultant	3		
	Senior Support Officer	2		
	Core & Curriculum Officer	6		
	Technical Support Officer	4		
	Support Officer	3		

Preschool Places

Mr P Weir asked the Minister of Education to detail the number of applications received for (i) pre-school places; and (ii) nursery school places in North Down, in each of the last five years; and how many of these applications were unsuccessful.

(AQW 6954/10)

Minister of Education: Chuir Bord Oideachais agus Leabharlainne an Oirdheiscirt go bhfuil líon na n-iarratas a fuarthas ar (i) áiteanna réamhscoile; agus ar (ii) áiteanna naíscóile i limistéar chomhairle baile an Dúin Thuaidh, i ngach ceann de na cúig bliana anuas; agus go bhfuil líon na n-iarratas seo ar éirigh leo, mar atá sonraithe sa tábla thíos.

The South Eastern Education and Library Board has advised that the number of applications received for (i) pre-school places; and (ii) nursery school places in North Down borough council area, in each of the last five years; and the number of these applications that were unsuccessful are as detailed in the table.

Year	(i) Pre-school Places (voluntary/private sector)		(ii) Nursery School Places (Nursery Schools and Nursery Units)	
	Number of Applications Received	Number of Unsuccessful Applications	Number of Applications Received	Number of Unsuccessful Applications
2006/07	281	5	679	20
2007/08	271	1	640	22
2008/09	264	2	575	18
2009/10	257	2	630	7
2010/11	283	7	630	40

I am aware that there has been an unprecedented demand for funded pre-school places for those children in their immediate pre-school year. I have made available up to £1.3m to assist in meeting this demand in 2010/11.

Classroom Assistant Jobs

Mr D Bradley asked the Minister of Education how many classroom assistant (i) jobs; and (ii) hours will be cut in the Southern Education and Library Board area, at the end of the 2009/10 academic year.
(AQW 6960/10)

Minister of Education: Each year the level of classroom assistance which is centrally funded by each Board varies depending on the number of pupils with a Statement of Special Educational Need. I have been advised by the Chief Executive of the Southern Education and Library Board that the number of jobs which will be adjusted or the number of hours which will either be reduced or increased cannot be accurately tallied until the end of the academic year. This is because there are a number of children currently going through the statementing process and the outcome of these will have to be factored into the overall figures for the Board area. I will write to you when this information is available.

Féadaim a dhearbhu gur roghnaigh roinnt scoileanna poist a mhaoiniú trína gcuid buiséad tarmilgthe agus, ar an chuma seo, níl aon athrú ar sheasamh an Chúntóra Ranga.

I can however confirm that a number of schools have elected to fund posts out of their delegated budgets and in this regard, there is no change to the position of the Classroom Assistant.

Newbuilds for Irish-medium Schools

Mr J Shannon asked the Minister of Education (i) to detail the cost of the remaining new builds for Irish-medium schools; and (ii) to outline how she plans to spend the £2 million, announced in her recent budget, allocated for Irish-medium education.
(AQW 6977/10)

Minister of Education: There are two Irish Medium schools included in my Department's current major capital programme. These are as follows:-

School	Project	Total Estimated Capital Cost £m
Coláiste Feirste Belfast	Extension/Refurb	13.1
Scoil na Faiseoige Twinbrook	New school	1.65

Tá an dá thionscadal fós á bpleanáil agus, mar is eol duit, tá athbhreithniú ar siúl faoi láthair ar gach tionscadal molta caipitil atá fós á bpleanáil atá in aghaidh chreat beartais mo Roinne mar gheall ar

an bhuiséad atá ar fáil. Táthar ag súil le go gcuirfear an t-athbhreithniú ar thionscadail i gcrích roimh i bhfad.

Both projects are still in planning and as you are aware a review is currently ongoing of all proposed capital projects still in planning against my Department's policy framework and in light of the budget available. It is hoped that work on the review of projects will be completed in the near future.

Preschool Places

Dr A McDonnell asked the Minister of Education (i) what percentage of the £1.3 million funding for pre-school places will be allocated to the statutory sector; and (ii) how many additional pre-school places will be created, broken down by sector and Education and Library Board area.

(AQW 6994/10)

Minister of Education:

(i) Agus iad ag leithdháileadh áiteanna breise, amharcfaidh na Boird Oideachais agus Leabharlainne ar an earnáil dheonach phríobháideach réamhscoile i dtosach mar soláthraíonn sí níos mó solúbthachta i dtaca le himoibriú ar luaineachtaí i líonta iomlána.

(ii) In allocating additional places the Education and Library Boards will look initially to the voluntary and private pre-school sector as it provides more flexibility in terms of reacting to fluctuations in overall numbers.

It should be noted that roughly 2 out of every 3 existing funded pre-school places are in the statutory sector. Further, since May 2007 I have approved 12 new statutory nursery units, representing some 312 additional statutory nursery places.

Pre-school education is a genuine partnership between the statutory and the voluntary and private sectors. My Department, together with the Education and Library Boards, will, of course, look at all avenues to address the unprecedented shortfall in places.

(ii) The additional places will be allocated to each of the Education and Library Boards (ELB's), based on the number of unplaced children in their area. The places will then be distributed to providers in the voluntary and private sectors. The breakdown of additional places allocated to each ELB area is as follows:

BELB	WELB	NEELB	SEELB	SELB
246	165	184	308	299

Irish-medium Secondary Schools

Mr P Weir asked the Minister of Education how many Irish-medium secondary schools have had (i) newly appointed or re-appointed representatives from her Department appointed to their Boards of Governors; and (ii) how many had no such appointments, in the last twelve months.

(AQW 7003/10)

Minister of Education: Tá iarbhunscoil Ghaeilge amháin. Tá an Roinn freagrach as comhalta amháin a cheapadh ar an Bhord Gobharnóirí. Sa dá mhí dhéag a chuaigh thart, d'éirigh gobharnóir de chuid an RO as agus níor cuireadh gobharnóir ina áit go fóill.

There is one Irish medium post primary school. The Department is responsible for appointing one member to the Board of Governors. In the last twelve months the existing DE governor has resigned and has not yet been replaced.

Catholic Grammar Schools

Mr P Weir asked the Minister of Education how many Catholic grammar schools have had (i) newly appointed or re-appointed representatives from her Department appointed to their Boards of Governors; and (ii) how many have had no such appointments, in the last twelve months.

(AQW 7004/10)

Minister of Education: Tá 29 scoil Chaitliceach ghramadaí. Sa dá mhí dhéag anuas:-

- (i) Ceapadh nó athcheapadh gobharnóirí an RO ar dhá scoil Chaitliceach ghramadaí;
- (ii) Níor ceapadh ná níor athcheapadh gobharnóirí an RO ar 27 scoil Chaitliceach Ghramadaí. Ní raibh trí cinn de na scoileanna seo le hathbhuanú ag an am seo.

There are 29 Catholic grammar schools. In the last twelve months:-

- (i) DE governors have been appointed or reappointed to two Catholic grammar schools;
- (ii) no DE governors have been appointed or reappointed to 27 Catholic grammar schools. Three of these schools were not due to be reconstituted at this time.

Grant Maintained Integrated Schools

Mr P Weir asked the Minister of Education how many grant maintained integrated schools have had (i) newly appointed or re-appointed representatives from her Department appointed to their Boards of Governors; and (ii) how many have had no such appointments, in the last twelve months.

(AQW 7005/10)

Minister of Education: Tá 38 scoil chomhtháite faoi chothabháil stáit. Sa dá mhí dhéag anuas:-

- (i) Ceapadh nó athcheapadh gobharnóirí an RO ar 21 scoil chomhtháite faoi chothabháil stáit; agus
- (ii) Níor ceapadh ná níor athcheapadh gobharnóirí an RO ar na 17 scoil chomhtháite eile atá faoi chothabháil. De na 17 scoil seo, níl 4 le hathbhuanú ag an am seo.

There are 38 grant maintained integrated schools. In the last twelve months:-

- (i) DE governors have been appointed or reappointed to 21 grant maintained integrated schools; and
- (ii) no DE governors have been appointed or reappointed to the other 17 grant maintained integrated schools.

Boards of Governors

Mr P Weir asked the Minister of Education how many voluntary grammar schools have had (i) newly appointed or re-appointed representatives from her Department appointed to their Boards of Governors; and (ii) how many have had no such appointments, in the last twelve months.

(AQW 7006/10)

Minister of Education: Tá 51 scoil dheonach ghramadaí. Sa dá mhí dhéag anuas:-

- (i) Ceapadh nó athcheapadh gobharnóirí an RO ar thrí cinn de na scoileanna seo; agus
- (ii) Níor ceapadh ná níor athcheapadh gobharnóirí an RO ar na 48 scoil eile. De na 48 scoil seo, níl poist ghobarnóra ag dhá scoil, agus ní raibh sé cinn le hathbhuanú ag an am seo.

There are 51 voluntary grammar schools. In the last twelve months:

- (i) DE governors have been appointed or reappointed to 3 of these schools; and
- (ii) no DE governor appointments or reappointments have been made to the remaining 48 schools.

Boards of Governors

Mr P Weir asked the Minister of Education why she has not appointed the majority of her Department's representatives to the Boards of Governors of voluntary grammar and grant-maintained integrated schools.

(AQW 7007/10)

Minister of Education: Is éard atá in athbhuanú an Bhoird Ghobharnóirí scoile ná roinnt céimeanna agus féadfar 12 go 18 mí a thógáil chun na céimeanna ar fad a chríochnú. Tá an próiseas ceapacháin de gobharnóirí de chuid an RO ar leanúint agus tá sé mar aidhm agam ceapacháin a dhéanamh ag an dáta is luaithe is féidir.

The reconstitution of school Boards of Governors involves a number of stages and it can take some 12 to 18 months to complete all the stages. The appointment process for DE governors is continuing and I aim to make appointments at the earliest possible date.

Preschool Places

Mr P Weir asked the Minister of Education for her assessment as to whether the additional £1.3 million for pre-school places will be sufficient to ensure a place for all children who have been unable to secure a place to date.

(AQW 7021/10)

Minister of Education: Cumhdóidh an cistiú breise de £1.3m an costas ar 1200 áit bhreise a sholáthar san earnáil phríobháideach/dheonach chun freastal ar na páistí sin a bhfuil ina mbliain dheireanach réamhscoile nach bhfuarthas áit don scoilbhliain 2010/11 ag an chéim seo de na Socruithe um Iontrálacha Réamhscoile.

The additional funding of £1.3m will cover the cost of providing an extra 1200 places in the private/voluntary sector to cater for those children in their final pre-school year who are unplaced at this stage of the Pre School Admissions Arrangements for the 2010/11 school year.

These additional places will be allocated to each of the Education and Library Boards (ELB's), based on the number of unplaced children in their area. While the level of provision overall within the Pre-School Expansion Programme may then be sufficient, it may not exactly match demographic demand at any given time. There may be a number of reasons for this. There may be geographical areas which are over or under subscribed or the provision may not match exactly parental choice for particular settings and/or full-time provision.

I am confident, however, that the additional funding will largely address this year's high demand for funded pre-school places and I can assure you that my Department will continue to work closely with the Education and Library Boards to ensure that, where possible, every child will be placed for the 2010/11 school year.

I CAN Centre in Ballynahinch Primary School

Ms M Ritchie asked the Minister of Education when she will provide funding to the South Eastern Education and Library Board for the I CAN Centre at Ballynahinch Primary School; and if she will make a statement on this matter.

(AQW 7032/10)

Minister of Education: Ní thugann an Roinn Oideachais (RO) cistiú go díreach do sheirbhísí amhail Ionad Luathbhlianta I CAN. Leithdháileann an Roinn bloodheontas ar Bhoird Oideachais agus Leabharlainne gach bliain agus úsáideann siad é seo chun réimse seirbhísí, lena n-áirítear oideachas speisialta, a mhaoiniú. Leithdháiltear an cistiú seo ar bhonn cothrom ar Bhoird a bhfuil dualgas reachtúil acu soláthar a aithint agus a dhéanamh do pháistí a bhfuil riachtanais oideachais speisialta acu. Tá siad sa suíomh is fearr chun na cistí seo a dhíriú ar sholáthar áitiúil d'fhonn riachtanais oideachais speisialta na bpáistí a bhaint amach ina gcuid limistéar Boird ar an bhealach is éifeachtaí. Don bhliain airgeadais reatha, tá bloodheontas de £78.7m soláthraithe agam agus, ina theannta sin, tá cistiú leithdháilte agam ar Bhord Oideachais agus Leabharlainne an Oirdheiscirt (BOLOD) le haghaidh feidhmeanna sonracha, mar shampla, £300k le haghaidh soláthar oideachais speisialta i leith urlabhra agus teanga.

The Department of Education (DE) does not provide direct funding to services such as the I CAN Early Years Centre. The Department distributes to Education and Library Boards a block grant each year from which they fund a range of services, including special education. This funding is distributed on an equitable basis to Boards who have a statutory duty to identify and make provision for children with special educational needs. They are best placed to direct those funds to local provision that most effectively meets the special educational needs of children in their Board area. In the current financial year I have provided a block grant of £78.7m, and, in addition, I have provided funding for specific

purposes such as £300k for speech and language special education provision to the South Eastern Education and Library Board (SEELB).

At the meeting with the all party delegation on Monday 17 May, at which you were present, I welcomed and encouraged a proposal from the delegation to convene a meeting of the South Eastern Education and Library Board, the South Eastern Health and Social Care Trust and the Department for Social Development to bring about a resolution to this matter. I understand that the delegation met with the Chief Executive (CE) of the SEELB on Wednesday 19 May. I am advised the SEELB Commissioners have confirmed the position that the Board is not in a position to prioritise funding for the continuation of the I CAN Centre.

When I made my announcement of the education budget for 2010-11 on 21 April, I made it clear that my priority was to protect as far as possible core services for children and youth. In line with other Education and Library Boards, the SEELB is required to submit a plan for approval by the Department detailing the services it will provide within the resources made available. In submitting its plan for 2010-11, the Board will be required to provide sufficient evidence to support its decisions in relation to the services it will provide and to demonstrate that it has taken all necessary steps to protect core frontline services. These plans will be received and considered by the Department in the coming weeks.

Viability Criteria for Integrated Schools

Dr S Farry asked the Minister of Education for an update on the review of the viability criteria for integrated schools commissioned in September 2008 to better reflect the diversity in the population. **(AQW 7039/10)**

Minister of Education: Sa bhliain 2008 d'aontaigh mé ar athbhreithniú a dhéanamh sa Roinn ar inmharthanacht na gcrítear i leith scoileanna chomhtháite, laistigh de chomhthéacs an bheartais agus na reachtaíochta reatha. Mar gheall ar thosaíochtaí iomaíocha laistigh de mo Roinn, áfach, tá an t-athbhreithniú fós le cur i gcrích.

I agreed in 2008 to carry out a review of viability criteria for integrated schools in the Department, within the context of existing policy and legislation. However, due to competing priorities within my Department this review is still to be completed.

My Department is fully aware of its responsibilities under Section 75 and the issue of diversity will be central to the review of viability criteria for integrated schools.

I would emphasise that it is my intention that the review will be completed at the earliest opportunity.

Disability Discrimination Act

Dr S Farry asked the Minister of Education how many schools awaiting the outcome of the current departmental review of capital projects are able to comply with the Disability Discrimination Act. **(AQW 7043/10)**

Minister of Education: Níl an t-eolas a iarradh éasca le teacht air. Bheadh sé ina chleachtadh am-íditheach don Roinn agus d'fheidhmeannaigh na mBord Oideachais agus Leabharlainne araon le fáil amach cá mhéad scoil, atá ag feitheamh le toradh athbhreithniú reatha na roinne, a chloíonn leis an Acht um Idirdhealú Míchumais, agus bheadh costas díréireach i gceist leis an eolas seo a fháil.

The information requested is not readily available. To ascertain how many schools awaiting the outcome of the current departmental review comply with the Disability Discrimination Act would be a very time consuming exercise for both Departmental and Education and Library Board officials and would incur cost disproportionate to the information requested.

Review of Capital Projects

Ms C Ní Chuilín asked the Minister of Education if the review of capital projects has been completed and when the findings will be made public.

(AQW 7119/10)

Minister of Education: Níor cuireadh an t-athbhreithniú ar thionscadail caipitil i gcrích go fóill. Cé nach féidir liom dáta a dheimhniú do chur i gcrích an athbhreithnithe, cinnteoidh mé go gcuirfear i gcrích go gasta é. Cuirfear mo chinntí in iúl do gach scoil agus údarás bainistithe scoile ar ball.

The review of capital projects has not been completed. Whilst I am not able to provide a date for the conclusion of the review, I will ensure that it is carried out expeditiously. All schools and school managing authorities will be fully informed of my conclusions in the near future.

STEM Course Subjects

Mr P Weir asked the Minister of Education what action her Department is taking to encourage pupils to study STEM course subjects at school.

(AQW 7128/10)

Minister of Education: Dhíreoinn aird an chomhalta ar an fhreagra a thug mé ar AQO 793/10 a chuir Mickey Brady, Iúr Cinn Trá & Ard Mhacha, síos. Tá sé ar fáil sa tuairisc fhoilsithe oifigiúil ar 22 Feabhra 2010.

I refer the member to my answer to AQO 793/10 tabled by Mickey Brady, Newry & Armagh. This appears in the published official report on 22 February 2010.

Free School Transport

Mr P J Bradley asked the Minister of Education whether she has any plans to offer free transport for children attending grammar schools in Newry which are three or more miles away from their home, and are (i) grammar schools of their parents choice; or (ii) not the nearest grammar school to their home.

(AQW 7185/10)

Minister of Education: In line with the normal rules, to be eligible for assistance with transport to a school of the parents' choice, the Newry pupils must either:

- live beyond three miles of their nearest suitable school; or,
- have been refused a place in all nearer suitable schools within three miles of the parental home.

Tá cinneadh ar cháilitheacht, sa chás seo, de dhualgas ar Bhord Oideachais agus Leabharlainne an Deiscirt.

Determination of eligibility, in this instance, is entirely a matter for the Southern Education and Library Board.

Statements of Special Educational Needs

Mr J McCallister asked the Minister of Education how many statements of special educational needs have been issued containing, in error, information on a child to which the statement does not relate, in each of the last three years.

(AQW 7188/10)

Minister of Education: I have been advised by the Chief Executives (CEs) of the Education and Library Boards, with the exception of the Southern Education and Library Board (SELB), that they are not aware of any statements of special educational needs having been issued containing, in error, information on a child to which the statement does not relate in the calendar years 2007, 2008 and 2009. However in the case of the South Eastern Education and Library Board no records were maintained in 2007 or 2008.

Chuir an Príomhfheidhmeannach ar BOLD in iúl go raibh aon earráid chlógghrafach amháin laistigh d'aon fho-alt de ráiteas, agus nár athraigh sé seo oiriúnacht na moltaí ná an soláthar don dalta sin agus nach raibh aon sárú rúndachta i dtaca le dalta ar bith. Chomh luath is a sainaitníodh an earráid chlógghrafach, athraíodh agus atheisíodh an ráiteas.

The CE of the SELB has advised that there was one typographical error contained within one sub-section of a statement but that this did not alter the appropriateness of the recommendations or the provision for that pupil nor was there a breach of confidentiality in relation to any pupil. As soon as the typographical error was identified the statement was amended and reissued.

St. Peter's Primary School, Charlemont, Dungannon

Mr D Bradley asked the Minister of Education to outline the timescale for the minor works scheme to address the health and safety issues at St. Peter's Primary School, Charlemont, Dungannon.

(AQW 7216/10)

Minister of Education: With less capital funding available difficult decisions will have to be taken in regard to prioritising the minor works which can be taken forward this financial year. Steps are being taken to prioritise those applications currently with the Department and the priority must be inescapable statutory requirements such as Health & Safety, Fire Protection and our statutory obligations under the Disability Discrimination Act.

Tá an obair mholta um Shláinte & Shábháilteachta ar Bhunscoil Pheadair, Achadh an Dá Chora, Dún Geanainn, á meas mar chuid den chleachtadh tosaíochta agus ,mar sin de, ní fhéadaim amscála maidir leis an tionscadal seo a thabhairt duit go dtí go gcuirfear an cleachtadh i gcrích.

The proposed Health & Safety work at St Peter's Primary School, Charlemont, Dungannon is being considered as part of this prioritisation exercise, therefore I cannot provide you with a timescale for this project until this exercise is concluded.

My officials will of course liaise with the school authorities in the near future following the conclusion of the prioritisation exercise.

Education and Library Boards: Reconstitution

Mr T Buchanan asked the Minister of Education why her Department did not seek a legal opinion on the re-constitution of the transitional Education and Library Boards.

(AQO 1348/10)

Minister of Education: Tá athbhuanú na mBord á dhéanamh laistigh den reachtaíocht reatha – is é sin, an tOrd um Oideachas agus Leabharlanna sa bhliain 1986.

The reconstitution of the Boards is being carried out within the existing legislation - the Education and Libraries Order 1986.

The approach taken has been guided by legal advice and assistance and the arrangements being put in place have been agreed in consultation with the Commissioner for Public Appointments.

Devenish College

Mr T Elliott asked the Minister of Education for a progress report on the development of a new build for Devenish College, Fermanagh.

(AQO 1350/10)

Minister of Education: Cuireadh Breithmheas Eacnamaíochta (BE) le haghaidh soláthar iarbhunscoile rialaithe agus deonach i gContae Fhear Manach, lena n-áirítear Devenish College, faoi bhráid na Roinne i mí Eanáir sa bhliain 2010.

An Economic Appraisal (EA) for controlled and voluntary post-primary provision in Fermanagh, including Devenish College, was submitted to the Department in January 2010.

You will be aware that all major capital projects are being reviewed. Until this is complete I am unable to provide an indicative timetable for the progression and agreement of this EA.

I believe my message in relation to the capital review has been consistent; it is critically important that investment in the education estate is consistent with and supportive of the policy framework that I am putting in place and that it adheres to our statutory duties in relation to equality and targeting on the basis of objective need. At the heart of this is Every School a Good School, Revised Curriculum, Sustainable Schools, Irish Medium Review and the Entitlement Framework. As area based planning develops, these policies will drive the reshaping of our estate and the consequential investment plans.

Capital Projects

Mrs D Kelly asked the Minister of Education what is the current position on the review of capital projects and when it will be completed.

(AQO 1351/10)

Minister of Education: Tá m'fheidhmeannaigh ag obair chun an próiseas seo a chur i gcrích, a ghaiste agus is féidir. Mar gheall ar an tábhacht a bhaineann leis an tasc seo, thuigfeadh comhaltaí go bhfuil sé tábhachtach go mbailítear fianaise láidir agus go dtugtar lánbhreathnú do gach tionscadal, sula ndéanfar aon chinneadh.

My officials are working to complete the process, as quickly as possible. Given the importance of this task, Members will appreciate it is essential that robust evidence is collated and that full consideration is given to each project, before a decision is taken.

Whilst I am not able to provide a date for the conclusion of the review, I can assure the Assembly that I will ensure that it is carried out expeditiously. All schools and school managing authorities will be fully informed of my conclusions in due course.

Primary School Teachers

Lord Morrow asked the Minister of Education how many primary school teachers, who have qualified in the last three years, are employed in a full-time teaching post; and how many are still seeking a full-time position.

(AQO 1352/10)

Minister of Education: Léirítear san eolas a fuarthas ón Chomhairle Ghinearálta Múinteoireachta go raibh 2,070 céimí ann, le 3 bliana anuas, a bhí incháilithe le bheith ag teagasc i ngach scoil.

Information provided from the General Teaching Council shows in the last 3 year there were 2,070 graduates eligible to teach in all schools.

As at 21 May 2010, 941 of these are employed in a full time teaching post and a further 71 employed pro rata - part time. The Department does not employ teachers therefore cannot advise whether the remaining graduates are still seeking full time positions

Cohesion, Sharing and Integration Strategy

Dr S Farry asked the Minister of Education what contribution her Department intends to make to the Cohesion, Sharing and Integration Strategy.

(AQO 1353/10)

Minister of Education: Tá an clár um Chomhtháthú, Chomhroinnt agus Imeascadh á fhorbairt faoi láthair, ach ag an am seo measaim go mbeidh mórthionchar ag an réimse polasaithe atá á thabhairt isteach agam ar an obair seo.

The programme for Cohesion, Sharing and Integration is in the process of being developed, but at this stage it is my assessment that the range of policies which I am bringing forward will make a significant contribution to this work.

The task for education is to prepare children and young people for living in a society that is increasingly diverse. I am therefore committed to encompassing a wider approach to improving relations for everyone by educating children and young people to develop self-respect and respect for others, where equality, inclusion and rights are the cornerstones of an education system which enables every learner to fulfil their potential.

Policies which will contribute to this work include Every School a Good School, which is my flagship policy for raising standards in our education system; the revised curriculum which includes a citizenship element to develop the capacity of all young people to participate positively and effectively in society; Supporting Newcomer Pupils policy; Irish Medium Review; Integrated Education which is a statutory duty; and a new Community Relations, Equality and Diversity policy which I plan to bring forward.

With all of the work which my Department is engaged in, I therefore am confident that education will continue to make a vital, meaningful and sustainable contribution to building good relations between young people and the emerging programme for Cohesion, Sharing and Integration.

Education and Skills Authority

Mr R McCartney asked the Minister of Education if she has received any alternative proposals from parties in the Assembly regarding the Education and Skills Authority.

(AQO 1354/10)

Minister of Education: Cuireadh deireadh le céim an Choiste den Bhille um Bunú an Údaráis um Oideachas agus Scileanna ar an 30 Meán Fómhair 2009. Ón am sin ar aghaidh, ní bhfuair mé aon tograí malartacha ar an ábhar seo ó pháirtithe sa Tionól.

The Committee stage of the Bill to establish the Education and Skills Authority ended on 30 September 2009. Since then I have not received any alternative proposals on the matter from parties in the Assembly.

The Review of Public Administration is the key to achieving the Executive's stated objectives of raising standards and putting in place modern, fit-for-purpose administration arrangements. The current impasse is:-

- hampering efforts to adopt a systematic approach to raising standards across all sectors;
- delaying the modernisation of education inspection powers;
- significantly reducing the potential to realise efficiencies through more streamlined management and administration. The Outline Business Case for the establishment of ESA had indicated £13 million of savings this year and £20 million per year in subsequent years.
- delaying essential reforms of the General Teaching Council's powers to ensure high professional standards within teaching.

I trust that members will agree that legislation to take forward the necessary reforms is needed urgently.

Granada Learning

Mr M McLaughlin asked the Minister of Education to outline the source of funding for Granada Learning Group tests and the implications, if any, for publicly-funded education.

(AQO 1355/10)

Minister of Education: Níl aon bhaint ag mo Roinn le scrúduithe neamhrialaithe iontrála a chistiú, agus níl aon teacht ag mo Roinn ar an eolas a bhaineann le cad é mar a mhaoinítear iad.

My Department has no involvement in funding unregulated entrance tests, nor does it have access to information about how they are funded.

I do however consider that it would be in the public interest for this information to be disclosed by the schools concerned. It would be entirely inappropriate if schools are using state funding to support any activity associated with unregulated entrance tests.

It is time for all post-primary schools to follow the lead shown by Commission for Catholic Education in bringing forward firm proposals for the ending of academic selection. All post-primary schools should focus their energies and resources on delivering the revised curriculum, and not divert scarce resources towards the provision of unregulated tests that serve no useful purpose in terms of meeting the real challenges in education - raising standards, tackling underachievement and reforming our education system – and serve only to discriminate against children from disadvantaged backgrounds whose parents can't afford to coach their children for these tests.

Post-primary Transfer: School Principals

Mr M Brady asked the Minister of Education to outline the cost of providing cover for primary school principals to enable them to meet parents to discuss post-primary transfer arrangements during the 2009/10 academic year.

(AQO 1356/10)

Minister of Education: It is not possible to state an overall cost figure due to the fact that teacher substitute cover for this purpose is not clearly distinguishable from cover provided for other purposes. The costs incurred by individual schools will vary according to the number of pupils transferring to post-primary education. This is the basis upon which the Department sets the limits for assistance which schools can apply for.

Don bhliain 2009/10, cheadaigh an Roinn do scoileanna a raibh níos lú ná 11 dalta acu uas-leithdháileadh múinteoireachta breise sealadach de 2 lá múinteora ar costas a bhí sa réimse ó £216.44 go £271.74.

For 2009/10, the Department allowed schools with less than 11 pupils a maximum additional temporary teaching allocation of 2 teacher days at a cost ranging from £216.44 to £271.74.

Schools with 11-20 pupils were permitted a maximum additional temporary teaching allocation of 3 teacher days at a cost ranging from £324.66 to £407.61.

Schools with 21-30 pupils were permitted a maximum additional temporary teaching allocation of 4 teacher days at a cost ranging from £432.88 to £543.48.

For each additional group of up to 15 pupils, a temporary teaching allocation of 1 teacher day is permitted.

Department for Employment and Learning

Russell Group of Universities

Ms A Lo asked the Minister for Employment and Learning for his assessment of the suggestion made by the Russell Group of Universities that graduates could pay back their loans earlier and at a higher interest rate.

(AQW 6769/10)

Minister for Employment and Learning (Sir Reg Empey): I am aware of the recent submission by the Russell Group to the Browne review in England and my Department welcomes the debate that needs to take place on the future funding of Higher Education. As you may be aware I am currently considering the final report of the Northern Ireland review of variable fees and student finance arrangements which I have received from the independent Chair, Joanne Stuart. It is intended that there will be a public consultation in the autumn on future student finance policy for Northern Ireland and this will enable any emerging findings from the Browne review to be considered.

Northern Regional College

Ms A Lo asked the Minister for Employment and Learning for his assessment of whether there will be any negative impact on access to education if the Northern Regional College's proposal to close seven campuses goes ahead.

(AQW 6770/10)

Minister for Employment and Learning: The College's proposal has been issued for public consultation following a strategic level review of the College estate needs. More evidence needs gathered on the impact of these proposals before any decision would be taken by the College Board of Governors to close a particular campus. The Department and the College will work closely to ensure that the College continues to provide a high quality learning experience to all its customers, whilst ensuring the long term stability and financial sustainability of its operations.

Educational Guidance Service

Mr P Weir asked the Minister for Employment and Learning to detail the level of funding provided by his Department for the Educational Guidance Service for adults in each of the last three years.

(AQW 6777/10)

Minister for Employment and Learning: Between 2007 and 2010, my Department has spent a total of £3,627,025 funding the Educational Guidance Service for Adults, as follows:

2007/2008	2008/2009	2009/2010
£1,277,893	£1,287,428	£1,061,704

Apprenticeship Course

Mr D Simpson asked the Minister for Employment and Learning how many people have failed to complete an apprenticeship course in each of the last three years.

(AQW 6806/10)

Minister for Employment and Learning: Training Suppliers have notified the Department of the following leavers from apprenticeship participations during each of the last three years:

2007/08	2008/09	2009/10
1543	2389	2148

Further Education Courses

Mr D Simpson asked the Minister for Employment and Learning to list the further education courses that have been withdrawn in the Upper Bann constituency, in each of the last three years.

(AQW 6807/10)

Minister for Employment and Learning: My Department does not hold this information. While I have a general responsibility for the performance of the College and its use of public funds, curriculum issues are a matter for the Director of the College and the Governing Body. I have asked the Director to write to the Member.

Grants for Post-compulsory Education Colleges

Mr J Shannon asked the Minister for Employment and Learning what criteria is used to assess how people on low incomes in post-compulsory education colleges qualify for grants.

(AQW 6816/10)

Minister for Employment and Learning: Students attending Further Education Colleges and undertaking Further Education courses can avail of financial assistance as follows;

The Education Maintenance Allowance (EMA) scheme is a UK wide means tested allowance administered using household gross income as its basis for determining entitlement. The following income banding was used to calculate EMA entitlement for academic year 2009/2010 using income from the previous financial year 2008/2009:

	Assessable household income			
	£0 - £21,885	£21,886 - £26,840	£26,841 - £32,400	£32,401 or more
Regular payment	£30 per week	£20 per week	£10 per week	Ineligible
Bonus	£100	£100	£100	Ineligible

Further Education Awards are administered by the Western Education and Library Board on behalf of the Department. Students can claim for fee support, maintenance grant, and childcare. These funds are means tested using household income as the determinant (usually the parental income, unless the student is classified as being independent). Students whose household income is calculated as £21,330 or less will be in a position to receive the full eligible funding.

Support Funds (Discretionary) are means tested using the same methods as the Further Education Award and administered by the Further Education Colleges. It is a discretionary fund specifically earmarked for the purpose of providing assistance for students in particular financial hardship. Students can claim for assistance with living costs, fees, books, equipment and transport costs.

Russell Group of Universities

Mr D Hilditch asked the Minister for Employment and Learning for his assessment of the view of the Russell Group of Universities, which includes Queen's University, Belfast, that student loans should be paid back faster and at a higher rate than is currently applied.

(AQW 6872/10)

Minister for Employment and Learning: I am aware of the recent submission by the Russell Group to the Browne review in England and my Department welcomes the debate that needs to take place on the future funding of Higher Education. As you may be aware I am currently considering the final report of the Northern Ireland review of variable fees and student finance arrangements which I have received from the independent Chair, Joanne Stuart. It is intended that there will be a public consultation in the autumn on future student finance policy for Northern Ireland and this will enable any emerging findings from the Browne review to be considered.

Engineering and Technology Board's Engineering Campaign

Mr P Weir asked the Minister for Employment and Learning what support his Department is providing to the Engineering and Technology Board's engineering campaign.

(AQW 7123/10)

Minister for Employment and Learning: The Department funds the Engineering UKs Programme 'Engineers make it happen' for a range of activities. Under the Science, Technology, Engineering and Mathematics (STEM) agenda £11,500 has been provided to Engineering UK for a pilot programme to help school and Further Education engineering students and their parents gain a better understanding of engineering careers and the opportunities they bring.

The Department also contributes to 'Engineers Make it Happen' through SEMTA, the Sector Skills Council for this sector, for a range of projects which includes Young Innovators, visiting lectures and a careers pack. The programme cost in this case is £63k to which the Department makes available £40k. This is largely delivered on behalf of SEMTA through Engineering UK.

Department of Enterprise, Trade and Investment

Project Kelvin

Mr J Dallat asked the Minister of Enterprise, Trade and Investment what steps Invest NI has taken to promote and maximise the benefits of the Kelvin project as a facility for creating new investment and jobs.

(AQW 6796/10)

Minister of Enterprise, Trade and Investment (Mrs A Foster): The existing telecommunications infrastructure in Northern Ireland, enhanced by the new direct international link (Project Kelvin), is considered to be world class. Invest NI uses the benefits that the Northern Ireland telecoms infrastructure and the new direct international link delivers to position Northern Ireland as a location capable of providing solutions to the business needs of new and existing investors.

Northern Ireland's telecoms infrastructure is promoted to potential investors in overseas markets via a number of channels including Invest NI's corporate website, through sector brochures, presentations to potential investors, during journalist visits to NI and during inward visits by potential investors. However it is important to note that whilst the telecommunications infrastructure is important to many potential investors, it remains only one area of consideration when choosing a location.

Renewable Energy Projects

Mr P Butler asked the Minister of Enterprise, Trade and Investment how many staff in her Department are currently assigned to develop and deliver renewable energy projects; and how much of her budget is designated to assisting renewable energy projects.

(AQW 7026/10)

Minister of Enterprise, Trade and Investment: The Department of Enterprise, Trade and Investment (DETI) has 9.5 full time equivalent staff working on sustainable energy policy covering renewable electricity, renewable heat, energy efficiency and grid development. DETI's Sustainable Energy branch has a budget of £2.07million for the year 2010/11 (98% of which will be from the EU Sustainable Competitiveness Fund). This funding is primarily used to assist policy development in relation to sustainable energy.

Invest NI has no specific ring-fenced budget or staff for renewable energy projects as its support to this area cuts across a range of the agency's operational activities. As such, the agency's total budget for renewable energy projects during 2009/10 was £6.58 million and for 2010/11, a further £6.56 million has been allocated.

Department of Communications, Energy and Natural Resources in the Irish Government

Mr P Butler asked the Minister of Enterprise, Trade and Investment to outline any joint initiatives and co-operation between her Department and the Department of Communications, Energy and Natural Resources in the Irish Government to deliver renewable energy projects.

(AQW 7027/10)

Minister of Enterprise, Trade and Investment: The strategic policy context under which my Department engages with the Irish Government on energy matters is set out in the 2004 All-island Energy Market Development Framework.

The two Departments undertook a joint cross border grid study that established the feasibility of transmitting 40% of electricity from renewable sources. This led to further work to strengthen the grid infrastructure and system controls, which is needed to absorb high levels of renewable power generation, especially in the west and northwest. It includes providing more North-South electricity interconnection as part of grid upgrading, which is critical to meeting the 40% target.

Both Departments also support the Regulatory Authorities' work to develop the Single Electricity Market (SEM) as part of a regional wholesale market with the GB market. A key aim is to facilitate regional trading in renewable electricity.

In addition, my Department is working with both the Irish and the Scottish Governments on a feasibility study for an undersea grid to transmit marine renewable energy, as well as primary research into production of 3rd generation bio-fuels from marine seaweeds and algae.

Inward Investment in Antrim, Newtownabbey and Carrickfergus

Mr D Kinahan asked the Minister of Enterprise, Trade and Investment (i) what action her Department has taken to promote inward investment in (a) Antrim; (b) Newtownabbey; and (c) Carrickfergus; and (ii) how many potential investors her Department is aware of having visited these areas since 2007.

(AQW 7048/10)

Minister of Enterprise, Trade and Investment: Invest NI's role is to promote Northern Ireland as an attractive and viable location for new inward investment opportunities. If an investor seeks information on specific areas within Northern Ireland, Invest NI will work with the local stakeholders to best promote the area. Ultimately the location decision rests with the investor.

In promoting all regions of Northern Ireland, Invest Northern Ireland's sales message is based on skills, competitive costs and an excellent infrastructure. Since 2007 there have been a number of initiatives undertaken to attract inward investment, this includes the USNI Conference in May 2008, the Lord Mayor Breakfast event, the formation of the Declan Kelly working groups and the St Patrick's Day events in Washington.

I have also participated in a number of trade and investment missions overseas to promote all areas of Northern Ireland.

Inward Visits

Between 2007 and 30 April 2010, Invest NI has facilitated a total of 6 potential inward investor visits to Antrim, 46 to Newtownabbey and 2 to Carrickfergus. These visits provide the means for potential investors to assess the opportunities and benefits of locating their businesses within Northern Ireland. Invest NI remains in contact with the visitors in order to pursue any investment opportunities.

Inward Investment

Inward investment activity covering the financial years 2006-07 to 2009-10:

	Area	No. of Offers	Jobs Promoted	Jobs Safe-guarded	Assistance (£)	Planned Investment (£)
Employment Related	Antrim	6	127	19	1,392,649	9,967,240
	Newtownabbey	3	91	241	1,574,500	16,614,770
	Carrickfergus	-	-	-	-	-
Innovation Related	Antrim	28	-	-	2,298,361	6,506,352
	Newtownabbey	34	-	-	4,462,700	10,512,356
	Carrickfergus	7	-	-	179,144	249,719
Total		78	218	260	9,907,354	43,850,437

Invest NI

Mr J O'Dowd asked the Minister of Enterprise, Trade and Investment to detail (i) the number of existing companies which were financially assisted by Invest NI; and (ii) how much money was invested in each existing company by Invest NI, in the (a) Craigavon; and (b) Banbridge Council areas in each of the last three years.

(AQW 7053/10)

Minister of Enterprise, Trade and Investment: Table 1 shows the number of offers approved and the associated assistance offered by Invest NI to existing businesses in each of the 3 years 2007/08 to 2009/10. This represents the value of support which is expected to be paid towards business-related investment during the life-time of assisted projects.

TABLE 1: EXISTING BUSINESSES ASSISTED BY INVEST NI IN BANBRIDGE & CRAIGAVON DCAS (2007/08 – 2009/10)

Financial Year	Banbridge DCA		Craigavon DCA	
	Number of Businesses	Assistance Offered (£)	Number of Businesses	Assistance Offered (£)
2007/08	26	627,783	68	2,486,312
2008/09	35	598,644	74	8,331,208
2009/10	32	1,010,110	92	17,997,606

NOTE: An existing business can be offered assistance in more than one year.

Table 2 provides details of the individual offers highlighted in the table above. Under data protection legislation, 55 of these offers cannot be disclosed as the businesses are registered as Sole Traders or Partnerships.

TABLE 2: INDIVIDUAL DETAILS OF EXISTING BUSINESSES ASSISTED BY INVEST NI IN BANBRIDGE & CRAIGAVON DCAS (2007/08 – 2009/10)

Year Assistance Offered	Business Name	Assistance Offered (£)	District Council
2007/08	Agrihealth (N.I.) Limited	3,251	Craigavon
2007/08	Airnet Wifi Ltd	987	Banbridge
2007/08	Alan Little Limited	19,807	Craigavon
2007/08	Alan R Graham & Arg Limited	40	Craigavon
2007/08	Almac Clinical Services Limited	38,400	Craigavon
2007/08	Almac Diagnostics Limited	728,085	Craigavon
2007/08	Armaghdown Creameries Ltd	115,370	Banbridge
2007/08	Bailey Waste Recycling (Ni) Ltd	40	Craigavon
2007/08	Biztech Software (Ni) Ltd	5,530	Craigavon
2007/08	Brm Systems Ltd	1,320	Craigavon
2007/08	Cet Ltd	2,000	Banbridge
2007/08	Classic Career Clothing Ltd	250	Craigavon

Year Assistance Offered	Business Name	Assistance Offered (£)	District Council
2007/08	Clearhill Enterprises Limited	5,250	Banbridge
2007/08	Craftstone 2000 Limited	10,431	Banbridge
2007/08	Crossbows Optical Limited	99,551	Craigavon
2007/08	D & M Cakes Limited	4,180	Banbridge
2007/08	Danasd Ltd	1,000	Craigavon
2007/08	Datos Professional Solutions Ltd	5,080	Craigavon
2007/08	Delta Trading Ireland Ltd	53,504	Craigavon
2007/08	Deluxe Art & Theme Limited	21,760	Craigavon
2007/08	Douglas Architectural Systems Limited	26,800	Craigavon
2007/08	E. N. E. Limited	1,103	Banbridge
2007/08	Eco-Tec Timber Frame Homes Ltd	7,542	Craigavon
2007/08	Elliott's Tradition Limited	2,200	Craigavon
2007/08	Embedded Monitoring Systems Limited	250	Banbridge
2007/08	Evron Foods Ltd	496,421	Craigavon
2007/08	Fionn Technologies Limited	4,800	Banbridge
2007/08	Flamelily Flowers Ltd	3,120	Banbridge
2007/08	Glenbank Nursery Ltd	827	Craigavon
2007/08	Golden Cow Dairies Ltd	200	Craigavon
2007/08	Growmoor Horticulture Ltd	18,000	Craigavon
2007/08	Huhtamaki (Lurgan) Limited	63,208	Craigavon
2007/08	I.M Creative Ni Ltd	9,031	Craigavon
2007/08	Interface Europe Ltd	30,172	Craigavon
2007/08	J & G Agencies Ltd	5,920	Craigavon
2007/08	Jackson Reece Ltd	24,114	Craigavon
2007/08	Kestrel Foods Limited	54,175	Craigavon
2007/08	Kevin Murphy Engineering Limited	6,578	Banbridge
2007/08	K-Space (Ni) Ltd	17,575	Craigavon
2007/08	Laganvale Enterprises Limited	1,000	Craigavon
2007/08	Magowan Originals Ltd	26,840	Craigavon
2007/08	Mind Associates Ltd	53,964	Craigavon
2007/08	Moy Park Limited	259,131	Craigavon
2007/08	Multilift Parts Ltd	920	Craigavon
2007/08	Norman Emerson Group Limited	40	Craigavon

Year Assistance Offered	Business Name	Assistance Offered (£)	District Council
2007/08	Opus Digital Ltd	80	Banbridge
2007/08	Orby Engineering Ltd	995	Craigavon
2007/08	Perceptus Ltd	29,929	Banbridge
2007/08	Pitchline Limited	2,000	Craigavon
2007/08	Portadown Locksmiths Limited	11,520	Craigavon
2007/08	Radius Plastics Ltd	144,066	Banbridge
2007/08	Reduction Plastics Ltd	3,803	Craigavon
2007/08	Regal Processors Limited	4,750	Craigavon
2007/08	Reprographic Systems (Ni) Limited	4,180	Craigavon
2007/08	Seagoe Technologies Limited	12,370	Craigavon
2007/08	Smurfit Uk Ltd	5,138	Craigavon
2007/08	Springco (Ni) Ltd	1,250	Craigavon
2007/08	Ssc Systems Ltd	5,000	Craigavon
2007/08	Successful Security Ltd	33,880	Banbridge
2007/08	Titan Environmental Ltd	16,618	Banbridge
2007/08	Traceassured Limited	9,600	Craigavon
2007/08	Traditional Hemp Company Limited	6,060	Craigavon
2007/08	Tullyherron Timber Frames Ltd	2,526	Craigavon
2007/08	Tullyraine Quarries Limited	67,464	Banbridge
2007/08	Ty-Rock Ltd	3,925	Craigavon
2007/08	Ulster Weavers Apparel Limited	2,500	Banbridge
2007/08	Vector Environmental Services Limited	250	Craigavon
2007/08	Vogue Surrounds Limited	56,064	Craigavon
2007/08	W. D. Irwin & Sons Limited	200,000	Craigavon
2007/08	William Sprott (Portadown) Ltd	3,496	Craigavon
2007/08	Wilson's Country Ltd	4,200	Craigavon
2007/08	Woodwin (Catering) Limited	1,088	Craigavon
2007/08	Zetex Carpet Tiles Ltd	6,240	Craigavon
2008/09	A&B Doors Limited	16,022	Banbridge
2008/09	A. J. Power Limited	20,914	Craigavon
2008/09	Agnew General Engineering Ltd	5,000	Banbridge
2008/09	Agrihealth (N.I.) Limited	4,149	Craigavon
2008/09	Airnet Wifi Ltd	1,000	Banbridge

Year Assistance Offered	Business Name	Assistance Offered (£)	District Council
2008/09	Alan Little Limited	1,000	Craigavon
2008/09	Almac Clinical Technologies Ltd	147,951	Craigavon
2008/09	Almac Diagnostics Limited	4,200	Craigavon
2008/09	Almac Group Limited	6,108,234	Craigavon
2008/09	Almac Pharma Services Limited	5,400	Craigavon
2008/09	Almac Sciences Limited	4,200	Craigavon
2008/09	Beverage Plastics Ltd	51,450	Craigavon
2008/09	Bioil Limited	1,000	Craigavon
2008/09	Bluestone Blanching Company Ltd	1,000	Craigavon
2008/09	Bowman Aluminium Systems Ltd	14,818	Banbridge
2008/09	Brm Systems Ltd	1,750	Craigavon
2008/09	Cet Ltd	9,000	Banbridge
2008/09	Cirrus Limited	19,170	Craigavon
2008/09	Clanconnel Brewing Company Limited	11,200	Craigavon
2008/09	Classic Mineral Water Company Limited	4,000	Craigavon
2008/09	Clearhill Enterprises Limited	1,000	Banbridge
2008/09	Cmmt Ltd	27,600	Craigavon
2008/09	Colussi Consultants Ltd	4,000	Banbridge
2008/09	Cottage Catering Limited	15,042	Banbridge
2008/09	Craftstone 2000 Limited	4,250	Banbridge
2008/09	D & M Cakes Limited	4,000	Banbridge
2008/09	Danasd Ltd	11,520	Craigavon
2008/09	Dask Timber Products Ltd	1,862	Banbridge
2008/09	Datos Professional Solutions Ltd	41,289	Craigavon
2008/09	Davada Ltd	18,600	Banbridge
2008/09	Dawson Manufacturing And Engineering Ltd	14,200	Craigavon
2008/09	Delta Trading Ireland Ltd	250	Craigavon
2008/09	Deluxe Art & Theme Limited	4,000	Craigavon
2008/09	Douglas Architectural Systems Limited	11,118	Craigavon
2008/09	Embedded Monitoring Systems Limited	35,600	Banbridge
2008/09	Enterprise Stationery Limited	2,400	Craigavon
2008/09	Environmental Fabrications Limited	4,850	Banbridge
2008/09	Environmental Packaging & Recycling Ltd	1,120	Craigavon

Year Assistance Offered	Business Name	Assistance Offered (£)	District Council
2008/09	Evron Foods Ltd	158,944	Craigavon
2008/09	Flamelily Flowers Ltd	2,000	Banbridge
2008/09	Glen Tender Limited	1,000	Banbridge
2008/09	Glenbank Nursery Ltd	22,540	Craigavon
2008/09	Golden Cow Dairies Ltd	20,927	Craigavon
2008/09	Hammer & Tongs (Services) Limited	19,949	Craigavon
2008/09	Huhtamaki (Lurgan) Limited	301,793	Craigavon
2008/09	Industry Training Services Limited	2,650	Craigavon
2008/09	Interface Europe Ltd	4,200	Craigavon
2008/09	J W Kane Precision Engineering Limited	8,233	Craigavon
2008/09	Jackson Reece Ltd	6,198	Craigavon
2008/09	John Graham (Dromore) Ltd	0	Banbridge
2008/09	John Graham Holdings Limited	15,000	Banbridge
2008/09	Kedco Energy (Ni) Ltd	83,901	Banbridge
2008/09	Kestrel Foods Limited	617,987	Craigavon
2008/09	Kevin Murphy Engineering Limited	4,000	Banbridge
2008/09	K-Space (Ni) Ltd	1,600	Craigavon
2008/09	Laganvale Enterprises Limited	1,000	Craigavon
2008/09	Lir-Med Limited	21,200	Craigavon
2008/09	Met-Seam Limited	2,690	Craigavon
2008/09	Mooney Media Limited	2,653	Banbridge
2008/09	Moy Park Limited	5,400	Craigavon
2008/09	Multilift Parts Ltd	4,000	Craigavon
2008/09	Nacco Materials Handling Limited	193,755	Craigavon
2008/09	New Age Wines Ltd	4,000	Craigavon
2008/09	Norman Emerson Group Limited	20,493	Craigavon
2008/09	Odel (Irl) Limited	1,000	Banbridge
2008/09	Opus Digital Ltd	2,000	Banbridge
2008/09	Orby Engineering Ltd	4,000	Craigavon
2008/09	Orchestral Limited	1,000	Craigavon
2008/09	Paul Mcalister Architects Ltd	5,000	Craigavon
2008/09	Purify Ltd	8,775	Banbridge
2008/09	Radius Plastics Ltd	286,987	Banbridge

Year Assistance Offered	Business Name	Assistance Offered (£)	District Council
2008/09	Rathbanna Limited	250	Craigavon
2008/09	Reduction Plastics Ltd	5,760	Craigavon
2008/09	Rektify Ltd	4,000	Banbridge
2008/09	Reprographic Systems (Ni) Limited	34,482	Craigavon
2008/09	S B D Events Limited	250	Banbridge
2008/09	Salmor Industries Ltd	4,200	Craigavon
2008/09	Samuel Lamont & Sons Ltd	8,033	Craigavon
2008/09	Seagoe Technologies Limited	16,702	Craigavon
2008/09	Silverwood Enterprise Ltd	36,708	Craigavon
2008/09	Slurrykat Limited	1,950	Craigavon
2008/09	Smurfit Uk Ltd	0	Craigavon
2008/09	Solonge Kane	1,000	Craigavon
2008/09	Sports Merchandising Ireland Ltd	14,347	Craigavon
2008/09	Springco (Ni) Ltd	9,274	Craigavon
2008/09	Stretchplay Co. Ltd	4,000	Craigavon
2008/09	Tullyraine Quarries Limited	9,250	Banbridge
2008/09	Ulster Carpet Mills (Holdings) Ltd	44,500	Craigavon
2008/09	W. D. Irwin & Sons Limited	23,849	Craigavon
2008/09	Warner Chilcott Uk Ltd	75,691	Craigavon
2008/09	Wilson's Country Ltd	57,023	Craigavon
2009/10	A & B Refrigeration & Air Conditioning Ltd	4,000	Craigavon
2009/10	A&B Doors Limited	26,210	Banbridge
2009/10	A. J. Power Limited	3,915	Craigavon
2009/10	A.T.F. Ltd	4,000	Craigavon
2009/10	Agrihealth (N.I.) Limited	65,000	Craigavon
2009/10	Alfred Briggs (Alwood) Ltd	48,950	Craigavon
2009/10	Almac Clinical Services Limited	8,862,032	Craigavon
2009/10	Almac Group Limited	109,013	Craigavon
2009/10	Almac Pharma Services Limited	1,777,112	Craigavon
2009/10	Almac Sciences Limited	267,114	Craigavon
2009/10	Avondale Foods (Craigavon) Limited	78,300	Craigavon
2009/10	Bc Shutters & Doors Limited	1,000	Banbridge
2009/10	Bowman Aluminium Systems Ltd	2,400	Banbridge

Year Assistance Offered	Business Name	Assistance Offered (£)	District Council
2009/10	Carn Plastics Limited	17,972	Craigavon
2009/10	Carpet Tile Solutions Limited	25,744	Craigavon
2009/10	Central Chemical Supplies Limited	65,580	Craigavon
2009/10	Cet Ltd	33,500	Banbridge
2009/10	Cirrus Limited	15,600	Craigavon
2009/10	Clanconnel Brewing Company Limited	4,000	Craigavon
2009/10	Classic Career Clothing Ltd	35,000	Craigavon
2009/10	Classic Mineral Water Company Limited	45,761	Craigavon
2009/10	Clive Heak Engineering Ltd	2,950	Banbridge
2009/10	Cmmt Ltd	126,222	Craigavon
2009/10	Cms Global Limited	4,196	Banbridge
2009/10	Cottage Catering Limited	192,000	Banbridge
2009/10	Craftstone 2000 Limited	4,000	Banbridge
2009/10	Crossbows Optical Limited	102,305	Craigavon
2009/10	D & M Cakes Limited	44,824	Banbridge
2009/10	Datos Professional Solutions Ltd	1,000	Craigavon
2009/10	Dawson Manufacturing And Engineering Ltd	26,700	Craigavon
2009/10	Deluxe Art & Theme Limited	42,500	Craigavon
2009/10	Douglas Architectural Systems Limited	5,000	Craigavon
2009/10	Emtek Products Limited	64,802	Craigavon
2009/10	Enterprise Stationery Limited	195,416	Craigavon
2009/10	Environmental Fabrications Limited	48,098	Banbridge
2009/10	Envirotronics Ni Ltd	1,000	Craigavon
2009/10	Eurostock Foods Ni Ltd	9,303	Craigavon
2009/10	Evron Foods Ltd	950,273	Craigavon
2009/10	F.F. Food Engineering Limited	5,950	Craigavon
2009/10	Flamelily Flowers Ltd	4,000	Banbridge
2009/10	Fms (Ni) Ltd	12,242	Craigavon
2009/10	Franklins International Ltd	40,418	Banbridge
2009/10	Gilbert Logan Limited	6,000	Craigavon
2009/10	Green Energy Engineering Ltd	22,036	Craigavon
2009/10	Green Energy Technology Ltd	2,545	Craigavon
2009/10	Greenbean (N.I.) Limited	1,530	Banbridge

Year Assistance Offered	Business Name	Assistance Offered (£)	District Council
2009/10	Herron Engineering Limited	84,366	Banbridge
2009/10	Homewrap Ltd	20,000	Craigavon
2009/10	Hoy & Dorman Ltd	3,200	Craigavon
2009/10	Hpa Architecture Ltd	1,000	Craigavon
2009/10	Huhtamaki (Lurgan) Limited	136,171	Craigavon
2009/10	I.M Creative Ni Ltd	1,000	Craigavon
2009/10	Iq Brands Limited	7,023	Craigavon
2009/10	J & G Agencies Ltd	24,900	Craigavon
2009/10	J W Kane Precision Engineering Limited	15,800	Craigavon
2009/10	J. H. Turkington & Sons Limited	17,500	Craigavon
2009/10	Jackson Reece Ltd	20,603	Craigavon
2009/10	John Graham (Dromore) Ltd	93	Banbridge
2009/10	Kedco Energy (Ni) Ltd	23,628	Banbridge
2009/10	Kestrel Foods Limited	856	Craigavon
2009/10	Kevin Murphy Engineering Limited	718	Banbridge
2009/10	Kingspan Environmental Limited	61,025	Craigavon
2009/10	Kingspan Renewables Limited	73,199	Craigavon
2009/10	K-Space (Ni) Ltd	800	Craigavon
2009/10	Laganvale Enterprises Limited	4,000	Craigavon
2009/10	Liddell Ltd	6,563	Craigavon
2009/10	Lir-Med Limited	1,845	Craigavon
2009/10	M.J.M. Marine Limited	64,860	Banbridge
2009/10	Met-Seam Limited	17,750	Craigavon
2009/10	Micro Computer Solutions Limited	250	Craigavon
2009/10	Moy Park Limited	105,563	Craigavon
2009/10	Nacco Materials Handling Limited	1,207,985	Craigavon
2009/10	Norman Emerson Group Limited	50,234	Craigavon
2009/10	Opus Digital Ltd	1,250	Banbridge
2009/10	Orchard Organics (Ni) Limited	3,636	Craigavon
2009/10	Orchestral Limited	4,000	Craigavon
2009/10	Paul Mcalister Architects Ltd	205	Craigavon
2009/10	Portadown Locksmiths Limited	4,000	Craigavon
2009/10	R.A. Irwin & Company Limited	82,900	Craigavon

Year Assistance Offered	Business Name	Assistance Offered (£)	District Council
2009/10	Radius Plastics Ltd	241,661	Banbridge
2009/10	Rathbanna Limited	1,000	Craigavon
2009/10	Reduction Plastics Ltd	35,546	Craigavon
2009/10	Regal Processors Limited	26,910	Craigavon
2009/10	Reprographic Systems (Ni) Limited	50,000	Craigavon
2009/10	Roy Edwards Fine Arts Limited	37,154	Craigavon
2009/10	S B D Events Limited	5,800	Banbridge
2009/10	Seagoe Technologies Limited	510,037	Craigavon
2009/10	Shankill (Lurgan) Community Projects Ltd (Slcp)	4,000	Craigavon
2009/10	Slurrykat Limited	44,000	Craigavon
2009/10	Solyphony Limited	45,292	Craigavon
2009/10	Spence Bryson Ltd	4,347	Craigavon
2009/10	Sports Merchandising Ireland Ltd	4,800	Craigavon
2009/10	Springco (Ni) Ltd	14,900	Craigavon
2009/10	Ssc Systems Ltd	4,000	Craigavon
2009/10	T & A Limited	4,000	Craigavon
2009/10	Taran Systems (Ni) Ltd	4,000	Craigavon
2009/10	The Ballykelly Group Ltd	5,287	Banbridge
2009/10	The Yellow Door (Portadown) Ltd	6,600	Craigavon
2009/10	Thomas Ferguson & Son Ltd	358	Banbridge
2009/10	Trenao Ltd	5,000	Banbridge
2009/10	Tullyraine Quarries Limited	84,644	Banbridge
2009/10	Ulster Carpet Mills (Holdings) Ltd	165,348	Craigavon
2009/10	Upu Industries Ltd	250	Banbridge
2009/10	Vector Environmental Services Limited	175,709	Craigavon
2009/10	Vogue Surrounds Limited	2,458	Craigavon
2009/10	W. D. Irwin & Sons Limited	45,456	Craigavon
2009/10	Warner Chilcott Uk Ltd	1,654,197	Craigavon
2009/10	Wilson's Country Ltd	190,733	Craigavon

Notes: Under Data Protection legislation Sole Traders and Partnerships have been removed from Table 2.
An existing business can be offered assistance in more than one year.

Tourist Board

Mr J O'Dowd asked the Minister of Enterprise, Trade and Investment how many businesses were financially or otherwise assisted by the Tourist Board in the (i) Banbridge; and (ii) Craigavon Council areas in each of the last three years; and how much money was contributed in each of these years.
(AQW 7054/10)

Minister of Enterprise, Trade and Investment: The Northern Ireland Tourist Board (NITB) has not provided financial assistance to any businesses in the Banbridge Council area in any of the last 3 financial years under the Tourism Development Scheme (TDS) or under the Tourism Innovation Fund (TIF).

NITB has not provided financial assistance to any businesses under TDS or TIF during 2007/08, 2008/09 in the Craigavon Borough Council area. However, during 2009/10 TDS financial assistance totalling £25,000 has been provided and a Letter of Offer (LoO) for £105,000 issued - both to Craigavon Borough Council for tourism projects.

NITB has not provided any other assistance to businesses in the Banbridge or Craigavon Council areas during 2007/08 or 2008/09. However, during 2009/10 assistance was provided by way of Welcome Host Plus training for 4 staff from The Outlet at Banbridge and for a member of staff from the Banbridge Tourist Information Centre. NITB also trained staff from The Outlet during 2009/10 to become Welcome Host Trainers.

In addition, NITB ran an IT Skills Course for accommodation providers during 2009/10 which included 2 participants from Banbridge and 2 from Craigavon.

Invest NI

Mr J O'Dowd asked the Minister of Enterprise, Trade and Investment (i) the number of new companies established as a result of Invest NI intervention; and (ii) how much money was invested in each new company by Invest NI, in the (a) Craigavon; and (b) Banbridge Council areas in each of the last three years.
(AQW 7062/10)

Minister of Enterprise, Trade and Investment: During the period 2007/08 to 2009/10, 29 new businesses began trading with assistance offered directly by Invest NI. Table 1 shows the number of businesses and the associated assistance offered in each of these 3 years. This represents the value of support which is expected to be paid towards business-related investment during the life-time of assisted projects.

TABLE 1: NEW BUSINESSES DIRECTLY ASSISTED BY INVEST NI IN BANBRIDGE & CRAIGAVON DCAS (2007/08 – 2009/10)

Financial Year	Banbridge DCA		Craigavon DCA	
	Number of Businesses	Assistance Offered (£)	Number of Businesses	Assistance Offered (£)
2007/08	2	80,000	5	638,326
2008/09	3	45,032	8	396,233
2009/10	4	94,474	7	395,761
Total	9	219,506	20	1,430,320

Table 2 provides details of the individual offers highlighted in the table above. Under data protection legislation, 9 of these offers cannot be disclosed as the businesses are registered as Sole Traders or Partnerships.

TABLE 2: INDIVIDUAL DETAILS OF NEW BUSINESSES DIRECTLY ASSISTED BY INVEST NI IN BANBRIDGE & CRAIGAVON DCAS (2007/08 – 2009/10)

Year Assistance Offered	Name	Assistance Offered (£)	District Council Area
2009/10	Glen Tender Ltd	36,320	Banbridge
2009/10	Cms Global Limited	28,522	Banbridge
2008/09	Purifry Limited	18,232	Banbridge
2009/10	Shine Fm	8,832	Banbridge
2007/08	Almac Clinical Technologies Ltd	513,000	Craigavon
2009/10	Carpet Tile Solutions Limited	226,700	Craigavon
2008/09	Lir-Med Ltd	75,000	Craigavon
2008/09	Biztech Software (Ni) Ltd	64,480	Craigavon
2008/09	Met-Seam Limited	63,157	Craigavon
2008/09	I.M. Creative Ni Limited	60,000	Craigavon
2008/09	Laganvale Enterprises Limited	55,500	Craigavon
2008/09	Jh Label Solutions Llp	48,096	Craigavon
2009/10	Green Energy Engineering Ltd	47,120	Craigavon
2007/08	Dooloop Limited	45,600	Craigavon
2007/08	K-Space (Ni) Ltd	41,726	Craigavon
2009/10	Hoy & Dorman Ltd	35,000	Craigavon
2007/08	Reduction Plastics Ltd	33,000	Craigavon
2008/09	Solonge Kane (Now Portmore International Equestrian Centre)	25,000	Craigavon
2009/10	T & A Limited	23,101	Craigavon
2009/10	Nautilus (Ni) Limited	9,640	Craigavon
2007/08	Stretch And Play Company Limited	5,000	Craigavon
2008/09	Maghery Rural Enterprise Centre	5,000	Craigavon

Note: Under Data Protection legislation Sole Traders and Partnerships have been removed from Table 2.

In addition, during the same period Invest NI also indirectly offered support to some 524 new business starts through the Enterprise Development Programme (formerly the Start a Business programme), delivered in conjunction with Enterprise Northern Ireland. Table 3 shows the number of businesses and the associated assistance offered to these projects.

TABLE 3: NEW BUSINESSES ASSISTED UNDER THE ENTERPRISE DEVELOPMENT PROGRAMME IN BANBRIDGE & CRAIGAVON DCAS (2007/08 – 2009/10)

	Banbridge DCA		Craigavon DCA	
Financial Year	Number of Offers	Assistance Offered (£)	Number of Offers	Assistance Offered (£)
2007/08	100	35,200	115	43,200
2008/09	64	19,600	113	21,200
2009/10	53	-	79	-
Total	217	54,800	307	64,400

Note: The new Enterprise Development Programme established in 2009 does not offer financial support to establish a business but provides training, advice and guidance.

Review of Public Administration

Mr P McGlone asked the Minister of Enterprise, Trade and Investment to detail the cost, to date, to her Department and its agencies of the Review of Public Administration.
(AQW 7118/10)

Minister of Enterprise, Trade and Investment: DETI and its Non-Departmental Public Bodies, Invest NI and NITB, have not incurred any external costs in relation to the Reform of Public Administration. Staff costs from April 2006 to date are estimated to be approximately £250,000.

Gaeltacht Quarter Conference in Belfast

Mr P Butler asked the Minister of Enterprise, Trade and Investment why there was no representative from her Department at the recent Gaeltacht Quarter conference in Belfast.
(AQW 7291/10)

Minister of Enterprise, Trade and Investment: Competing departmental pressures and workloads mean that it is not always possible for me, or my senior officials, to attend every event for which invitations are received.

Department of the Environment

Craigmore Landfill Site

Mr J Dallat asked Minister of the Environment to detail (i) the number and nature of complaints received about the Craigmore landfill site since it opened; (ii) the number of site inspections carried out in the last six months, and the findings of these inspections; (iii) the reasons for (a) the partial removal of a boundary fence; (b) the removal of substantial vegetation and the creation of a large crater; and (iv) why these works are considered outside of the remit of the Northern Ireland Environment Agency.

(AQW 6714/10)

Minister of the Environment (Mr E Poots):

- 1) NIEA has received 46 complaints since the site opened in October 2008. The nature of the complaints is as listed on Table 1 attached. Planning Service has received 5 complaints about the Craigmore Landfill operation. These complaints relate to breaches of planning conditions and allegations of unauthorised extraction.
- 2) NIEA has carried out 26 site inspections on the Craigmore landfill site, in the last six months. The findings of the site inspections are listed in Table 2 attached.

Planning Service has carried out 2 site inspections of the Craigmore Landfill site in the last 6 months. Their findings have resulted in the opening of one enforcement case and further investigation of the creation of a large crater.

- 3) (a) The boundary fence was partially removed because the operator excavated clay for use as capping material on a closed cell to mitigate odour.
(b) The removal of vegetation and the creation of a large crater were also the result of the operator excavating clay for use as capping material on the closed cell.
- 4) These works took place beyond the area controlled by the Northern Ireland Environment Agency under the landfill site's Pollution Prevention Control Permit. These incidents were referred to Planning Service to investigate potential breaches in planning law.

TABLE 1 - CRAIGMORE LANDFILL - COMPLAINTS MADE TO NIEA SINCE THE SITE OPENED (TO 17TH MAY 2010)

Date	Detail of Complaint
22/12/2008	Tear in netting system and out of hours activity
06/01/2009	Out of hours activity
28/01/2009	Letter alleging out of hours activity
28/01/2009	Letter from same complainant alleging litter and out of hours activity
17/02/2009	Type of waste accepted and litter on the roads
17/09/2009	Odour and out of hours activity
17/09/2009	Odour, flies, height of waste and litter on the roads
22/09/2009	Odour, holes in net and level of waste.
27/11/2009	Out of hours activity
08/12/2009	Odour
08/12/2009	Odour
16/12/2009	Odour
23/12/2009	Odour
04/01/2010	Odour
26/01/2010	Odour
26/01/2010	Odour
04/02/2010	Odour and helicopters landing at the site during the night
08/02/2010	Odour
10/02/2010	Odour
12/02/2010	Odour
15/02/2010	Odour
15/02/2010	Odour
15/02/2010	Odour
16/02/2010	Odour
16/02/2010	Odour

Date	Detail of Complaint
16/02/2010	Odour
16/02/2010	Odour
16/02/2010	Odour
22/02/2010	Odour
22/02/2010	Odour
22/02/2010	Odour
22/02/2010	Odour
23/02/2010	Odour
01/03/2010	Odour
04/03/2010	Odour
08/03/2010	Odour
09/03/2010	Odour, litter and out of hours activity
10/03/2010	Odour
15/03/2010	Odour
31/03/2010	Odour
06/04/2010	Odour and out of hours activity
16/04/2010	Lorries on the road after opening hours. Lorries speeding and wavering from side to side.
26/04/2010	Excavation of soil from area next to the site, outside the PPC boundary
28/04/2010	Odour
13/05/2010	Lorries speeding on Craigmere road and forcing road users off road.
13/05/2010	Lorry observed on Limavady to Ringsend road two weeks previously, containing possible animal bones at 8.20pm.

TABLE 2 - NIEA site inspections during the last 6 months (from 17th May 2010)

Date	Non-Compliances Noted
23/11/2009	Odour detected on site. Operator instructed to apply more daily cover needed in operational cell.
11/12/2009	Advisory visit in relation to variation application.
14/01/2009	Odour detected on site, operator instructed to cover and cap Phase 2 Cell 1 and install gas infrastructure as soon as possible.
26/01/2009	Slight odour detected on site, operator instructed to submit capping and gas proposals urgently. Follow up letter issued.
02/02/2010	Odour detected off-site and more daily cover needed on operational cell. Operator instructed to provide NIEA with gas management plan for cell 1 by Friday 05/02/2010. Follow up letter issued. Also minor non-compliance in relation to daily cover of waste in new cell.

Date	Non-Compliances Noted
10/02/2010	Odour detected off site. Installation of gas extraction infrastructure due to commence in the following week.
22/02/2010	Odour detected on site and more cover needed on operational cell. Gas infrastructure being installed in Phase 2 cell 1.
26/02/2010	No non-compliances. Phase 2 cell 1 capped and gas system in operation.
02/03/2010	Odour detected off site and operational cell height too high to allow for effective application of daily cover. Operator instructed to investigate the efficiency of the gas extraction system in Phase 2 cell 1 and to get the system balanced. Operator to contact the NIEA daily with updates of the work until completion. Operator instructed to reduce the height of the operational face in Phase 2 cell 2.
08/03/2010	Odour detected on site and condensate build up noted in the gas extraction pipework. Odour getting through the cap and more daily cover need on operational cell. Operator acted immediately to clear the condensate build-up. Operator's environmental consultants due on site 10/03/2010 to balance and monitor the gas system.
11/03/2010	Odour detected off site. Gas monitoring conducted by the NIEA at all monitoring points on site. Operator given one week to fully investigate the cause of the odour.
15/03/2010	Odour detected off site. Enforcement notice served requesting the submission of the methodology and results of the investigation into the source of the odour and a timescale for the completion of remedial works ensuring completion by the 22/03/2010. Additional capping material being applied at the time of inspection.
22/03/2010	Odour detected on site, only. Additional capping material being applied at the time of inspection, this is to continue until cell 1 has been capped with an additional min. 0.5m depth of clay. Additional gas extraction wells to be installed.
29/03/2010	No non-compliances, but a very slight odour detected on site in the area still to receive additional capping. 90% of capping completed.
12/04/2010	More cover required on working face. No odour detected
19/04/2010	Flare and gas system not operational due to site works, odour detected More cover needed on operational cell. Operator instructed to reinstate the gas system as soon as possible.
23/04/2010	Odour detected off site. Operator instructed to carry out a surface emissions survey with resultant remedial works urgently.
28/04/2010 morning	No non-compliances, very slight odour detected off site but not at a level to cause annoyance.
28/04/2010 afternoon	No non-compliances, very slight odour detected off site but not at a level to cause annoyance. Flare operating more effectively after maintenance of the filter. Surface emission survey due to be carried out 30/04/2010.
30/04/2010	No non-compliances, very slight odour detected off site but not at a level to cause annoyance. Enforcement notice served requesting a monitoring survey of gas surface emissions and appropriate remedial actions arising from survey. Report of survey and resultant actions to be supplied to NIEA by 04/05/2010. Surface emissions survey conducted daily until agreed by the chief inspector.

Date	Non-Compliances Noted
05/05/2010 morning	No non-compliances, enforcement notice has been complied with. One area of slight odour detected on site and the operator instructed to place additional capping material.
05/05/2010 afternoon	No non-compliances. Surface emissions survey being carried out and additional capping material being applied to the identified area.
07/05/2010	No non-compliances, only very slight odour detected on site. Surface emissions survey being carried at the time of inspection.
12/05/2010	No odour detected. More daily cover required on operational cell.
14/05/2010 morning	No odour detected. Security fence at the rear of the site is being replaced.
14/05/2010 afternoon	No odour detected. Security fence at the rear of the site is being replaced.

Note: PPC Permit condition in relation to odour states: "Emissions from the Activities shall be free from odour at levels likely to cause annoyance outside the Site, as perceived by the Chief Inspector"

Road Safety on the B66 Road

Mr B Leonard asked the Minister of the Environment (i) if his officials have discussed, with Roads Service and the PSNI, the issue of road safety on the B66 road, given the number of heavy lorries driving to and from the Craigmore Road landfill site; and (ii) how his officials plan to address the issue of road safety should other waste management sites become operational in this area.

(AQW 6776/10)

Minister of the Environment: As a matter of routine, the Planning Service consults DRD's Roads Service on all applications which have a traffic/road safety dimension. Roads Service, in turn, may contact the PSNI.

My officials will consult with Roads Service on aspects of road safety should an application for other waste management sites in the area be received.

My executive colleague, Minister Connor Murphy, has advised that, apart from normal consultations with Planning Service on applications for waste management site in the area, Roads Service has had no specific discussions with my Department or the PSNI in relation to waste management operations at Craigmore Road. No operational issues have been raised by either body, directly with Roads Service, in relation to Craigmore Road.

Minister Murphy has also advised that Roads Service is consulted by Planning Service on applications for waste management sites, with the principle issues of road safety and convenience of road users being paramount in Road's Service's consideration of such applications.

Landfill Sites

Mr J Dallat asked the Minister of the Environment what penalties his Department can impose for persistent breaches of conditions relating to landfill sites; and whether these penalties are being imposed.

(AQW 6797/10)

Minister of the Environment: The Northern Ireland Environment Agency (NIEA) can impose the following penalties for breaches of Pollution Prevention and Control Permits relating to landfill sites:

a) If it is the opinion of the NIEA that a landfill operator has contravened, is contravening or is likely to contravene any condition of his permit it may serve an enforcement notice on him. The notice shall

specify the area(s) of contravention, steps to be taken to remedy the contravention and specify the time period.

b) If it is the opinion of the NIEA that there is risk of serious pollution resulting from operation of a landfill it may serve a suspension notice on the operator. The notice shall state the risk involved, the steps to be taken and the time period. The notice may cease to authorise the entire operation or any specified activities.

It is an offence for a person to fail to comply with or to contravene a condition of a permit, or, to fail to comply with the requirements of an enforcement notice or a suspension notice.

A person guilty of these offences shall be liable-

- on summary conviction to a maximum fine of £30,000 or to imprisonment for a term not exceeding six months, or to both.
- on conviction on indictment, to a fine or to imprisonment for term not exceeding five years or to both.

The Department may also take proceedings in the High Court for the purpose of securing compliance with an enforcement notice or suspension notice.

The NIEA has served 13 enforcement notices and 4 suspension notices on landfill operators.

Planning Service has the following penalties in relation to breaches of planning conditions:

Article 76A of the Planning (Northern Ireland) Order 1991 (as amended) allows the Department to issue a Notice where planning permission has been granted subject to conditions, but one or more of the conditions has not been complied with, requiring the recipient of the notice to secure compliance with the conditions specified in the notice. It is a 'fast-track' enforcement option with no right of appeal and is an alternative to an Enforcement Notice.

Anyone in contravention of a Breach of Condition Notice is guilty of an offence. Those found guilty of the offence may be liable on summary conviction to a fine not exceeding level 3 on the standard scale. (£1,000) Where a recipient fails to comply with the Notice even after they have been prosecuted and fined, further prosecutions can be brought.

A Breach of Condition Notice may normally only be served within 10 years of the breach of planning control to which it relates having occurred.

Planning Service has issued Breach of Condition Notices and Enforcement Notices with subsequent summons action for non-compliance on a regular basis. These have related to breaches of planning control, including those relating to landfill sites.

Local Government Posts

Mrs D Kelly asked the Minister of the Environment when he plans to change the vacancy control measures currently in place for Local Government posts; and how this change will be managed in the best interests of the rate payer.

(AQW 6871/10)

Minister of the Environment: The current vacancy controls in district councils came into effect on 1 October 2009 following recommendation by the Local Government Reform Joint Forum. The Forum was set up to facilitate consultation and negotiation on a range of Human Resource issues associated with the local government reform programme.

I am aware that after initial smooth running there have been reports of some difficulty in operation of the vacancy controls. The Joint Forum is, with the assistance of the Local Government Staff Commission, assessing the extent of the apparent problem and will if necessary make recommendations. Any changes will be communicated and managed through the established systems.

Local Government Staff Commission

Mrs D Kelly asked the Minister of the Environment what guidance has been given to the Local Government Staff Commission in relation to the filling of senior posts in local councils.

(AQW 6937/10)

Minister of the Environment: The Local Government Staff Commission has a statutory role in which it exercises general oversight of matters connected with the appointment of district council staff and council Chief Executives in particular. A Recruitment and Selection Code applicable to all district council staff positions was issued by the Commission in February 2009 under its own statutory authority.

The Recruitment and Selection Code applies except where the vacancy controls referred to in my response to your related question (AQW 6871/10) are in operation; they came into effect on 1 October 2009. The Local Government Reform Joint Forum has been asked by the Strategic

Leadership Board to recommend how senior staff positions in Councils might be filled in the future.

Planning Service Staff

Mr P Weir asked the Minister of the Environment how many of the Planning Service Staff due to be redeployed are (i) administrative or support staff; and (ii) qualified planners, broken down by planning division.

(AQW 6953/10)

Minister of the Environment: The number of Planning Service staff due to be redeployed is shown in the table below -

Grade	B'mena	Belfast & HQ	C'avon	D'patrick	L'derry	Omagh	Total
PPTO	2	7	2	1	2	2	16
SPTO	2	12	5	1	2	3	25
HPTO	9	18	15	8	5	12	67
PTO	9	11	13	7	4	7	51
P&T Total	22	48	35	17	13	24	159
PS		1					1
Grade 7		0					0
DP	1	2	1	1	1	1	7
SO	1	3	1	1	1	1	8
EO1			1	2		1	4
EO2	2	5	2	2	2	2	15
AO	6	9	10	7	7	11	50
AA	4	3	8	5	3	4	27
Admin Total	14	23	23	18	14	20	112
Totals	36	71	58	35	27	44	271

Chief Executive Posts in Local Councils

Mrs D Kelly asked the Minister of the Environment to detail (i) the number of Chief Executive posts in local councils filled in each of the last three years, including the names of the councils; (ii) the type of recruitment process followed to fill each vacancy; (iii) the costs incurred, including salaries and expenses; and (iv) whether the methods used to fill the vacancies met with his Department's vacancy control policy.

(AQW 6976/10)

Minister of the Environment: The Local Government Staff Commission has a statutory role in which it exercises general oversight of matters connected with the appointment of district council staff and council Chief Executives in particular. The table below summarises the information requested in points (i) and (ii) of the question.

Summary: Council Chief Executives appointed 2007 to date			
Date	No	Council Area	Method
April 2007	1	Banbridge DC	Public advertisement
Total 2007	1		
February 2008	1	Armagh C&DC	Public advertisement
June 2008	1	Coleraine BC	Public advertisement
July 2008	1	Derry CC	Public advertisement
October 2008	1	Ballymena BC	Public advertisement
Total 2008	4		
Total 2009	0		
February 2010	1	Fermanagh DC	Internal trawl under vacancy controls
March 2010	1	Down DC	Internal trawl under vacancy controls
March 2010	1	Newtownabbey BC	Internal trawl under vacancy controls
Total 2010	3		

- (iii) The Local Government Staff Commission does not charge councils directly for matters connected with the appointment of Chief Executives or other staff.
- (iv) The vacancy control procedure has only been in place from 1 October 2009. The method used to fill Chief Executive posts since then is consistent with that procedure and the related appointments are therefore temporary.

The Chief Executive position in Craigavon Council is not listed in the table as it is currently being covered through interim arrangements made necessary by exceptional circumstances. This is consistent with the Recruitment and Selection Code issued in February 2009 by the Local Government Staff Commission under its statutory authority.

Driving Licence Theory Test

Mr I McCrea asked the Minister of the Environment how the needs of people with reading and writing difficulties are provided for in the driving licence theory test.

(AQW 7046/10)

Minister of the Environment: Three different accommodations are available to theory test candidates with reading and writing difficulties to assist them with taking their theory tests. These are the provision of:

- a reader who will sit with the candidate and read the questions and possible answers;
- 30 minutes of additional time or double time, depending upon the candidate's needs, for the multiple-choice questions part of the test;
- an English-language audio voiceover, which is listened to through headphones and activated by the candidate touching the text on the screen.

The first two require the candidate to provide written evidence from a doctor or educationalist. No additional evidence is required from those who wish to use the voiceover facility.

All candidates are asked, when they are booking their tests, if they require any of the available accommodations.

Drink-driving Limit

Mr A Easton asked the Minister of the Environment for an update on the proposal to reduce the drink-driving limit to 20 micrograms.

(AQW 7066/10)

Minister of the Environment: In April 2009 my Department issued a consultation paper on a range of measures to tackle drink driving in Northern Ireland. The paper included not only options to reduce the drink driving limit but also considered penalties, police powers to carry out random breath tests, changes to the High Risk Offenders Scheme and possible removal of the option to have a blood or urine test replace the breath test.

Specifically in relation to limits, the paper included four main options: (1) retain the current limit of 80mg/100ml (2) introduce a 50mg/100ml limit for all drivers (3) introduce a 20mg/100ml limit for all drivers or (4) introduce a limit of 50mg/100ml for most drivers and a lower limit of 20mg/100ml for all inexperienced and professional drivers only.

Overall, the consultation indicated strong support for lowering the legal alcohol limit for all drivers. In response, I have already confirmed that I am prepared to reduce the limit to 50mg for most drivers and 20mg for novice and professional drivers. This recognises the degree of driver impairment at a BAC limit of 50mg while also recognising the additional risk and responsibility associated with young, novice and professional drivers by establishing a more stringent limit of 20mg. The approach is in line with recommendations from the EU and with current limits in most European countries.

Following his appointment by the Secretary of State for Transport in December 2009, Sir Peter North is due to report within weeks on his independent review of drink and drug driving legislation in GB, including an assessment of whether the current drink drive should be lowered. This has obvious relevance to the ongoing work in Northern Ireland and it will be important to consider the outcome of the review and how this might impact on the way forward here.

As I move towards taking decisions on Northern Ireland's future drink drive policy my aim is to look at the issue in its totality. This includes not only the limits, but also ways in which we further deter people from drinking and driving, powers of enforcement, a new penalty regime possibly with graduated penalties and the type-approval of new breath testing equipment capable of roadside testing and supporting lower legal BAC limits.

I appreciate that the introduction of such a comprehensive package of measures will take time and include the introduction of primary legislation. However, I believe these are the necessary measures required to address such a significant road safety issue.

High Hedges Bill

Mr W Irwin asked the Minister of the Environment for an update on the progress of the High Hedges Bill. (AQW 7200/10)

Minister of the Environment: The High Hedges Bill was introduced in the Assembly on 26 April 2010. Second Stage was completed on 10 May, and the Bill is now at Committee Stage.

The aim is to have legislation enacted by March 2011 or earlier if possible.

Department of Finance and Personnel

Vacancies in the Civil Service

Mr P McGlone asked the Minister of Finance and Personnel how many vacancies exist, at the appropriate grades, within the Civil Service to accommodate the proposed redeployment of Planning Service staff.

(AQW 6668/10)

Minister of Finance and Personnel (Mr S Wilson): The numbers of vacancies in the appropriate grades to redeploy surplus staff in the Planning Service are set out in the attached table. No specific vacant posts have been set aside to be filled by Planning Service staff as all vacancies are used to redeploy surplus staff across the NICS Departments and Agencies.

NUMBER OF VACANCIES IN THE APPROPRIATE GRADES TO REDEPLOY SURPLUS PLANNING STAFF AT 12 MAY 2010

Administrative Assistant	23
Administrative Officer	58.4
Executive Officer II	46
Executive Officer I	49.1
Staff Officer	30.6
Deputy Principal	25
Grade 7	14
Professional and Technical Officer	2
Total	246.1

Figures are expressed as Full-time Equivalents (FTE)

Note: Overall number of vacancies may vary as departments finalise their budgetary plans

Reduction in Public Spending

Mr M Storey asked the Minister of Finance and Personnel, in light of the commitment by the new Westminster Government to cut spending, what assessment he has made of the likely reduction in public spending here; and how this will impact proportionally on each Department in this financial year. (AQW 6785/10)

Minister of Finance and Personnel: On 24 May 2010 the Chancellor of the Exchequer announced detailed plans to reduce the level of UK public spending by £6 billion in the 2010-11 financial year.

The NI Executive's share of this reduction is £127.9 million as determined through the Barnett formula.

Although the Devolved Administrations have been provided with the option of deferring their contribution until next year, this needs to be considered in the context of the expected financial position for 2011-12.

I will urgently engage with my Executive colleagues on the most appropriate way forward once HM Treasury have provided clarification on some important technical issues in respect of the breakdown of the reduction in funding between current expenditure and capital investment.

Procurement of Goods, Services and Capital Works

Mr S Hamilton asked the Minister of Finance and Personnel to detail the thresholds above which Departments and other public bodies must enter into a tender process for the procurement of (i) goods; (ii) services; and (iii) capital works.

(AQW 6874/10)

Minister of Finance and Personnel: Public procurement policy and best practice stipulates that a tender process is required for the acquisition of goods, services and capital works with a value of £1,500 or over.

Those tenders valued at between £1,500 and £30,000 require 4 or 5 selected tenders while those above £30,000 require public advertisement.

Pleural Plaques

Ms D Purvis asked the Minister of Finance and Personnel when he plans to introduce legislation to allow people with Pleural Plaques to pursue compensation.

(AQW 7002/10)

Minister of Finance and Personnel: There are several steps which must be taken prior to the introduction of the proposed legislation, with a view to ensuring that it achieves the intended policy outcome. In addition to a public consultation on the substance of the Bill, the statutory committee and the Executive must also have an opportunity to comment on the detailed provisions and agree the Bill's introduction. At this point it is not possible to say when each of the above stages will be completed. However, I hope to be in a position to introduce the Bill by the autumn.

Cuts in the Block Grant

Mr P Weir asked the Minister of Finance and Personnel to outline the proposals he made to the new Prime Minister regarding cuts in the block grant.

(AQW 7014/10)

Minister of Finance and Personnel: The First Minister and deputy First Minister discussed the proposed reduction in the Northern Ireland Executive Departmental Expenditure Limit (DEL) when they met with the Prime Minister on 20 May 2010.

In addition, I have written to the Chief Secretary to the Treasury requesting early access to the NI Executive's stock of End Year Flexibility (EYF) funding in order to offset the impact of the reduction in the NI Executive DEL.

Government Department Contact Section in the Phone Book

Ms M Anderson asked the Minister of Finance and Personnel whether the Executive has ended the practice of procuring a separate Government Department contact section in the phone book, as originally established by DFP in 2006.

(AQW 7169/10)

Minister of Finance and Personnel: My Department is committed to publishing a stand alone Government Department contact section in the telephone directory. In 2009, a stand alone entry was published in the Yellow Pages telephone directory. A procurement competition will be initiated in July to determine where the 2010 version of the stand alone Government Department contact section is published.

Department of Health, Social Services and Public Safety

Unallocated Cases with Family Intervention Teams

Mr C McDevitt asked the Minister of Health, Social Services and Public Safety how many unallocated cases currently lie with family intervention teams in each Health and Social Care Trust.

(AQW 5524/10)

Minister of Health, Social Services and Public Safety (Mr M McGimpsey): HSC Trusts monitor unallocated cases across the whole of the Gateway and Family Intervention services. The Trusts report that there were 705 unallocated cases as at 31 January 2010 which can be broken down by Trust as follows:

Belfast	Northern	South Eastern	Southern	Western
103	179	253	77	93

The Department continues to monitor unallocated cases on a monthly basis. The number of unallocated cases has reduced by nearly half from 1398 as at 26 June 2009 to 705 as at 31 January 2010 – a reduction of 693.

Whilst I welcome this reduction I am not complacent and will continue to strive to strengthen children's social service provision and safeguard our most vulnerable children.

Outreach Respite Service in Omagh for Children with Autism and Learning Disabilities

Dr S Farry asked the Minister of Health, Social Services and Public Safety (i) why the outreach respite service in Omagh for children with autism and learning disabilities was withdrawn without prior warning on 1 April 2010; and (ii) what alternative arrangement will be put in place to ensure that the carers of these children have access to respite services.

(AQW 6200/10)

Minister of Health, Social Services and Public Safety: The provision of services to meet local priorities is the responsibility of Health and Social Care Trusts, in the first instance.

- (i) In relation to the withdrawal of the outreach respite service, the Western Trust regrets the short notice afforded to families and the inconvenience this may have caused but advises that confirmation of its funding position for 2010/11 was not available until the end of March.
- (ii) The Health and Social Care Board and the Trust are working closely together to ensure that as much respite as possible is provided, including the provision of limited respite at Beltany House, pending the opening of the new facility.

Stroke Unit at Altnagelvin Hospital

Mr M Durkan asked the Minister of Health, Social Services and Public Safety (i) the reasons for the delay in the new Stroke Unit at Altnagelvin Hospital becoming fully operational; (ii) the current purpose and usage of the unit; and (iii) when the planned stroke services will be introduced.

(AQW 6332/10)

Minister of Health, Social Services and Public Safety: Construction of the new South Wing accommodation at Altnagelvin Hospital commenced in early 2009 and was completed in mid-February 2010. The facility was officially 'handed over' to the Trust on 19 February and is currently undergoing commissioning before being opened for patient use.

The Health and Social Care Board and the Western Trust are working to finalise the revenue funding required to support the new unit, with a view to ensuring this new accommodation becomes operational as soon as possible.

Public Health Authority

Mr M Durkan asked the Minister of Health, Social Services and Public Safety to detail the number of posts in the Public Health Authority, broken down by (i) grade; and (ii) location.

(AQW 6389/10)

Minister of Health, Social Services and Public Safety: The requested information is provided in the tables below.

POSTS WITHIN THE PUBLIC HEALTH AGENCY

GRADE	HC	WTE	LOCATION
Band 2	1	0.6	East
Band 3	2	2	East
	2	1.12	West
Band 4	20	19	East
	4	4	North
	6	5.33	South
	1	0.78	West
Band 5	14	13.68	East
Band 6	25	22	East
	4	4	North
	5	4.73	South
	2	1.53	West
Band 7	17	15.77	East
	8	6.84	North
	3	2.69	South
	4	4	West
Band 8a	6	5.4	East
	4	3.95	North
	2	2	West
Band 8b	7	6.81	East
	1	1	North
	2	2	West

GRADE	HC	WTE	LOCATION
Band 8c	1	1	East
	2	1.2	South
	1	1	West
Band 8d	3	2.8	East
	1	1	West
Chief Executive	1	1	East
Consultant	11	10.1	East
	4	3.8	North
	4	3.9	South
	2	1.6	West
Medical Technical Officer	1	0.8	East
Nurse Band 6	1	0.4	East
Nurse Band 7	2	2	East
	1	0.8	North
	5	1.5	West
Nurse Band 8b	1	1	North
Personal Secretary Band 3	5	5	North
	5	4.75	West
Director	3	3	East
Specialist Registrar	6	4.1	East
	1	1	North
	2	1.6	South
	1	0.8	West

Source: Public Health Agency.

Pre-paid Telephone and Television Service to Hospital Patients

Mr J Spratt asked the Minister of Health, Social Services and Public Safety to detail for each of the last five years (i) the number of (a) phone cards; and (b) television cards sold to hospital patients; and (ii) the cost of providing (a) a pre-paid telephone service; and (b) a pre-paid television service to patients in the Belfast Health and Social Care Trust area.

(AQW 6723/10)

Minister of Health, Social Services and Public Safety: The Belfast Health and Social Care Trust has reported that information in relation to part (i) of this question is not available to them as this is a service operated by a third party provider and that, in relation to part (ii) of the question this is provided at no cost to the Trust.

Waiting Times for MRI Scans

Mr M Durkan asked the Minister of Health, Social Services and Public Safety to detail the waiting times for an MRI scan in each Health and Social Care Trust area, in each of the last three years.

(AQW 6724/10)

Minister of Health, Social Services and Public Safety: The information is not available in the format requested.

Waiting Times at the Regional Fertility Centre, Belfast

Mr M Durkan asked the Minister of Health, Social Services and Public Safety to detail the current treatment waiting times at the Regional Fertility Centre, Belfast, including waiting times for a review appointment.

(AQW 6725/10)

Minister of Health, Social Services and Public Safety: In line with my public commitment the current waiting time for publicly funded treatment is 12 months from the date of being placed on the waiting list. A letter of offer is sent to patients at 10 months with treatment usually commencing in the 12th month.

Waiting time from 1st consultation to review appointment varies dependant on which consultant the patient has been referred to, but ranges from 6 - 12 months.

Adoption Legislation

Mr T Clarke asked the Minister of Health, Social Services and Public Safety for an update on his Department's new adoption legislation.

(AQW 6727/10)

Minister of Health, Social Services and Public Safety: I issued a draft paper to the Executive seeking agreement to the development of an Adoption and Children Bill on 17th June 2009; this paper was agreed by the Executive on 13th May 2010. The draft Bill is a complex and substantial piece of legislation containing in excess of a hundred clauses. As a result of the delay in securing Executive approval to develop the Bill, noting the size of the Bill and the lifetime of this Assembly I must now consider how best to progress with adoption law reform.

Regional Guidance on Police involvement in Residential Care Units and Children missing from Home and Foster Care

Miss M McIlveen asked the Minister of Health, Social Services and Public Safety for an update on the current status of the 'Regional Guidance on Police involvement in Residential Care Units and Children missing from Home and Foster Care'

(AQW 6732/10)

Minister of Health, Social Services and Public Safety: The current guidance continues to be implemented.

A review of the guidance is ongoing and is taking account of changes in police operational procedures.

The revised draft guidance is expected in the autumn and once finalized the intention is that Trust/ PSNI personnel will run an updated awareness raising and joint training programme.

Antrim Area Hospital

Mr P McGlone asked the Minister of Health, Social Services and Public Safety what assessment has been made of the potential increased pressure on the Antrim Area Hospital, in light of the recent announcement of the reduction in services at the Mid-Ulster Hospital, Magherafelt and Whiteabbey Hospital.

(AQW 6738/10)

Minister of Health, Social Services and Public Safety: The Northern Trust has conducted an analysis of attendances at the Accident and Emergency departments at Whiteabbey and the Mid Ulster hospitals which shows that 70% of those attending could have their needs met by a minor injuries service on these sites. The Trust will open minor injuries services on both sites from 24th May. In addition, the Trust is creating increased physical space within the A&E department at Antrim Area Hospital and providing a total of 20 additional beds to accommodate the anticipated increase in workload there. These additional facilities will be in place by 24th May and the hospital's A&E department will also be strengthened by a larger medical and nursing team.

The Trust will also continue to provide medical cover at the minor injuries units in Whiteabbey and Mid-Ulster for 2 months following the change in service to ensure the transition from one model of service to another is safe.

The changes to services at these hospitals has been signalled since the publication of Developing Better Services in 2002 and confirmed in a number of subsequent announcements. I regret the short period of consultation available with those directly affected. I understand that the Trust has been working closely with the unions and the Royal College of Nursing to support individual members of staff find their preferred choice of posting. I will ensure however that Trusts put in place arrangements to inform unions at the earliest possible stage of any urgent change required to health and social care services in the future.

Antrim Area Hospital

Mr P McGlone asked the Minister of Health, Social Services and Public Safety how many beds in the Antrim Area Hospital are positioned in bay windows or free space with no direct access to oxygen or fixed screens.

(AQW 6739/10)

Minister of Health, Social Services and Public Safety: The Northern Trust has advised that there are no beds in Antrim Area Hospital positioned in bay windows or free space with no direct access to oxygen or fixed screens.

Antrim Area Hospital

Mr P McGlone asked the Minister of Health, Social Services and Public Safety to detail the number of trolley waits in the Antrim Area Hospital in each of the last 12 months.

(AQW 6741/10)

Minister of Health, Social Services and Public Safety: Data is published monthly and is available from: http://www.dhsspsni.gov.uk/index/stats_research/stats-activity_stats-2/emergency_care.htm.

Rapid Response Vehicle Call-outs

Lord Morrow asked the Minister of Health, Social Services and Public Safety how many rapid response vehicle call-outs have (i) arrived within the required timescale; and (ii) failed to arrive within the required timescale, since their introduction in the Fermanagh and South Tyrone constituency.

(AQW 6782/10)

Minister of Health, Social Services and Public Safety: I propose to answer AQWs 6782/2010 and 6833/2010 together.

The Northern Ireland Ambulance Service (NIAS) does not record performance statistics for parliamentary constituencies.

Swine Flu

Mr J Craig asked the Minister of Health, Social Services and Public Safety to detail the number of confirmed cases of Swine Flu in each month of 2010 to date.

(AQW 6786/10)

Minister of Health, Social Services and Public Safety: The number of laboratory confirmed cases in each month this year is detailed below. No positive cases have been detected since 25th February.

Month	January 2010	February 2010	March 2010	April 2010	May 2010
Number of new confirmed cases of swine flu	10	10	0	0	0

Meeting with the Family of Janine Murtagh

Ms S Ramsey asked the Minister of Health, Social Services and Public Safety why he cancelled a planned meeting with the family of Janine Murtagh.

(AQW 6789/10)

Minister of Health, Social Services and Public Safety: I was due to meet Murtagh family members on 15 December 2009 but unfortunately I was sick that day.

Debates in the Assembly

Ms S Ramsey asked the Minister of Health, Social Services and Public Safety why he has been unable to attend a number of debates in the Assembly on health related issues.

(AQW 6790/10)

Minister of Health, Social Services and Public Safety: Since I took up my responsibilities as Minister in May 2007 I have responded to 65 health and social care debates.

During this time I have been unable to attend 4 debates, for which I have lead responsibility, due to other Ministerial business. I was also unable to attend 1 other debate for which I had been named to respond, but for which I did not have lead responsibility.

My unavailability on all occasions was notified to the Business Committee well in advance of each debate.

Fragility Fracture Working Group

Ms S Ramsey asked the Minister of Health, Social Services and Public Safety what steps he is taking to implement the nine recommendations of the Fragility Fracture Working Group.

(AQW 6791/10)

Minister of Health, Social Services and Public Safety: I would very much want to see this work taken forward quickly.

It is my expectation that notwithstanding the current financial position, much progress could be achieved within existing resources. To this end, Departmental officials have asked the Health and Social Care Board to explore what can be achieved and to develop proposals for implementing the reports recommendations.

National Institute for Health and Clinical Excellence Appraisals 160 and 161

Ms S Ramsey asked the Minister of Health, Social Services and Public Safety if he will develop an implementation schedule for the National Institute for Health and Clinical Excellence appraisals 160 and 161 in relation to the prevention of osteoporosis fractures which includes (i) regional prescribing

guidelines; and (ii) medicines management support to promote patient adherence to prescribed medicines.

(AQW 6792/10)

Minister of Health, Social Services and Public Safety: In relation to appraisals 160 and 161, a focus on NICE guidance on osteoporosis has been agreed with the Health and Social Care Board as a priority for 2010/11 and work is ongoing to develop guidance on prescribing for osteoporosis. Work is also in progress to introduce a Medicines Management Service that, combined with patient education, will support people to continue taking prescribed medicines over a long period.

Minor Injuries Clinic in the South Tyrone Hospital

Mr F Molloy asked the Minister of Health, Social Services and Public Safety (i) how many patients attended the Minor Injuries Clinic in the South Tyrone Hospital in (a) 2008; (b) 2009; and (c) 2010 to date; and (ii) of these how many patients were referred to Craigavon Hospital to be treated.

(AQW 6814/10)

Minister of Health, Social Services and Public Safety:

- (i) The number of patients that attended the Minor Injuries Clinic in the South Tyrone Hospital in (a) 2008; (b) 2009; and (c) 2010 to date, are given in the below table:

Calendar Year	Total Attendances
2010 (up to and including March 2010)	4,029
2009	16,929
2008	16,312

Source: KH09 Part 2 Departmental Return

- (ii) Information on the number of patients attending the Minor Injuries Clinic in the South Tyrone Hospital who were referred to Craigavon Hospital for treatment is not collected centrally.

Metaformin

Mr J Shannon asked the Minister of Health, Social Services and Public Safety whether the PSNI has made his Department aware of the misuse of the drug, Metaformin; and what action his Department is taking to address this issue.

(AQW 6828/10)

Minister of Health, Social Services and Public Safety: Metformin is an oral anti-diabetic drug in the biguanide class, and it can be used for the treatment of type 2 diabetes, particularly in overweight and obese people and those with normal kidney function. Metformin is a Prescription Only Medicine controlled under the Medicines Act 1968. As such, it is illegal to supply other than against a prescription and there is no offence for possession.

Metformin itself is not hallucinogenic. However, if taken at very high levels it can potentially cause a Vitamin B12 deficiency and/or low blood sugar when used by those who are not diabetic. In some cases, having low blood sugar or a B12 deficiency can cause hallucinations. It is therefore thought to be unlikely that Metformin would be used widely as a recreational drug – but there have been some cases where it has been misused by people who want to lose weight, including people with eating disorders such as anorexia.

The PSNI have informed me that they are not aware of any reported incidents of the misuse of Metformin. If evidence appears of the drug being misused recreationally on a wide scale, I will raise with officials within the Department and across the rest of the UK, as appropriate.

Rapid Response Vehicle Call-outs

Lord Morrow asked the Minister of Health, Social Services and Public Safety how many rapid response vehicle call-outs (i) required an ambulance; and (ii) resulted in the cancellation of an ambulance, since their introduction in the Fermanagh and South Tyrone constituency.

(AQW 6833/10)

Minister of Health, Social Services and Public Safety: I propose to answer AQWs 6782/2010 and 6833/2010 together.

The Northern Ireland Ambulance Service (NIAS) does not record performance statistics for parliamentary constituencies.

Antrim Area Hospital

Mr P McGlone asked the Minister of Health, Social Services and Public Safety to detail the alleged problems which occurred in the Accident and Emergency unit at the Antrim Area Hospital on Sunday 16 May 2010.

(AQW 6847/10)

Minister of Health, Social Services and Public Safety: I am advised by the Northern Trust that activity at Antrim Area Hospital was higher than normal over the weekend of 15 and 16 May. There will always be occasions at both Antrim Area and Causeway hospitals where activity can be higher than normal and this can cause some delays. However, the Trust has assured me that the necessary measures to safely implement the recent acute service changes are in place and that Antrim Area Hospital is able to respond to the additional workload.

Antrim Area Hospital

Mr P McGlone asked the Minister of Health, Social Services and Public Safety to detail the exact location of the 20 extra beds within the Antrim Area Hospital.

(AQW 6848/10)

Minister of Health, Social Services and Public Safety: As part of the implementation of service changes on Monday 24 May the Trust is creating increased physical space within the A&E department at Antrim Area Hospital and providing a total of 21 additional beds to accommodate the anticipated increase in workload.

These additional beds will be located as follows:

- 10 beds in the Clinical Decision Unit – integral part of A&E
- 4 previously uncommissioned beds will open in medical ward A1
- 7 previously decommissioned beds in general medical ward C3 will be opened and managed as part of general medical ward C4

Emergency Ambulance Call-outs

Mr P McGlone asked the Minister of Health, Social Services and Public Safety to detail the percentage of emergency ambulance call-outs which met the emergency response time in (i) the Northern Health and Social Care Trust area; and (ii) the catchment area of the Mid-Ulster Hospital in (a) 2007/08; and (b) 2009/09; and (c) 2009/10.

(AQW 6849/10)

Minister of Health, Social Services and Public Safety: NIAS does not record performance statistics by Trust area or local hospital catchment.

Staff in the Health and Social Care Board

Mr D McKay asked the Minister of Health, Social Services and Public Safety to detail (i) the number of staff employed in the former Northern Health and Social Services Board prior to the establishment of the Health and Social Care Board; (ii) the number of staff currently employed by the Health and Social Care Board in the former Northern Health and Social Services Board area; and (iii) the staffing complement for the Health and Social Care Board in the former Northern Health and Social Services Board under current proposals, broken down by (a) grade; and (b) location.

(AQW 6858/10)

Minister of Health, Social Services and Public Safety: The table below sets out the information requested for parts (i) & (ii).

	Northern HSSB		HSC Board (in the Northern area)	
	Headcount	WTE	Headcount	WTE
31/03/09	208	141		
31/03/10			88	70

Notes: WTE = Whole-time Equivalent. It should be noted that staff in the former NHSSB on 31 March 2009 transferred to either the Health & Social Care Board, Public Health Agency or Business Services Organisation. The headcount and WTE at 31 March 2010 reflect those who transferred to HSC Board only.

- (iii) The new HSC organisations, including the HSC Board, have all commenced early work to examine in particular, the realignment and location of legacy HSS Board functions. This work is still under consideration and it would therefore be inappropriate to comment on the staffing complement for the Health and Social Care Board in the northern area until such times as this process is complete. I remain committed however to ensuring, that a strong local presence continues to be a feature of our health and social care system.

Eating Disorders

Mrs M O'Neill asked the Minister of Health, Social Services and Public Safety for each of the last three years (i) how many people have been diagnosed with an eating disorder; (ii) for an outline of the services and treatments available for people with eating disorders; and (iii) how many people have been referred out of Northern Ireland for treatment for an eating disorder, including (a) the reason for the referral; and (b) the average cost of this treatment.

(AQW 6860/10)

Minister of Health, Social Services and Public Safety: The table below outlines the number of people diagnosed with an Eating Disorder and Number of Extra Contractual Referrals (ECRs).

	2007/08	2008/09	2009/10
Number of people diagnosed with an Eating Disorder	261	269	317
Number of Extra Contractual Referrals (ECRs)	17	33	28

The average cost of an ECR is in the region of £82k:

Treatment available for people suffering from an eating disorder in Northern Ireland include physical health monitoring; motivational work; structured psychological therapies e.g., CBT, CBTe, Interpersonal Therapy and systemic approaches; Dietetic Support; Outreach Clinics; Review Clinics and Carer Support.

Referrals outside Northern Ireland are due to the complexity of the eating disorder, which in some cases is accompanied with a severe mental health issue. Details on individual referrals cannot be disclosed due to patient confidentiality.

Hospital Toilets

Ms S Ramsey asked the Minister of Health, Social Services and Public Safety, in relation to the toilets in the Accident and Emergency unit of (i) the Royal Victoria Hospital; (ii) The Royal Hospital for Sick Children; (iii) the Mater; and (iv) the City Hospital, how many times each day (a) the toilets are cleaned and inspected; (b) the toilets are inspected by senior staff; (c) the toilet bins are emptied; and (c) how many cleaning staff are on duty after 17.00 each day.

(AQW 6863/10)

Minister of Health, Social Services and Public Safety: This information is summarised in the table below.

	Royal Victoria	RBHSC	Mater	City
Daily frequency of toilet cleaning and inspection	6 full cleans plus 5 check cleans*. 3 supervisor inspections	3 full cleans plus 4 check cleans. 3 supervisor inspections	3 full cleans plus 3 check cleans.	6 full cleans plus 6 check cleans. 3 supervisor inspections
Daily frequency of inspection of toilets by managers or senior staff	At least 2	At least 2	At least 2	Varies
Daily frequency of emptying of toilet bins	6 plus as required	3 plus as required	3 plus as required	6 plus as required
Number of cleaning staff on duty after 17.00 each day	4 until 9 p.m. 1 nightshift	1 until 9 p.m. 1 nightshift	1 until 10 p.m.	2 until 9 p.m. 2 nightshift (not just A&E)

* A check clean is an inspection when cleaning will be undertaken if required.

Whiteabbey Hospital

Mr D Hilditch asked the Minister of Health, Social Services and Public Safety why public representatives were not informed, before Thursday 13 May 2010, that Whiteabbey Accident and Emergency unit would be moved to the Antrim Area Hospital.

(AQW 6864/10)

Minister of Health, Social Services and Public Safety: The changes to services at these hospitals has been signalled since the publication of Developing Better Services in 2002 and confirmed in a number of subsequent announcements. I regret the short period of consultation available with those directly affected and local public representatives. Patient safety must however be the utmost priority in the delivery of health and social care services, and in that respect, the advice given by senior clinicians with responsibility for unscheduled care in the Northern Trust was that the need for change was pressing.

I will however ensure that Trusts inform public representatives and other stakeholders at the earliest possible stage of any urgent change required to health and social care services in the future.

Whiteabbey Hospital

Mr D Hilditch asked the Minister of Health, Social Services and Public Safety why there are no security personnel at the Whiteabbey Hospital.

(AQW 6866/10)

Minister of Health, Social Services and Public Safety: The Northern Trust has advised that there are no security staff employed at Whiteabbey hospital. Any security issues during the daytime are addressed by the Support Services Department who ensure that the PSNI are contacted. From 8pm until 8am, security duties are performed by a night porter who is paid the appropriate rate for this responsibility.

Antrim Area Hospital

Mr T Burns asked the Minister of Health, Social Services and Public Safety what new resources will be allocated to accident and emergency services in the Antrim Area Hospital when services are transferred from the Whiteabbey and Mid-Ulster hospitals.

(AQW 6868/10)

Minister of Health, Social Services and Public Safety: I refer the member to the answer provided for AQW 6775 2010

Child Protection Register

Miss M McIlveen asked the Minister of Health, Social Services and Public Safety how many children from migrant families and minority ethnic groups are currently on the child protection register, broken down by Health and Social Care Trust area.

(AQW 6881/10)

Minister of Health, Social Services and Public Safety: Figures for children on the Child Protection Register at 31 March 2009, by Category of Abuse for Health and Social Care Trusts in Northern Ireland are published in the statistical bulletin, 'Children Order Statistical Tables for Northern Ireland 2008/09'. This bulletin is available on the DHSSPS website at:

http://www.dhsspsni.gov.uk/index/stats_research/stats-cib-3/statistics_and_research-cib-pub/children_statistics/stats-cib-children_order.htm

The remaining information is not available centrally or is not available in the format requested.

Child Protection Register

Miss M McIlveen asked the Minister of Health, Social Services and Public Safety how many children currently on the child protection register have a parent with a learning disability.

(AQW 6882/10)

Minister of Health, Social Services and Public Safety: Figures for children on the Child Protection Register at 31 March 2009, by Category of Abuse for Health and Social Care Trusts in Northern Ireland are published in the statistical bulletin, 'Children Order Statistical Tables for Northern Ireland 2008/09'. This bulletin is available on the DHSSPS website at:

http://www.dhsspsni.gov.uk/index/stats_research/stats-cib-3/statistics_and_research-cib-pub/children_statistics/stats-cib-children_order.htm

The remaining information is not available centrally or is not available in the format requested.

Child Protection Register

Miss M McIlveen asked the Minister of Health, Social Services and Public Safety how many children with disabilities are currently (i) on the child protection register; and (ii) looked after, broken down by type of disability.

(AQW 6883/10)

Minister of Health, Social Services and Public Safety: Figures for children on the Child Protection Register at 31 March 2009, by Category of Abuse for Health and Social Care Trusts in Northern Ireland are published in the statistical bulletin, 'Children Order Statistical Tables for Northern Ireland 2008/09'. This bulletin is available on the DHSSPS website at:

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The remaining information is not available centrally or is not available in the format requested.

Child Protection Register

Miss M McIlveen asked the Minister of Health, Social Services and Public Safety how many children are currently on the child protection register, broken down by (i) category; and (ii) Health and Social Care Trust area.

(AQW 6884/10)

Minister of Health, Social Services and Public Safety: Figures for children on the Child Protection Register at 31 March 2009, by Category of Abuse for Health and Social Care Trusts in Northern Ireland are published in the statistical bulletin, 'Children Order Statistical Tables for Northern Ireland 2008/09'. This bulletin is available on the DHSSPS website at:

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The remaining information is not available centrally or is not available in the format requested.

Antrim Area Hospital

Mr P McGlone asked the Minister of Health, Social Services and Public Safety how many breakfasts were served to patients in the Accident and Emergency unit in the Antrim Area Hospital on the morning of 18 May 2010.

(AQW 6909/10)

Minister of Health, Social Services and Public Safety: The Northern Trust has advised that 35 breakfasts were delivered to the Accident and Emergency Department at Antrim Area Hospital on the morning of 18 May 2010.

Child Protection Register

Miss M McIlveen asked the Minister of Health, Social Services and Public Safety how many children currently on the child protection register are in the categories of (i) sexual abuse; (ii) physical neglect; or (iii) other, broken down by Health and Social Care Trust.

(AQW 6910/10)

Minister of Health, Social Services and Public Safety: Figures for children on the Child Protection Register at 31 March 2009, by Category of Abuse for Health and Social Care Trusts in Northern Ireland are published in the statistical bulletin, 'Children Order Statistical Tables for Northern Ireland 2008/09'. This bulletin is available on the DHSSPS website at:

http://www.dhsspsni.gov.uk/index/stats_research/stats-cib-3/statistics_and_research-cib-pub/children_statistics/stats-cib-children_order.htm

The remaining information is not available centrally or is not available in the format requested.

Hospital Beds

Mr P McGlone asked the Minister of Health, Social Services and Public Safety (i) how many hospital beds were in (a) the Northern Health and Social Care Trust area; and (b) the Antrim Area Hospital on 18 May 2010; and (ii) how many beds are planned to be in each on 25 May 2010.

(AQW 6912/10)

Minister of Health, Social Services and Public Safety: Information on the number of beds available in the Antrim Area Hospital and the Northern Health and Social Trust area is shown in the table below;

	Number of available beds on 18th May 2010	Planned number of available beds on 25th May 2010
Antrim Area Hospital	440	454
Northern HSC Trust	838	831

Source: Northern HSC Trust

Available beds are the number of beds in wards that are open overnight, measured at midnight. Hospitals may also have a number of beds in wards that are only open during the day. Beds reserved for day care admission or regular day admission are not included.

Myalgic Encephalomyelitis

Mrs M O'Neill asked the Minister of Health, Social Services and Public Safety whether his Department has investigated the link between retrovirus XMRV and the Myalgic Encephalomyelitis disease.

(AQW 6918/10)

Minister of Health, Social Services and Public Safety: In Northern Ireland we ensure that our services to the population and patients are informed by the best research evidence, regardless of where the research has been undertaken. Biomedical and health research are global activities providing the best facilities for scientists and clinicians with significant research expertise and knowledge to undertake their study. The findings and results of research are communicated effectively through many various media and other published routes so that others may be aware of, and benefit from them.

Publications referring to work on XMRV and Myalgic Encephalomyelitis (ME) have been scrutinised by local scientists and clinicians. A major challenge now being taken up by researchers in the United States is to develop an effective diagnostic test for XMRV. Once that is available, we will be able to get more reliable knowledge about who is carrying the virus, how it is transmitted and what diseases it is associated with.

All of these developments are welcome. So while this research is at an early stage and at present has not established if XMRV is a cause of ME, or how the virus is transmitted, we will continue to assess developments to ensure future educational and clinical practice are influenced by any emerging evidence in this area.

Myalgic Encephalomyelitis

Mrs M O'Neill asked the Minister of Health, Social Services and Public Safety to detail what support is available for people with Myalgic Encephalomyelitis.

(AQW 6919/10)

Minister of Health, Social Services and Public Safety: Patients with Myalgic Encephalomyelitis (or Chronic Fatigue Syndrome) have access to a wide range of treatment and support services in secondary, primary and community care settings, including neurology services and mental health

services. In addition patients may be referred for assessment and treatment to a variety of specialists depending on their assessed individual needs.

In addition, my Department, in collaboration with the Regional Health and Social Care Board, the Public Health Agency, Trusts and patient representative groups, is currently engaged in work to explore how access to services might be improved for this client group.

Accident and Emergency Departments

Mr T Clarke asked the Minister of Health, Social Services and Public Safety what extra resources his Department has provided to Antrim Area Hospital's Accident and Emergency Department in the wake of the decision to close both Whiteabbey and Mid-Ulster Accident and Emergency Departments.

(AQW 6928/10)

Minister of Health, Social Services and Public Safety: The Northern Trust has assured me that the necessary measures to safely implement these changes are in place and that Antrim Area Hospital is able to respond to the additional workload.

The consolidation of A&E services across two acute hospitals instead of four means that a larger team of doctors and nurses are available to provide care at the Antrim Area Hospital A&E. Additional physical space has been provided within the emergency department at Antrim Area Hospital and an additional 21 beds have been provided.

The Northern Ireland Ambulance Service has also increased ambulance cover in the Northern Trust area to support these changes to service delivery

X-ray Services at the Mid-Ulster Hospital

Mrs M O'Neill asked the Minister of Health, Social Services and Public Safety if he can confirm that there will be no change to the X-ray services at the Mid-Ulster Hospital, in light of the accident and emergency services transferring to the Antrim Area Hospital.

(AQW 6959/10)

Minister of Health, Social Services and Public Safety: The Northern Trust has advised that the radiology service at Mid-Ulster hospital is not closing and that there will be no immediate change to X-ray services.

Out of Hours Service

Mr G Robinson asked the Minister of Health, Social Services and Public Safety to outline the criteria used by the Western Health and Social Care Trust when deciding to cut the number of GPs operating the out-of-hours service.

(AQW 7100/10)

Minister of Health, Social Services and Public Safety: Out of Hours services in the Western area are commissioned by the Health and Social Care Board and provided by Western Urgent Care.

The criteria used by the western office of the HSCB in realigning OOH services was the workload experienced by GPs in each of the 5 centres.

Drug and Alcohol Rehabilitation Units

Ms M Anderson asked the Minister of Health, Social Services and Public Safety to detail the number and location of drug and alcohol rehabilitation units that are currently operational.

(AQW 7137/10)

Minister of Health, Social Services and Public Safety: Based on the National Treatment Agency definition which identified Tier 4 interventions as Drug and Alcohol rehabilitation programmes providing

accommodation in a drug free environment with a range of structured interventions, provision in Northern Ireland is as follows:

Services commissioned by the HSCB and/or the PHA and provided by the local Trusts

- Carrick-one, Holywell Hospital, Antrim – specialist in-patient drug and alcohol service/Ward 15, Shimna House, Downshire Hospital, Downpatrick – specialist in-patient drug and alcohol service.
- Addiction Unit, St Lukes Hospital Armagh - specialist in-patient drug and alcohol service.
- Addictions Treatment Unit, Tyrone and Fermanagh Hospital, Omagh - specialist in-patient drug and alcohol service.

Voluntary and community sector provision

- Beach House, Ballymena – supported accommodation and rehabilitation for those recovering from drug and alcohol problems – accepts referrals from within the Northern area.
- Carlisle House Residential Treatment Centre, Belfast - open to people from any location.
- Cuan Mhuire, Newry - offering residential rehabilitation for Alcohol Misusers. Open to people from any location.
- Stauros Foundation; Armagh, residential alcohol and drug rehabilitation programmes - open to people from any location.
- Northlands Centre, Londonderry, residential alcohol and drug rehabilitation programmes - open to people from any location.

RoeDoc Out-of-Hours GP Service

Mr B Leonard asked the Minister of Health, Social Services and Public Safety (i) to explain the rationale behind the decision to cut the RoeDoc Out-of-Hours GP service in the Western Health and Social Care Trust from 1 July 2010; and (ii) for his assessment of the impact of this decision on night-time services in Limavady and on the workloads of A&E Departments in the Altnagelvin and Causeway Hospitals.
(AQW 7142/10)

Minister of Health, Social Services and Public Safety: The out-of-hours service in the western area has been provided by Western Urgent Care (WUC) since 2004.

The decision to reduce the number of GPs in WUC between midnight and 8.30am was based on the low numbers of patients contacting the service after midnight. In the Limavady area an average of 5 patients contact WUC after midnight and of those 2 or 3 would require a face-to-face consultation with a GP.

Patients from the Limavady area who require a face-face consultation with an OOHs GP will receive a home visit, if appropriate, or attend the Limavady OOHs centre. All patients will continue to be seen within the timescales specified in the NI Quality Standards.

WUC provides urgent GP OOHs services; medical emergencies are dealt with by A&E departments in Altnagelvin and Causeway Hospitals. It is not envisaged that there will be any impact on the workload of A&E Departments due to the reconfiguration of the out-of-hours service after midnight.

Department of Justice

Legal Aid

Lord Morrow asked the Minister of Justice, prior to the £150 an hour maximum fee proposal, how much was paid from Legal Aid to barristers for case preparation work in the last two years; and what the average fee charged by barristers was during this time.

(AQW 6754/10)

Minister of Justice (Mr D Ford): The amount paid to barristers in respect of Very High Cost Cases (VHCCs) for 2008/09 was £11.91m with an average payment of £50,709; the amount paid in 2009/10 was £21.07m with an average payment of £63,680. It is not possible to provide figures solely for preparation as the amount assessed by the Taxing Master for any legal representative will be a single amount covering both preparation and advocacy. The average fee claimed by barristers for 2008/09 was £94,963. For 2009/10 it was £107,567. Again it is not possible to provide separate figures for preparation, as the fee claimed by barristers included both preparation and advocacy and the amount assessed by the Taxing Master will be a single amount covering both.

Until the new rates of remuneration for VHCCs came into operation in September 2009, the rates of remuneration for VHCCs were as follows:

RATES FOR PREPARATION

Counsel type	Range per hour	
	From	To
Queen's Counsel	£110	£180
Leading Junior	£90	£140
Led Junior	£70	£100
Sole Junior	£80	£110
Solicitor advocate		
Certified	£80	£110
Uncertified	£40	£55

Staff Childcare Vouchers

Mr C McDevitt asked the Minister of Justice if staff in his Department are eligible to receive childcare vouchers; and if all the qualifying staff are receiving these vouchers.

(AQW 6756/10)

Minister of Justice: All staff within the Department of Justice are eligible for the NICS Salary Sacrifice Scheme. Details of the Scheme are available to all staff. The eligibility of the scheme is based on personal circumstances of staff members. As the DOJ would not be aware of such personal details it is not possible to determine whether all qualifying staff are participating in the scheme. It is, however, estimated that there are approximately 60 staff within the DOJ who are currently in receipt of Salary Sacrifice.

As staff in the Northern Ireland Courts and Tribunals Service only became eligible for Salary Sacrifice from 12 April 2010, the NICTS are urgently working on a process of implementing such a scheme into their payroll. It is anticipated that the scheme will be launched in August 2010. Twenty three staff have registered an interest in participating.

Preliminary Enquiries or Preliminary Investigations at Magistrates Court

Lord Morrow asked the Minister of Justice if he will introduce legislation in line with the rest of the UK that will dispense with the need for Preliminary Enquiries or Preliminary Investigations at Magistrates Court in cases destined for trial at Crown Court.

(AQW 6812/10)

Minister of Justice: The Northern Ireland Office previously consulted on reforming committal procedures which included proposals for developing a replacement system for sending cases from the

Magistrates' Court to the Crown Court. I understand, however, that there were a number of technical issues with the proposed new procedures which proved difficult to resolve.

A new programme of work to enhance the speed of cases through the criminal justice system has recently been initiated by the Criminal Justice Board. One of the work strands within that programme is focussing on case preparation. Proposals for legislative changes, including the abolition of committals, will be considered in that context.

I will be considering the need to reform committals procedures, including the need for new legislation, when I have had an opportunity to consider the outcome of the Criminal Justice Board's programme of work.

Fines for Road Traffic Offences

Mr R McCartney asked the Minister of Justice to detail the revenue obtained from the payment of fines for road traffic offences in each of the last five years; and which Departments or agencies benefit from this revenue.

(AQW 6819/10)

Minister of Justice: Fines for road traffic offences can either be as a result of a court imposed fine or a Fixed Penalty Notice.

Information on court imposed fines for road traffic offences is set out in Table 1 for 2007-09.

TABLE 1
COURT IMPOSED FINES FOR ROAD TRAFFIC OFFENCES

Year*	2007	2008	2009
Fines Paid	£4,060,809	£3,725,457	£3,254,081

* Information is only available in this format for the last 3 years

All payments for court imposed fines are treated as Consolidated Fund Extra Receipts (CFERS) and are passed to HM Treasury.

Information on Fixed Penalty Notices (FPN) and Conditional Offer Fixed Penalty Notices (COFPN) (for offences that have been detected by fixed or mobile safety cameras) are set out in Table 2.

The payments received for Conditional Offer Fixed Penalty Notices are apportioned between the PSNI and the Northern Ireland Courts to fund the use of safety cameras. All other payments are treated as CFERS and passed to HM Treasury.

TABLE 2
FIXED PENALTY NOTICES AND CONDITIONAL FIXED PENALTY NOTICES

Year	All FPN Payments £	Transferred to HM Treasury £	COFPN (Safety Cameras) £	Retained by PSNI £	Retained by NICTS £
2005	3,968,909	3,329,665	639,244	578,232	61,012
2006	3,691,283	3,139,166	552,117	470,387	81,730
2007	2,780,988	2,089,923	691,065	578,672	112,393
2008	2,790,574	2,057,245	733,329	611,557	121,772
2009	3,182,345	2,158,611	1,023,734	924,592	99,142

Fixed Penalty Notices

Mr P Weir asked the Minister of Justice what plans he has to increase the powers of the PSNI in issuing fixed penalty notices.

(AQW 6827/10)

Minister of Justice: I propose bringing forward legislative provisions within the forthcoming Justice Bill for an extension of police fixed penalty notice powers for a prescribed range of low level criminal offences. These would be targeted at mainly disorder type offences committed by first time or non-habitual offenders. The proposal is currently the subject of discussion with the Justice Committee.

Such powers would provide an effective response to minor offending whilst allowing police officers to devote more time to front-line policing duties and free up time for prosecutors to concentrate on dealing with more serious cases.

Personal Injury Claims

Mr R Beggs asked the Minister of Justice (i) why compensation levels for personal injury claims are significantly higher than in England and Wales; (ii) what guidance is given by the Committee of the Judicial Studies Board for Northern Ireland on this issue; (iii) what plans he has to ensure that wider society has a role to play in setting compensation levels; and (iv) for his assessment of the claim that the current level of compensation is a major factor in the high insurance premiums resulting in car insurance being out of reach for many citizens.

(AQW 6837/10)

Minister of Justice:

- (i) Until 1987 compensation for personal injury claims in Northern Ireland were determined by a jury. Compensation awards are now set by the judiciary. The level of damages fixed by juries pre 1987 continues to be reflected in current awards.
- (ii) The Judicial Studies Board for Northern Ireland publishes "Guidelines for the Assessment of General Damages in Personal Injury Cases in Northern Ireland". The most recent publication was in 2008 and is available from SLS Legal Publications.
- (iii) The issue of determining compensation in a personal injury case is a matter for the judiciary.
- (iv) The level of compensation payable in personal injury claims, arising out of road traffic accidents, is likely to be one of several factors for insurance companies in determining insurance premiums. I have no evidence to suggest how significant it is.

County Court Legal Fees

Mr R Beggs asked the Minister of Justice why the level of County Court legal fees has increased by four times the rate of inflation in the last ten years; and what plans he has to ensure that wider society has a role in setting legal fees.

(AQW 6838/10)

Minister of Justice: Fees for solicitors and barristers, in county court cases in Northern Ireland are determined by the County Court Rules Committee and prescribed in the County Court Rules. The fees were substantially restructured in 2002 and there were further inflation-based increases in 2006 and 2007. Any future changes to the fees must be allowed by my Department and I will take into account the need for consultation before approving any further increase.

Road Traffic Accidents

Mr T Burns asked Minister of Justice to outline which twenty roads have resulted in the largest number of (i) road traffic accidents; and (ii) fatalities as a result of road traffic accidents, in each of the last five years.

(AQW 6879/10)

Minister of Justice: My Department is responsible for neither roads nor road safety.

Road safety is a matter for the Department of Environment who will be better placed to answer this question.

Access NI Vetting Application

Mr P Weir asked the Minister of Justice (i) to detail the average time taken to process an Access NI vetting application; and (ii) what action he is taking to reduce the time taken to process vetting applications.

(AQW 6887/10)

Minister of Justice:: The average time for delivery of a disclosure during 2009/10, is as set out below;

Basic disclosure	Standard disclosure	Enhanced disclosure
8.33 days	8.33 days	15.41 days

This information is available on the AccessNI web-site.

AccessNI met all of its published service standards for the delivery of certificates in 2009/10. This is a significant improvement on performance during 2008/09. AccessNI continually reviews its processes to determine whether any improvements can be made to reduce the time taken for processing of applications. A customer survey in 2009/10 indicated that 87% of all customers were satisfied with the service provided.

Payment Rates to Barristers

Mr P Weir asked the Minister of Justice to outline his proposals for the restructuring of payment rates to barristers.

(AQW 6901/10)

Minister of Justice: In September 2009 the Court Service published a proposal for the introduction of a Graduated Fee Scheme in Northern Ireland similar to that in place in England and Wales. This would bring the levels of remuneration in criminal cases into line with England and Wales, in all cases other than Very High Cost Cases (VHCCs). Remuneration in VHCCs was reduced in September 2009. My officials continue to discuss the issue with the Bar Council.

Legal Aid

Lord Morrow asked the Minister of Justice if he will consider restricting Legal Aid for repeat offenders or building the fees into any subsequent fine they receive.

(AQW 6920/10)

Minister of Justice: Restricting legal aid on the grounds that the defendant has previous convictions would almost certainly be in breach of Art 6 of the European Convention on Human Rights. Proposed legal aid reform will ensure that only those who cannot afford representation will have it paid from the public purse.

Shoplifting Offences

Mr T Burns asked the Minister of Justice (i) how many offences of shoplifting were recorded in each of the last 5 years; (ii) for the number of convictions secured for shoplifting in this time; (iii) for a summary of the range of sanctions which were imposed; and (iv) to provide this information broken down by (a) male; and (b) female.

(AQW 6940/10)

Minister of Justice: Table 1 gives the number of recorded shoplifting offences for the financial years 2005/06 to 2009/10. Information on the gender breakdown of these figures is not available as gender is only recorded if an offender is made accountable for the crime.

Table 2 documents the disposals given to those convicted. Data cover the calendar years 2002 to 2006 (the latest year for which figures are currently available) and are collated on the principal offence rule; only the most serious offence for which an offender is convicted is included.

TABLE 1: SHOPLIFTING - NUMBER RECORDED 2005/06-2009/10

Year	2005/06	2006/07	2007/08	2008/09	2009/10
Number recorded	5,738	5,745	5,257	6,214	6,754

Source: PSNI

TABLE 2: SHOPLIFTING - DISPOSALS GIVEN TO THOSE CONVICTED 2002-2006

	2002	2003	2004	2005	2006
Immediate custody					
Male	79	75	69	63	49
Female	6	7	5	10	9
Total	85	82	74	73	58
Suspended custody					
Male	37	63	70	50	51
Female	13	23	40	37	26
Total	50	86	110	87	77
Supervision in the community					
Male	107	93	92	71	69
Female	52	53	33	44	34
Total	159	146	125	115	103
Fine					
Male	101	102	90	109	102
Female	36	33	37	52	44
Total	137	135	127	161	146
Conditional discharge					
Male	82	82	66	56	58
Female	53	63	55	56	29
Total	135	145	121	112	87
Other					
Male	3	2	5	5	20
Female	2	4	0	4	4
Total	5	6	5	9	24

	2002	2003	2004	2005	2006
Total number convicted					
Male	409	417	392	354	349
Female	162	183	170	203	146
Total	571	600	562	557	495

Source: Department of Justice

It is not possible to reconcile PSNI data on the number of offences recorded directly with conviction data, as the former are offence-based whereas conviction data are offender-based. In addition, PSNI denote the offence as it has been initially recorded and this may differ from the offence for which a suspect (or suspects) is subsequently proceeded against.

Keep Safe Drug Program

Mr A Easton asked the Minister of Justice if he intends to roll out the Keep Safe Drug Program in Kilcooley, Bangor to other areas of North Down.

(AQW 6946/10)

Minister of Justice: The PSNI has been operationally involved in the Keep Safe Drug Program in Kilcooley and a response to this question is a matter for the Chief Constable, who is accountable to the Northern Ireland Policing Board. I am committed to respecting the operational independence of the Chief Constable and the role of the Policing Board, and I have forwarded this Question to the Chief Constable, who will respond directly.

Ban on the New Drug NRG1

Mr A Easton asked the Minister of Justice if he has had contact with the new Home Secretary regarding a ban on the new drug NRG1.

(AQW 6948/10)

Minister of Justice: I understand that the drug in question is NRG-1 and in response to the Member's question, I have not been in direct contact with the new Home Secretary about this issue. My officials continue to liaise with both Home Office and the Secretariat to the Advisory Council on the Misuse of Drugs (ACMD) to ensure that I am fully informed of developments relating to any emerging substances which may be considered for banning in future.

Capital Works Plans

Mr P Weir asked the Minister of Justice what capital works plans his Department has for (i) the Prison Service; and (ii) the Court Service for (a) 2010/11; and (b) 2011/12.

(AQW 6951/10)

Minister of Justice: 2010/11

(i) The Prison Service

The Prison Service has a capital budget in 2010/11 of £25.816m. The planned expenditure is detailed below.

Capital Plans 2010/11	2010/11 £'000
Maghaberry 120 cell block	7,550
Maghaberry - Special Protection Unit	3,900

Capital Plans 2010/11	2010/11 £'000
Maghaberry - Various Projects	4,920
Replacement Prison	2,857
Maintenance and Minor Works	4,278
IT Projects/Equipment	2,311
	25,816

(ii) The NI Courts and Tribunals Service

The NI Courts and Tribunals Service has a capital budget in 2010/11 of £8.8m. The planned expenditure is detailed below.

Capital Plans 2010/11	2010/11 £'000
Ballymena Courthouse new roof	1,500
Maintenance and Minor Works	4,300
Security measures	404
Information systems upgrade	1,656
Modernisation programme	1,040
	8,800

2011/12

Some of the above projects will roll into the next financial year but capital plans for 2011/12 will not be finalised until the capital allocation has been agreed.

Policing in Stoneyford Village

Mr P Butler asked the Minister of Justice how many PSNI officers have been disciplined in connection with policing in Stoneyford village in the last three years; and what action was taken against these officers.

(AQW 6966/10)

Minister of Justice: The conduct and discipline of police officers is a matter for the Chief Constable, who is accountable to the Northern Ireland Policing Board. I am committed to respecting the operational independence of the Chief Constable and the role of the Policing Board, and I have forwarded this Question to the Chief Constable who will respond to you directly.

Religious Composition of the Prison Service Workforce

Mr P Butler asked the Minister of Justice (i) to detail the religious composition of the Prison Service workforce; and (ii) what steps he is taking to address any religious imbalance in the workforce.

(AQW 6968/10)

Minister of Justice: The information provided was the position at 1 January 2010 when the Prison Service was a separate entity and responsible for collecting and monitoring its own data and reporting to the Equality Commission. Following the creation of the Department of Justice, staff in my department will now be included in the corporate NICS returns and in future, information will not be available in the format provided below.

Prison Service Workforce at 1 January 2010	
Protestant	77.6%
Roman Catholic	13.1%
Non Determined	9.3%

One of my key aims is to enhance diversity when taking forward the development of the Prison Service. A key part of the strategy is the training of existing staff to equip them to undertake their work better, with a culture which treats inmates as individuals and assists them in addressing offending behaviour. I intend to drive this forward through a comprehensive Workforce Reform Programme.

The Prison Service Diversity Strategy contains targets for job applicants of 35% Roman Catholic by 2011, though recruitment opportunities are limited. I have approved an action plan which sets out a range of positive measures including partnership working with organisations and representatives from the voluntary and community sectors, affirmative action on advertising campaigns, a programme of school visits, offering summer work experience and representation at recruitment and careers exhibitions across Northern Ireland.

Convictions for Car Crimes

Mr P Butler asked the Minister of Justice how many convictions for car crimes have been secured in each policing district in each of the last five years.

(AQW 6969/10)

Minister of Justice: The table below gives the number convicted for car crimes by police District Command Unit.

Data cover the calendar years 2002 to 2006 (the latest year for which figures are currently available) and are collated on the principal offence rule; only the most serious offence for which an offender is convicted is included.

NUMBER CONVICTED FOR CAR CRIMES¹ BY POLICE DISTRICT COMMAND UNIT (DCU)² 2002-2006

	2002	2003	2004	2005	2006
Antrim	10	6	10	1	20
Ards	7	6	10	5	11
Armagh	11	15	8	4	11
Banbridge	8	4	9	7	6
Belfast East	7	11	12	15	11
Belfast North	24	39	32	23	29
Belfast South	10	13	14	9	8
Belfast West	49	71	54	40	44
Ballymena	8	13	12	6	10
Ballymoney	3	6	1	3	5
Carrickfergus	4	6	4	6	3
Coleraine	9	6	7	11	8
Cookstown	7	8	5	7	6
Craigavon	12	23	21	13	13

	2002	2003	2004	2005	2006
Castlereagh	4	6	6	6	9
Dungannon & South Tyrone	11	12	6	10	19
Down	12	8	7	11	10
Fermanagh	5	4	12	4	6
Foyle	20	22	26	37	19
Larne	7	4	5	1	6
Limavady	5	2	9	8	15
Lisburn	29	26	31	35	21
Magherafelt	5	4	2	5	15
Moyle	2	5	3	3	4
Newtownabbey	8	5	9	7	7
North Down	14	12	11	9	12
Newry & Mourne	18	24	32	23	20
Omagh	8	9	13	6	14
Strabane	4	7	8	5	10
Missing ³	5	4	2	3	3
Total	326	381	381	323	375

- 1 The majority of convictions are for the offence 'taking a motor vehicle without owner's consent' and other offences related to vehicle taking. The remainder of convictions are for other car crime offences such as theft from a vehicle, vehicle tampering/interference and driving a motor vehicle knowing it to be stolen.
- 2 Based on the DCU in which the offender's address falls.
- 3 Missing data relate to those offenders for whom DCU information is not available.

Prisoners in Magheraberry

Mr D McKay asked the Minister of Justice if he can confirm that relatives of prisoners in Magheraberry will not be denied their visiting rights.

(AQW 6970/10)

Minister of Justice: I can confirm that relatives of prisoners in Maghaberry will not be denied their visiting rights. As Members will understand, visitors and prisoners are subject to proportionate search procedures to minimise the scope for illegal items to be trafficked. If prisoners refuse to comply, they are either offered a visit in closed conditions or the visit is suspended.

Prisoners in Magheraberry

Mr D McKay asked the Minister of Justice if he will ensure that all prisoners in Magheraberry receive their entitlement to an hour of exercise every day without conditionality.

(AQW 6971/10)

Minister of Justice: While all prisoners should be offered their entitlement of a minimum of 1 hours exercise every day, there may be exceptional operational factors that occasionally prevent this. In practice, periods of exercise usually considerably exceed one hour.

There is no set amount of time allocated each day for prisoners to eat in the canteen. The majority of prisoners in Maghaberry eat meals in their cells, although some do use canteen facilities where these are available.

All prisoners are offered at least one two hour gymnasium sessions per week, although those on the higher regime levels may attend up to five or more sessions per week.

Prisoners in Magheraberry

Mr D McKay asked the Minister of Justice to outline how much time prisoners in Magheraberry are allocated each day to (i) eat meals in the canteen; (ii) exercise in the yard; and (iii) use the gym.

(AQW 6972/10)

Minister of Justice: While all prisoners should be offered their entitlement of a minimum of 1 hours exercise every day, there may be exceptional operational factors that occasionally prevent this. In practice, periods of exercise usually considerably exceed one hour.

There is no set amount of time allocated each day for prisoners to eat in the canteen. The majority of prisoners in Maghaberry eat meals in their cells, although some do use canteen facilities where these are available.

All prisoners are offered at least one two hour gymnasium sessions per week, although those on the higher regime levels may attend up to five or more sessions per week.

Prison Service Staff

Mr D McKay asked the Minister of Justice to outline the (i) religious; and (ii) gender composition of Prison Service staff.

(AQW 6973/10)

Minister of Justice: The information provided was the position at 1 January 2010 when the Prison Service was a separate entity and responsible for collecting and monitoring its own data and reporting to the Equality Commission. Following the creation of the Department of Justice, staff in my department will now be included in the corporate NICS returns and in future, information will not be available in the format provided below.

Prison Service Staff at 1 January 2010	
Protestant	77.6%
Roman Catholic	13.1%
Non Determined	9.3%
Male	68.9%
Female	31.1%

Court Service Staff

Mr D McKay asked the Minister of Justice to outline the (i) religious; and (ii) gender composition of staff in the Court Service.

(AQW 6974/10)

Minister of Justice: The information provided is at 1 January 2010 when the NI Court Service was a separate entity and responsible for collecting and monitoring its own data and reporting on it to the

Equality Commission. Following the creation of the Department of Justice, staff in my department will now be included in the corporate NICS returns and will not be available in this format in the future.

Religion:

As at 1 January 2010 the breakdown of employees by religion in the NI Court Service was:

Protestant	Roman Catholic	Non determined
57% (494)	40% (348)	3% (22)

Gender:

As at 1 January 2010 the breakdown of employees by gender in the NI Court Service was:

Male	Female
32% (275)	68% (589)

Prisoners

Mr T Burns asked the Minister of Justice how many prisoners released from custody on compassionate grounds and on licence had their licence revoked in each of the last five years; and for what reasons.
(AQW 6981/10)

Minister of Justice: Over the last five years no prisoner released on licence on compassionate grounds has had that licence revoked.

During the same period the number of persons released from custody on one of a range of Prison Service licences and who have had that licence revoked is as follows:

Year	2005	2006	2007	2008	2009	2010*	Total
Number #	7	9	7	12	13	10	58

* as at 23 May 2010

These figures include 7 people who have had their licences revoked on more than one occasion over the five year period. The total number of persons involved is 51.

All persons who had their licences revoked were deemed to be in breach of the conditions of their release and to present a risk to the public.

Offences Relating to Computer Crime and Software Piracy

Mr T Burns asked Minister of Justice (i) how many offences relating to computer crime and software piracy were recorded in each of the last five years; (ii) for a breakdown of the specific types of offences; (iii) the number of cases which resulted in a conviction; (iv) the sum total of any fines which were imposed; and (v) for a summary of any other sanctions which were imposed.
(AQW 6982/10)

Minister of Justice: The table below gives the number of recorded computer related offences for the financial years 2005/06 to 2009/10.

These offences are those notifiable offences under the Computer Misuse Act 1990 and include 'unauthorised alteration to computer system', 'unauthorised access to computer material' and 'unauthorised modification of computer material'.

There were no convictions for these computer related offences for the calendar years 2002 to 2006 (the latest year for which figures are currently available). Conviction data are based on the principal offence rule; only the most serious offence for which an offender is convicted is included.

COMPUTER RELATED OFFENCES¹ – NUMBER RECORDED 2005/06-2009/10

Year	2005/06	2006/07	2007/08	2008/09	2009/10
Number recorded	0	2	1	1	1

Source: PSNI

1 Counterfeiting/piracy of goods such as DVDs are not included.

Conviction Rates for Rape and Other Sexual Offences

Mr T Burns asked the Minister of Justice for a summary of the conviction rates for (i) rape; and (ii) other sexual offences, in each of the last five years.

(AQW 6983/10)

Minister of Justice: The table below gives the number prosecuted, number convicted and the conviction rate for rape and other sexual offences. Conviction rates are based on the proportion of those prosecuted who are found guilty of the offence.

Data in the table cover the calendar years 2002 to 2006 (the latest year for which figures are currently available) and are collated on the principal offence rule; only the most serious offence for which an offender is convicted is included.

NUMBER PROSECUTED, NUMBER CONVICTED AND THE CONVICTION RATE (%)¹ FOR RAPE (INCLUDING ATTEMPTS) AND OTHER SEXUAL OFFENCES² 2002-2006

	2002	2003	2004	2005	2006
Rape					
Number prosecuted	30	31	37	30	37
Number convicted	10	10	18	8	11
Conviction rate (%)	33	32	49	27	30
Other sexual offences					
Number prosecuted	116	153	174	190	217
Number convicted	74	98	119	128	150
Conviction rate (%)	64	64	68	67	69
All sexual offences					
Number prosecuted	146	184	211	220	254
Number convicted	84	108	137	136	161
Conviction rate (%)	58	59	65	62	63

1 Conviction rates have been rounded to the nearest whole number.

2 Includes buggery, gross indecency, unlawful carnal knowledge, incest, indecent assault, indecent exposure, indecent photographs of children, bigamy and sex offender failing to notify police of change of address offences.

Sexual violence has a devastating impact on its victims. I am committed to working with Ministerial colleagues on the implementation of the 5 year Regional Strategy on Sexual Violence and Abuse which

has prevention strategies, enhanced support for victims and an effective justice response as its key cornerstones. The planned opening of Northern Ireland's first Sexual Assault Referral Centre at Antrim Area Hospital in 2011 will be one of its key achievements delivering coordinated aftercare services for victims and acting as a supportive gateway to the justice system where enhanced support services can start to reduce levels of victim withdrawal and improve conviction rates by helping victims to give their best evidence in court.

Equal Pay Settlement

Mr D O'Loan asked the Minister of Justice if the civilian staff in the PSNI, on equivalent grades to staff in the Civil Service who received the equal pay settlement, will receive an identical settlement including back pay; and when the back pay will be formally offered and paid.

(AQW 7011/10)

Minister of Justice: From October 2008, civilian staff in the PSNI have been employed by the Chief Constable on behalf of the Policing Board and he has lead responsibility for dealing with the equal pay claims.

On 9 April 2010 the NIO gave approval to the new Northern Ireland Civil Service pay scales to be applied to the relevant grades in PSNI; however this approval was without prejudice to the wider question of whether the terms of the equal pay settlement should be applied.

As my Department has an approval role under the corporate governance arrangements for the PSNI, my officials continue in discussion with the PSNI and Policing Board officials about the legal liability in respect of equal pay and the case for applying the equal pay settlement negotiated by DFP to police staff.

Policy Under Which Drugs are Banned

Mr P Weir asked the Minister of Justice what discussions his Department has had with the new Home Secretary regarding a change in the policy under which drugs are banned.

(AQW 7013/10)

Minister of Justice: I have not been in direct contact with the new Home Secretary about this issue. My officials continue to liaise with both Home Office and the Secretariat to the Advisory Council on the Misuse of Drugs (ACMD) to ensure that I am informed of any proposed changes.

Cost of Housing a Prisoner

Mr P Butler asked the Minister of Justice to outline the average cost of housing a prisoner and how this compares to the average costs in Britain and the Republic of Ireland.

(AQW 7028/10)

Minister of Justice: The table below shows the last year full year for which the Cost per Prisoner Place (CPPP) are available for the following Prison Services.

	2008/09
Northern Ireland	£81,340
England and Wales	£45,000
Scotland	£44,447
Republic of Ireland (year end 31 December)	€92,717

The provisional outturn for Northern Ireland for 2009/10 is £77,773, a sign of the commitment to reducing costs.

Each Prison Service is unique. HMPS is a very large organisation with almost 150 prison establishments. With only three sites, NIPS faces significant challenges in dealing effectively and economically with the diverse population of prisoners. It is also difficult to make direct comparisons as not all of the costs included in the Northern Ireland cost per place are included in CPPP for England & Wales and Scotland.

Budget for Running the Prison Service

Mr P Butler asked the Minister of Justice how much of his Department's budget is dedicated to running the Prison Service; and how much of this is spent on Prison Service staffing costs.

(AQW 7029/10)

Minister of Justice: The Assembly approved a resource DEL budget for 2010/11 for the Department of Justice of £1,223,721,000.

The Northern Ireland Prison Service resource DEL allocation is £131,686,000 which represents 10.8% of the overall Departmental Budget.

The Service has allocated £92,852,000 to cover staffing costs in 2010/11. This includes operational staff, support staff and administrative staff at Prison Establishments, the Prison Service College and Headquarters.

Police Staff Records

Mr D McKay asked the Minister of Justice if the PSNI will record previous service in the RUC on new police staff records.

(AQW 7035/10)

Minister of Justice: Police staff records are a matter for the Chief Constable, who is accountable to the Northern Ireland Policing Board. I am committed to respecting the operational independence of the Chief Constable and the role of the Policing Board, and I have forwarded this Question to the Chief Constable, who will respond directly.

Test Results for Illegal Substances

Mr D McKay asked the Minister of Justice for his assessment of the fact that only 21% of test results for illegal substances are being reported back to the PSNI within eighty days of submission to the Forensic Science Service compared to the target of 60%; and what steps he is taking to address this problem.

(AQW 7037/10)

Minister of Justice: The timeframes referred to relate to the targets agreed between Forensic Science Northern Ireland (FSNI) and PSNI in the 09-10 Service Level Agreement and specifically the performance against the targets for cannabis and powder analysis. The SLA also agrees the submission levels at which FSNI can meet the agreed timeframes. In 09-10 PSNI heavily over submitted (by 147% for cannabis and 130% for powder) against the agreed capacity and hence the timeliness targets were adversely affected. A revised SLA with PSNI is currently being developed to better align the PSNI demand with FSNI capacity. FSNI have also recently agreed with PSNI a submission management model whereby cases are prioritised to allow FSNI to concentrate on those cases where their input provides most benefit. In addition FSNI are also considering the staffing levels within the team that provides this service to ensure that future demands are met. I am confident that the introduction of these measures will ensure an improvement in the FSNI performance against the 10-11 targets.

Test Results on Illegal Substances

Mr D McKay asked the Minister of Justice for his assessment of the fact that that 22% of test results on illegal substances being reported back to the PSNI are taking longer than 140 days to complete by the Forensic Science Service.

(AQW 7041/10)

Minister of Justice: The figures referred to relate to the performance targets agreed between Forensic Science Northern Ireland (FSNI) and PSNI in the Service Level Agreement for 09-10. The SLA also agrees the submission levels at which FSNI can meet the agreed timeframes. In 09-10 PSNI heavily over submitted (by 147% for cannabis cases and 130% for powder cases) against the agreed capacity for drugs cases and hence the timeliness targets were adversely affected. The majority of cases are reported prior to 140 days.

Fixed Penalty Scheme Against Speeding Motorists

Mr G Campbell asked the Minister of Justice what was the total revenue raised by the use of the Fixed Penalty scheme against speeding motorists in each police division in 2009.

(AQW 7051/10)

Minister of Justice: The issue of a fixed penalty notice can require payment to be made to the Fixed Penalty Office or, in the case of non-payment, by way of a fine subsequently imposed through the courts.

Payments to the Fixed Penalty Office include those where the offence was detected either by mobile or fixed camera, and a Conditional Offer Fixed Penalty Notice (COFPN) has been issued. While the greater proportion of COFPN's are detections for excess speed, these notices also include detections of red light running by fixed cameras. A Fixed Penalty Notice is also issued for offences detected by hand held laser devices; this type of Fixed Penalty Notice is known as an 'endorseable' ticket.

There are a number of other offences for which a fixed penalty is issued. The total sum received by the Fixed Penalty Office in 2009 was £3,182,345 of which £1,023,734 was in respect of COFPNs. It is not possible to differentiate these amounts further by the type of fixed penalty or by police district.

However the police have provided information on the number of speeding tickets (Table 1) and red light tickets (Table 2) issued in each police district for 2009.

TABLE 1

Speeding Detections By District - 2009									
Dcu/ Rpcu Speeding Offences	'A' District	'B' District	'C' District	'D' District	'E' District	'F' District	'G' District	'H' District	Total
Dcu Police	33	87	414	1126	554	158	574	626	3594
Fixed Site Cameras	336	578	1568	-	-	-	-	-	2482
Roads Policing	199	563	1931	3568	8050	4382	4421	4738	27887

TABLE 2

Detections For Running A Red Light By District - 2009		
District Locations		Total
'A' District	College Avenue, Belfast	72
	Millfield, Belfast	206
	York Link, Belfast	91
	York Street, Belfast	30
'B' District	Middlepath Street, Belfast	279
'C' District	-	-
'D' District	-	-
'E' District	-	-
'F' District	-	-
'G'district	Glenshane Road, Londonderry	164
'H'district	-	-
Total		842

Table 3 sets out the information on amounts paid in 2009 for court imposed fines; this arises where a fixed penalty for excess speed has not been paid and as a result the matter has been registered with the court for enforcement.

TABLE 3

Court Office	Total Paid £
Antrim	1620.00
Armagh	990.00
Ballymena	1560.00
Banbridge	810.00
Bangor	850.00
Coleraine	2610.00
Craigavon	1440.00
Downpatrick	720.00
Dungannon	1890.00
Enniskillen	1020.00
Laganside	5050.00
Larne	630.00
Limavady	1170.00
Lisburn	1740.00
Londonderry	2740.00

Court Office	Total Paid £
Magherafelt	1530.00
Newry	1680.00
Newtownards	2660.00
Omagh	1980.00
Strabane	1470.00
Total	£34,160.00

Drug Seizures

Mr A McQuillan asked the Minister of Justice how many drug seizures have taken place in each policing district since the appointment of the current Chief Constable; and for the estimated monetary value of seizures in each district.

(AQW 7063/10)

Minister of Justice: The recording of the number of drug seizures conducted by the PSNI is a matter for the Chief Constable, who is accountable to the Northern Ireland Policing Board. I am committed to respecting the operational independence of the Chief Constable and the role of the Policing Board, and I have forwarded this Question to the Chief Constable, who will respond directly.

Front Line Duties

Mr A McQuillan asked the Minister of Justice how many officers have been assigned front-line duties since the appointment of the current Chief Constable; and what percentage of these have been reserve constables.

(AQW 7077/10)

Minister of Justice: The deployment of officers is a matter for the Chief Constable, who is accountable to the Northern Ireland Policing Board. I am committed to respecting the operational independence of the Chief Constable and the role of the Policing Board, and I have forwarded this Question to the Chief Constable, who will respond directly.

Legal Aid

Lord Morrow asked the Minister of Justice if he intends to review the policy of automatically granting legal aid to foreign nationals, because of language barriers, regardless of their financial status.

(AQW 7088/10)

Minister of Justice: There is no policy of automatically granting legal aid to foreign nationals, because of language barriers, regardless of their financial status. This applies in respect of both civil and criminal legal aid. I have no plans for review.

Civil legal aid is granted to applicants, including foreign nationals, regardless of their financial status, only in prescribed circumstances.

For criminal proceedings, all applicants are means tested for criminal legal aid. Legal advice is provided at police stations to all persons without an assessment of means, including foreign nationals.

Community Safety Plans

Mr A McQuillan asked the Minister of Justice what he is doing to ensure that the voice of older people is heard during the development and implementation of community safety plans.

(AQW 7089/10)

Minister of Justice: The 'Safer Ageing' Strategy, published in November 2009, was developed working in close partnership with older people's representatives including the Older Person's Advocate, Age Sector Platform and Centre for Intergenerational Practice.

These groups are also key to the implementation of the Strategy, and sit on the 'Safer Ageing' Steering Group. This close partnership ensures that older people's representatives have a strong voice in the delivery of the actions set out in the Strategy's Action Plan.

Access NI Checks

Mr A Ross asked the Minister of Justice what plans he has to reduce the time taken to process Access NI checks.

(AQW 7107/10)

Minister of Justice: AccessNI met all of its published service standards for the delivery of certificates in 2009/10. This was a significant improvement over 2008/09. The average time for delivery of a disclosure during 2009/10, was as set out below;

Basic disclosure	Standard disclosure	Enhanced disclosure
8.33 days	8.33 days	15.41 days

AccessNI continually reviews its processes to determine whether any improvements can be made to reduce the time taken for processing of applications. A customer survey in 2009/10 indicated that 87% of all customers were satisfied with the service provided.

Driving Without Insurance

Mr A Ross asked the Minister of Justice how many motorists have been convicted of driving without insurance in the East Antrim constituency, in each of the last 3 years.

(AQW 7108/10)

Minister of Justice: The table below gives the number in the East Antrim constituency convicted of the offence 'no insurance'.

Data cover the calendar years 2004 to 2006 (the latest year for which figures are currently available) and are collated on the principal offence rule; only the most serious offence for which an offender is convicted is included.

NUMBER CONVICTED OF THE OFFENCE 'NO INSURANCE' - EAST ANTRIM CONSTITUENCY¹ 2004-2006

Year	2004	2005	2006
East Antrim constituency	168	141	105

1 Based on the constituency in which the offender's address falls.

Youth Justice Agency

Mr J O'Dowd asked the Minister of Justice how many children and young people in the (i) Craigavon Council; and (ii) Banbridge Council areas are currently engaged in youth conferencing with the Youth Justice Agency.

(AQW 7125/10)

Minister of Justice: At end of April 2010 (i) 67 young people in the Craigavon Council area and (ii) 18 young people in the Banbridge Council area were engaged in youth conferencing with the Youth Justice Agency. These young people have met with their victims at a youth conference, and having agreed a reparative action plan are subject to youth conference orders / plans.

Security Provision for Judges

Lord Morrow asked the Minister of Justice to detail the annual cost to his Department of security provision for (i) District Judges; (ii) Crown Court Judges; and (iii) High Court Judges.

(AQW 7131/10)

Minister of Justice: The annual cost to the Department of Justice for security provision for (i) District Judges; (ii) Crown Court Judges; and (iii) High Court Judges is presented in the table below;

	2009/10 £
District Judges	3,205,194
Crown Court Judges	2,763,638
High Court Judges	1,723,988
Total	£7,690,820

Criminal Justice Inspection

Mr A Maskey asked the Minister of Justice if he has any plans to collate, analyse or take forward any outstanding recommendations made by the Criminal Justice Inspectorate.

(AQW 7148/10)

Minister of Justice: Criminal Justice Inspection Northern Ireland (CJINI) carries out a wide range of inspections across the criminal justice system and organisations prepare action plans in response to recommendations made by CJINI. Those plans are published along with the inspection report, where possible, to demonstrate how it is proposed to take the recommendations forward.

After a period of time has elapsed, CJINI revisits the organisation(s) and undertakes a follow-up review. A report is published on the findings.

It is the responsibility of individual organisations to monitor progress against action plans to ensure that recommendations made by CJINI are implemented as appropriate. I am, however, exploring what further mechanisms might help ensure the delivery of strategic recommendations.

Personality Disorder Assessment

Ms C Ní Chuilín asked the Minister of Justice how many prisoners are currently awaiting a personality disorder assessment.

(AQW 7175/10)

Minister of Justice: There are currently six prisoners in Northern Ireland awaiting a Personality Disorder Assessment.

Legal Aid

Mr P Weir asked the Minister of Justice to outline the projected spend on legal aid for (i) 2010/11; and (ii) 2011/12.

(AQW 7192/10)

Minister of Justice:

PROJECTED LEGAL AID EXPENDITURE FOR 2010/11 AND 2011/12

Financial Year	2010/11	2011/12
Projected Legal Aid Expenditure £'m	95.7	82.3

The expenditure figures provided above reflect projected programme expenditure and exclude the administrative costs of running the Northern Ireland Legal Services Commission.

Legal Aid

Mr P Weir asked the Minister of Justice how much was spent on legal aid in each of the last five years. (AQW 7193/10)

Minister of Justice:

LEGAL AID EXPENDITURE FROM 2005/06 - 2009/10

Financial Year	2005/06	2006/07	2007/08	2008/09	2009/10
Legal Aid Expenditure £'m	57.5	69	72.4	83.3	96.8

The expenditure figures provided above exclude the administrative costs of running the Northern Ireland Legal Services Commission.

Sexual Offences Against Children

Mr T Burns asked the Minister of Justice to detail (i) the number of sexual offences against children, by sports teachers or coaches in a position of trust, recorded by the PSNI in each of the last five years; and (ii) the number of convictions secured. (AQW 7210/10)

Minister of Justice: I regret that the information is not held in the format requested. It is possible only to provide figures for those sexual offences, which in their definition, refer to abuse of position of trust. The table below gives the number of these offences recorded for the financial years 2005/06 to 2009/10.

There were no convictions for abuse of position of trust offences for the calendar years 2002 to 2006 (the latest year for which figures are currently available). Conviction data are based on the principal offence rule; only the most serious offence for which an offender is convicted is included.

SEXUAL OFFENCES WHICH REFER TO ABUSE OF POSITION OF TRUST¹ – NUMBER RECORDED 2005/06-2009/10

Year	2005/06	2006/07	2007/08	2008/09	2009/10
Number recorded	0	2	2	3	2

Source: PSNI

- Abuse of position of trust relates to those offences where a person aged 18 or over intentionally behaves in certain sexual ways in relation to a child aged under 18, where the adult is in a position of trust in respect of the child. Position of trust covers persons age under 18 looked after in a range of situations including institutions, residential homes, hospital accommodation and those enrolled at educational establishments. The figures provided above cover all offences occurring in any relevant situation.

Calls Made by the Public to the Police

Mr P Butler asked the Minister of Justice what measures and procedures the PSNI has in place to record all calls made by the public to the police. (AQW 7280/10)

Minister of Justice: This handling of calls to the PSNI is a matter for the Chief Constable, who is accountable to the Northern Ireland Policing Board. I am committed to respecting the operational

independence of the Chief Constable and the role of the Policing Board, and I have forwarded this Question to the Chief Constable, who will respond directly.

Department for Regional Development

Water Meters

Mr P McGlone asked the Minister for Regional Development to detail (i) how many water meters installed by NI Water have been reclassified from trial meters; (ii) how many of these have been installed to connections which serve domestic properties; (iii) the cost of installing these meters; and (iv) how many bills have been sent out with no domestic allowance included since the re-classification of these meters.

(AQW 6737/10)

Minister for Regional Development (Mr C Murphy): I am advised by Northern Ireland Water (NIW) that it has installed no meters classified as 'test meters' since it became water and sewerage undertaker on 1 April 2007. However, around 11,000 'test meters' installed by the Department for Regional Development's Water Service have been identified and are being reviewed to determine their correct meter status. To date around 8,000 'test meters' have been reclassified to other categories including billed and domestic or been removed. This work is scheduled for completion by end of September 2010.

Of the 'test meters' identified it has been confirmed that around 2,900 serve a domestic property and a similar number are awaiting confirmation that they serve a domestic property. NIW has no record of the cost of installing these 'test meters' and is unable to provide this detail. Over 1,000 'test meters' have been reclassified as billed but the rateable allowance is not automatically included in non domestic bills and must be applied for by customers with proof of eligibility.

River Closket

Mr J O'Dowd asked the Minister for Regional Development, pursuant to AQW 6028/10, (i) whether any of the harmful substances found in the River Closket were at a higher level than expected in such a watercourse; and (ii) whether the environment of the river or surrounding land has been damaged by high concentrations of harmful substances.

(AQW 6749/10)

Minister for Regional Development: I have been advised by Northern Ireland Water (NIW) that the survey undertaken on its behalf by the Water Research Centre (WRc) analysed sediment samples but did not sample river water. The survey found that the Closet River sediments should be treated as non-hazardous and were not harmful but indicated elevated levels of Copper and Zinc. However, the quality of river sediments will vary greatly depending on the inputs to the river including run off or discharges from industrial sites, and a typical level of substances in sediments could not be defined.

WRc did not comment on the wider environmental impact of the elevated Copper and Zinc concentrations in the sediments but indicated that they posed a minimal risk to cattle through ingestion and that that there was no significant contamination by the other substances determined.

Translink

Mr P Weir asked the Minister for Regional Development whether he intends to review Translink's policy on concessionary fares.

(AQW 6778/10)

Minister for Regional Development: I have no plans to review the Concessionary Fares Scheme which offers fare concessions to members of the public who hold valid Smartpasses.

With regards to the Scheme operated by Translink in respect of Travel Concessions for Employees' Spouses / Civil Partners / Partners and Dependants, Translink has advised me that the policy is

reviewed on an ongoing basis, with the involvement of staff representatives. Translink have told me the scheme is similar to that operated by other Irish transport operators, those based in Britain and has been in place for a number of decades in respect of employees and spouses since 2001 and for dependants since 2006.

In recent years I have required Translink to take account of Department of Finance and Personnel pay guidance in negotiating pay and conditions annually. This guidance sets out general pay limits and refers to the need to take account of the overall remuneration package as well as the constraints imposed by 'legally' binding terms and conditions negotiated by employers. I will continue to monitor the situation in light of the general pay and remuneration guidelines as they apply to Translink and understand that this issue could form part of the next round of negotiations between Translink and staff representations. I will be raising this issue at the next Bi-Annual review meeting with Translink on 16 June.

Translink

Mr P Weir asked the Minister for Regional Development how many spouses and dependants of Translink employees benefit from concessionary or free fares; and (ii) to detail the cost of these fares in each of the last three years.

(AQW 6779/10)

Minister for Regional Development:

- (i) Translink has advised that there are 2,404 'spouse' passes and 1,449 'dependants' passes in circulation at May 2010. It should be noted 162 of these passes will cease to be valid at the end of June 2010.
- (ii) There is a nominal cost to the organisation for the production of these travel passes similar to the Senior Smartpass 60+ Pass or the Education and Library Board pass for school children. Unfortunately, Translink have informed me that it is unable to provide me with any costings in relation to the cost of travel made using these cards to the organisation, as the company does not extract this specific data from its' information management systems. The number of individual journeys made using such passes is recorded as part of its overall passenger journey information, but Translink argue it is difficult to accurately estimate an opportunity cost to this benefit. The essential difficulty is the assumption that can be made about likely take up of public transport tickets if the concession for spouses/dependants was not in place and the cost of the journeys undertaken. It is acknowledged, however, that this will be material.

Translink

Mr P Weir asked the Minister for Regional Development to outline Translink's policy on free or concessionary fares for spouses or dependants of employees.

(AQW 6780/10)

Minister for Regional Development: Translink argue that the practice of operating a scheme of this nature is considered to be common practice in the public transport sector. The scheme has been in place for decades but the extension of the scheme for spouses and partners was introduced in June 2001 and extended to dependants with effect from September 2006. These concessions appear to have formed an integral part of the general remuneration negotiation with staff. Such passes are viewed, by Translink, as a vital measure in attracting and retaining staff.

Translink has advised me that a travel pass for a spouse/civil partner/partner or child will be issued if the employee has successfully completed his or her probationary period and upon receipt of an application with supporting legal documentation and a passport sized photograph which has been endorsed by the proposed holder (in the case of a child the photograph will be endorsed by the employee).

Free travel will be granted on presentation of the travel pass on any NIR Railways, Ulsterbus or Metro scheduled services within the appropriate network. This does not include tours, cross channel services,

private hire, cross border, special services or events. Passes will be withdrawn on the termination of the employee's employment with the company or where there has been misuse of a travel pass. A child photo-personalised pass is programmed for a 5 year validity term or will expire on 30 June following the dependant child's 16th birthday, or earlier when the employee's service ends.

Disruption to the Water Supply Because of Flooding

Mr J Shannon asked the Minister for Regional Development if she would consider providing extra bowzers in areas that have suffered in recent years from disruption to the water supply because of flooding.

(AQW 6805/10)

Minister for Regional Development: I have been advised by Northern Ireland Water (NIW) that in line with its Customer Charter commitment it will provide alternative water supplies, including the use of bowzers and bottled water, to customers without water for more than 24 hours.

Customers who are dependant, for health reasons, on equipment that requires water can apply for inclusion on NIW's Critical Care Register. Customers accepted on the Register will receive priority during the distribution of alternative water supplies and can apply for inclusion on this register by contacting Waterline on 08457 440088.

Pay and Display Car Parks

Lord Morrow asked the Minister for Regional Development to detail the revenue raised from the Pay and Display car parks in Scotch Street North and Scotch Street South, Dungannon, in each of the last three years.

(AQW 6832/10)

Minister for Regional Development: My Department's Roads Service has advised that the amount of revenue raised from the Scotch Street North car park in each of the last three financial years is as follows:-

REVENUE RAISED FROM SCOTCH STREET NORTH CAR PARK

Year	2007/08	2008/09	2009/10*
Amount	£48,519.00	£46,569.00	£38,758.00

* For 2009/10 there was a reduction in the number of charged spaces in the car park.

The Scotch Street South car park is not a charged car park.

All revenue generated from car parking charges, as well as income from parking Penalty Charge Notices, is used to supplement the overall financing of Roads Service, by Central Government. The cost of managing off-street car parks and enforcing the on-street parking restrictions exceeds the total revenue received.

Pay and Display Car Parks

Lord Morrow asked the Minister for Regional Development to detail the revenue raised from the Pay and Display car parks in Ann Street East and Ann Street West, Dungannon, in each of the last three years.

(AQW 6834/10)

Minister for Regional Development: My Department's Roads Service has advised that the amount of revenue raised from the Ann Street East car park in each of the last three financial years is as follows:-

REVENUE RAISED FROM ANN STREET EAST CAR PARK

Year	2007/08	2008/09	2009/10*
Amount	£14,600.00	£12,727.00	£11,358.00

The Ann Street West car park is not a charged car park.

All revenue generated from car parking charges, as well as income from parking Penalty Charge Notices, is used to supplement the overall financing of Roads Service, by Central Government. The cost of managing off-street car parks and enforcing the on-street parking restrictions exceeds the total revenue received.

Key Transport Corridors

Mr C McDevitt asked the Minister for Regional Development the percentage by which journey times in key transport corridors have been reduced since 2003.

(AQW 6842/10)

Minister for Regional Development: My Department's Roads Service has advised that it is in the process of preparing its latest biennial report on journey times, based on the most recent surveys carried out in November 2009. The last surveys, for which results are available, were carried out in 2007 and indicated an overall rise of around 19% in journey times on the key transport corridors against a base line position established in 2003.

It is envisaged that a reduction in journey times on the key transport corridors will be achieved, largely through the implementation of the Strategic Road Improvement (SRI) Programme. With typical lead in times of 6 years and construction periods of up to 2 - 3 years for major road schemes, the benefits to be realised by the network as a whole, cannot be expected to materialise until around the end of the Regional Strategic Transport Network Transport Plan period in 2015.

In the intervening period, an increase in car ownership and construction of major schemes will have an adverse effect on journey times.

Strategic Road Improvement Schemes

Mr C McDevitt asked the Minister for Regional Development for an update on the completion of all the Strategic Road Improvement Schemes identified in the objective 1 of Public Service Agreement 13 within the 2008 budget period.

(AQW 6843/10)

Minister for Regional Development: I am pleased to report that excellent progress has been made to date on those Strategic Road Improvement schemes identified in the Public Service Agreement (PSA) target 13 for completion within the Budget 2008 period. The current position is summarised in the table below:-

PSA 13 IMPROVING THE TRANSPORT INFRASTRUCTURE

- Objective:- Improve the Strategic Road Network by the advancement/completion of a range of major works schemes.
- Action:- Complete the following Strategic Road Improvement Schemes within the Budget 2008 period (i.e. during the period to 31 March 2011).

Scheme	Status
M1/Westlink upgrade	Completed in March 2009.
M2 widening	Completed in June 2009.
A1 Beech Hill to Cloghogue dualling	Under construction.

Scheme	Status
A1 Junction Improvements	Two completed in September 2009. Two completed in December 2009.
A4 Dungannon to Ballygawley dualling	Under construction.
A4/A5 Improvements (A4 Annaghilla and A5 Tullyvar)	Completed in February 2010.
A26/M2 Ballee Road East	Under construction.
A4 Henry Street/Sligo Road	Completed December 2008.
A32 Cherrymount Link, Enniskillen	Advance ground consolidation works undertaken 2009/2010.
A32 Dromore – Irvinestown – Enniskillen realignments	Schemes under development.
A29 Carland Bridge Improvement	Under construction.
A20 Newtownards Southern Distributor	Completed in July 2009.
A20 Newtownards Frederick Street Link	Completed in November 2008.

It is anticipated that all schemes currently under construction will be completed within this financial year.

It is also anticipated that the ground consolidation measures taking effect at Cherrymount Link, Enniskillen, will be followed by the main construction works next year, and that further improvements to the A32 will be completed, before the opening of the new hospital in Enniskillen in 2012.

Speed Humps

Mr P Weir asked the Minister for Regional Development to outline the criteria used in deciding to install speed humps as opposed to other traffic calming methods.

(AQW 6854/10)

Minister for Regional Development: My Department's Roads Service's traffic calming policy aims to manage vehicle speed and driver behaviour, primarily in order to reduce collisions, especially those involving vulnerable road users. Traffic calming measures are normally considered for residential and other urban areas.

During the design of traffic calming schemes, Roads Service considers different types of traffic calming measures. These include vertical measures, such as road humps, speed cushions and tables. A range of measures without vertical deflections, which include kerb build-outs and central refuge islands (to create pinch points), mini roundabouts and other forms of priority control are also considered. Signing and lining features, such as road markings, rumble strips and coloured surfacing are sometimes used on their own, or in combination with other physical measures, for example, to highlight 'gateway' entrances to villages.

When deciding upon the final measures that can be introduced onto a road, account is taken of various factors. Within residential areas, these factors include, for instance, the proximity of private driveways, forward sight distances and the impact such measures may have on on-street parking. Research indicates that features, such as pinch points, work best when there is high two-way traffic flow and where forward sight lines are good. This however, would not be the case in the majority of residential housing developments.

Vertical features, such as road humps, speed cushions and tables are used in many cases because they are recognised as being the most effective in terms of reducing traffic speeds and collisions.

Ultimately, engineering judgement has to be applied to ensure that the features to be implemented are appropriate and likely to be effective.

Speed Humps

Mr P Weir asked the Minister for Regional Development what is the average cost of (i) installing; and (ii) removing a speed hump.

(AQW 6855/10)

Minister for Regional Development: My Department's Roads Service has advised that there are many different factors that impact upon the cost of implementing traffic calming measures. Primarily, the size and shape of speed humps will differ, depending on the location and characteristics of the site. In addition, the cost of setting up traffic management, to ensure the appropriate site safety measures are implemented must be taken into consideration, as will the number of advisory signs that have to be erected following the completion of the scheme.

Given the various factors that have to be considered, it is not possible for Roads Service to provide a definitive indication of the cost of installing and removing a speed hump. However, it has been estimated that the installation of a single road hump in a traffic calmed street, without the expense of implementing traffic management measures, will cost roughly £260. To remove a similar hump will cost approximately £120.

Speed Humps

Mr P Weir asked the Minister for Regional Development how many speed humps have been installed in each of the last five years; and how many of these have been subsequently removed.

(AQW 6856/10)

Minister for Regional Development: My Department's Roads Service does not specifically record the total number of road humps installed in the North, as the business target for this area of work focuses on the number of traffic calming schemes implemented. However, these schemes can include one or more streets and may also be comprised of other traffic calming measures, such as kerb build outs and chicanes.

The number of traffic calming schemes implemented over the last five years is as follows:

2005 – 2006	2006 – 2007	2007 – 2008	2008 – 2009	2009 – 2010
50 projects	36 projects	44 projects	52 projects	52 projects

Of these 234 projects undertaken over the last five years, only 18 individual road humps have been removed.

Ferry Service

Mr T Burns asked the Minister for Regional Development to detail the number of (i) passengers; (ii) cars; and (iii) commercial vehicles carried on each ferry service, in each of the last five years.

(AQW 6869/10)

Minister for Regional Development:

- (i) Statistics on passengers carried on ferry services through the North's ports are set out in the Department for Regional Development's Annual Transport Statistics publication 2008-2009. The table below provides this information for the last six available years (2003-2008):

DOMESTIC SEA PASSENGERS AT NORTHERN IRELAND PORTS 2003-2008

NI PORT	GB PORT	2003	2004	2005	2006	2007	2008
Belfast	Heysham	6	6	6	5	4	3
Belfast	Liverpool	150	158	167	171	187	190
Belfast	Stranraer	1,363	1,319	1,235	1,212	1,217	1,104
Belfast	Troon*	368	303	-	-	-	-
Larne	Cairnryan	599	595	602	595	646	628
Larne	Fleetwood	67	72	62	59	61	58
Larne	Troon	100	120	214	208	231	206
Warrenpoint	Heysham	6	4	7	7	5	6
All NI Ports	2,657	2,576	2,292	2,257	2,351	2,194	
NI PORT	IOM PORT	2003	2004	2005	2006	2007	2008
Belfast	Douglas	30	29	18	18	22	21

Source: Maritime Statistics DfT

*Belfast – Troon route closed in December 2004.

- (ii) Statistics on the number of cars travelling through the ports at Larne and Belfast between 2005 and 2009 are compiled by NITB and are set out in the table below:

NUMBER OF CARS TRAVELLING THROUGH THE PORTS OF BELFAST AND LARNE 2005-2009

	2005	2006	2007	2008	2009
Larne Cars	212,552	205,310	239,268	227,630	230,014
Belfast Cars	315,233	308,686	316,260	292,053	288,712

Figures for 'Cars' may include other non-commercial vehicles. Figures relate to the total number of cars travelling through each port i.e. inbound and outbound combined.

Source: Northern Ireland Tourist Board

- (iii) Information on the number of commercial vehicles carried on each ferry service is not available. However, the number of freight units passing through each port is available from the Department for Enterprise, Trade and Investment's Northern Ireland Ports Traffic publication. The table below provides this information for the last five available years.

NUMBER OF FREIGHT UNITS¹ PASSING THROUGH THE NORTH'S PORTS, 2004-2008

	2004	2005	2006	2007	2008
Belfast	399,894	397,124	403,564	412,613	390,583
Larne	342,760	359,427	360,140	371,547	353,402
Warrenpoint	57,917	79,150	98,144	97,431	92,967

Figures relate to the total number of freight units¹ travelling through each port i.e. inbound and outbound combined.

Freight units are defined as containers, road goods vehicles, unaccompanied trailers, rail wagons, shipborne port-to-port trailers and shipborne barges.

Source: NI Ports Traffic publication, DETI

Pay and Display Car Parking

Lord Morrow asked the Minister for Regional Development if he plans to extend Pay and Display car parking to other towns within the Dungannon and South Tyrone Borough Council area.

(AQW 6889/10)

Minister for Regional Development: My Department's Roads Service has advised that it currently has no plans to extend Pay and Display Parking to other towns in the Dungannon and South Tyrone Borough Council area.

NI Water

Mr J Shannon asked the Minister for Regional Development how many complaints, per constituency, his Department received in the last year in relation to the customer service of NI Water.

(AQW 6895/10)

Minister for Regional Development: Most complaints about customer service will be raised initially with Northern Ireland Water (NIW). If the complainant is not satisfied with NIW's response they will either contact my Department or the Consumer Council for Northern Ireland.

Between 1 May 2009 and 19 May 2010 my Department received 24 complaints about the customer service of NIW. The Department passes all complaints it receives to the Consumer Council for appropriate action.

My Department does not maintain an analysis of complaints on a constituency basis, it does, however, keep a record of all complaints forwarded to the Consumer Council. The nature of these complaints is detailed in the table below:

No.	Date Received	Issue	Location
1	27/07/09	Wayleave compensation	Dungiven
2	27/07/09	NIW Charges for Church properties	Belleek/Garrison
3	28/07/09	Poor Customer Service	Bangor
4	10/08/09	Billing Dispute	Ballymena
5	24/08/09	NIW Manhole Flooding	Belfast
6	27/08/09	Sewerage and Flooding	Larne
7	11/09/09	Proposed connection work	Rasharkin
8	17/09/09	Water Leak	Comber
9	23/09/09	Delay of bill	Comber
10	23/09/09	Flooding	Belfast
11	25/09/09	New Pipe – poor customer service	Larne
12	27/10/09	Breaks in Water Supply	Newtownards

No.	Date Received	Issue	Location
13	22/12/09	Provision of Water Meters	Newtownards
14	25/03/10	Delayed water connection	Lisburn
15	31/03/10	Lack of water connection	Magherafelt
16	31/03/10	Procurement for Small sewerage schemes	Newry
17	31/03/10	Leakage costs	Belfast
18	31/03/10	Lack of response to query	Fivemiletown
19	08/04/10	Notice of disconnection	Email No Address
20	09/04/10	NIW data inaccuracies	Mayobridge/Newry
21	27/04/10	Sewer flooding	Belfast
22	28/04/10	Water meter installation	Belfast
23	04/05/10	Raw sewerage	Greyabbey
24	12/05/10	Cost of upgraded water supply	Randalstown

Road Works

Mr D McKay asked the Minister for Regional Development to detail (i) the location; and (ii) the timescale of any road works due to be carried out by Roads Service or NI Water in the North Antrim constituency in 2010/11.

(AQW 6899/10)

Minister for Regional Development: I refer the member to my Department's Roads Service's Spring and Autumn Reports to Moyle, Ballymoney and Ballymena Councils. These contain details of road schemes proposed and completed in the North Antrim constituency and the latest reports can be accessed from the Roads Service internet site, at the following web address:

http://www.roadsni.gov.uk/index/publications/publications-council_reports.htm

Northern Ireland Water (NIW) has advised that it does not hold details of capital infrastructure projects on a parliamentary constituency basis. However, NIW projects, to be undertaken in the North Antrim area in the 2010/11 financial year, which will require road works, are detailed in the following table:-

Location	Timing (note, dependent on outcome of detailed design and contract procurement)
Portglenone Drainage Area Plan	On-going
Tardree Zonal Watermain Improvements. Depending on the outcome of more detailed surveys, there may be an impact on the following roads:-	Summer 2010.
Carnalbanagh Road	
Cloneytrace Road/Tullymore Road	
Craigdoo Road	
Moorefields Road	
Moorefields Rd/Scottstown Rd	
Rargkeel Road	
Speerstown Road	
Tully Road	
Ballycastle Zonal Watermain Improvements. Depending on the outcome of more detailed surveys, there may be an impact on the following roads:-	Spring 2011. The majority of this work is likely to be undertaken in the 2011/12 financial year.
Ballinlea Road	
Cabragh Rd/Fivey Rd/Moyan Rd/Toberdoney Rd	
Carrowreagh Road	
Coolkeeran Road	
Dun-a-mallaght Rd and Crescent	
Glensesk Road	
Hillside Road	
Knockmore Road	
Lagavara Road	
Moyan Road	
Moycraig Road	
Pharis Road	
Straid Road	
Stroan Road	
Urbal Road	
Railway Terrace, Armoy, storm sewer and watermain	Development driven
Storm Sewer at Giant's Causeway Centre	Development driven

Traffic Calming Schemes

Mr D McKay asked the Minister for Regional Development to detail the traffic calming schemes (i) implemented since 2009; (ii) currently underway; and (iii) at the planning or consultation stage in the North Antrim constituency.

(AQW 6900/10)

Minister for Regional Development: Details of traffic calming schemes completed by my Department's Roads Service in the North Antrim constituency, since 2009, are set out in the table below:

Traffic Calming Schemes completed since 2009	
Name of Scheme	Streets included in scheme
St Patrick's and St Bridget's Primary School	Moyle Road, Ballycastle
Straidbilly Primary School, Liscolman	Carnbore Road
William Pinkerton Primary School, Dervock	Knock Road
Martinstown village	Glenravel Road and Lisnamanny Road
St Mary's Primary School, Portglenone	Ballymena Road

Roads Service has advised that there are no traffic calming schemes currently underway.

Details of traffic calming schemes currently at the planning or consultation stage in the North Antrim constituency, are set out in the table below:

Traffic Calming Schemes currently at the planning or consultation stage	
Bushmills Primary School, Bushmills	Priestland Road (Safer routes to Schools)
Ballycastle	Whitehill Estate (Pilot 20 mph zones)
Dunloy	Bridge Road

I would remind the Member that information on completed and proposed roads schemes can be found in 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

Public Service Agreement 13

Mr C McDevitt asked the Minister for Regional Development what percentage of the motorway and trunk road network was in satisfactory structural condition at March 2010, in accordance with objective 2 of Public Service Agreement 13.

(AQW 6905/10)

Minister for Regional Development: My Department's Roads Service has advised that, at March 2010, 72.4% of the Motorway and Trunk Road Network was in satisfactory structural condition.

Junction Between the A57 and the M2

Mr D Kinahan asked the Minister for Regional Development what plans his Department has to realign the junction between the A57 and the M2.

(AQW 6913/10)

Minister for Regional Development: My Department's Roads Service has advised that it currently has no plans to carry out any realignment work at the junction between the A57 and the M2.

However, I can advise that Translink is taking forward a project to provide Park and Ride facilities at Ballymartin. This project will be completed over several phases and in the first phase, over 400 bus-based spaces will be provided. Translink has advised that Phase 1 was scheduled for completion in 2010, but following alterations to the project, the current target date for Phase 1 is now 2012, subject to the necessary approvals and the availability of funding at the time.

The Phase 2 of the project will provide for a rail halt with an island platform and terminal building, with an ultimate target of 650 parking spaces, including 28 disabled parking spaces. This phase is planned for 2016/17. However, this will be dependent on the successful completion of other rail-based projects, including dualling of the track between Bleach Green and Ballymena, the dualling of a section of the Dargan Bridge, the availability of additional rolling stock, and the availability of the necessary funding at the time.

Junction 5 of the M2

Mr D Kinahan asked the Minister for Regional Development for his assessment of the safety of the layout of junction 5 of the M2.

(AQW 6915/10)

Minister for Regional Development: My Department's Roads Service has advised that junction 5 of the M2, which services the A57 Ballyclare Road, is known as a "half clover leaf junction". This design of junction requires motorists to make right turns into and out of the slip roads, by crossing the lanes for oncoming traffic. At the time of its design, the close proximity of the railway line and its bridge over the M2 influenced the choice of junction.

Roads Service has implemented a number of improvements in recent years, including a Collision Remedial Scheme in 2003 that reduced the dual carriageway to a single lane carriageway, to improve the safety of crossing vehicles. At the same time, the width of the central reservation was also increased to help accommodate larger vehicles. Following the completion of this scheme, there has been a reduction in the number of accidents at this location from ten in the three years preceding the scheme, to seven in the three years after.

In addition, Translink currently has an application with Planning Service (T/2009/0042/F) for the development of a major Park and Ride facility at this location, to be known as Ballymartin Park and Ride. The successful operation of the facility will require significant changes to the road network on the A57 Ballyclare Road.

As part of the planning application process for this proposal, officials from Roads Service's Development Control and Consultancy Sections have been working with Translink's agents to agree a satisfactory road layout. I understand that this consultation is nearing an agreed conclusion, which will allow Planning Service to determine the application.

Telemetry Validation Project

Mr G Savage asked the Minister for Regional Development, in light of the restructuring of NI Water's mechanical engineering function in 2008, which management level(s) identified the skill and experience of staff employed under CO 71 as suitable for the Telemetry Validation Project.

(AQW 6916/10)

Minister for Regional Development: I am advised by Northern Ireland Water (NIW) that employees of contractors engaged under a tendered contract arrangement are not deemed to be NIW employees.

In the case of contract C071, the allocation of staff to work on the Telemetry Validation Project was undertaken by the contractor, Williams Industrial Services.

Speed Bumps

Mr D McKay asked the Minister for Regional Development to list all the 'A' roads in each division which have had speed bumps installed on them in the past ten years.

(AQW 6923/10)

Minister for Regional Development: The table below lists the 'A' class roads in each of my Department's Roads Service divisions, on which speed bumps have been installed in the last ten years:

'A' class roads on which speed bumps have been installed	
Southern Division	A2 Main Street, Newcastle
	A25 Newry Street, Rathfriland
	A26 Bridge Street, Banbridge
Western Division	A29 Carland Road, Dungannon

No speed bumps have been installed on A class roads in Roads Service's Eastern Division and Northern Division, in the last ten years.

Parking on Clearways

Mr C McDevitt asked the Minister for Regional Development how many people have been penalised for parking their vehicles on clearways after 18.00, between Monday to Friday, in each of the last three years.

(AQW 6944/10)

Minister for Regional Development: My Department's Roads Service has advised that, at almost all locations, urban clearway restrictions terminate at 18.00 Monday to Friday. Therefore, Penalty Charge Notices (PCNs) cannot be issued to vehicles parked on this type of carriageway after 18.00.

Urban clearway restrictions in Portadown and Banbridge terminate at 18.15, however, no PCNs have been issued after 18.00 at these locations.

Speed Humps

Mr A Easton asked the Minister for Regional Development to detail the cost of installing speed humps in North Down, in each of the last three years.

(AQW 6952/10)

Minister for Regional Development: Details of expenditure by Roads Service on traffic calming schemes, which include the provision of road humps, in the North Down Borough Council area, in each of the last three years is provided in the table below.

TRAFFIC CALMING SCHEMES IN NORTH DOWN BOROUGH COUNCIL

Financial Year	Name of Scheme	Cost of scheme
2007/2008	Ballyholme Road, Bangor	£49,688
	Rathmore Road, Bangor	£21,633
	Victoria Road / Clifton Road, Bangor	£67,986
	Broadway, Bangor	£20,000

Financial Year	Name of Scheme	Cost of scheme
2008/2009	Grays Hill, Bangor	£14,645
	Drumhirk Drive, Bangor	£51,544
2009/2010	Castle Park Road, Bangor	£36,780

Review of Public Administration

Mr P McGlone asked the Minister for Regional Development to detail the cost to date of the Review of Public Administration to his Department and its agencies.

(AQW 6993/10)

Minister for Regional Development: My Department's Roads Service has incurred costs of £2,500 for consultant's fees for the Review of Public Administration. In addition, Roads Service has incurred the following staff costs to 31 March 2010 as a result of the Review:

05/06	06/07	07/08	08/09	09/10
£59,000	£59,000	£72,000	£72,000	£103,000

Minor Capital Spend by Roads Service

Mr G Campbell asked the Minister for Regional Development to detail the Minor Capital Spend by Roads Service in each Council area in (i) 2008; and (ii) 2009.

(AQW 7050/10)

Minister for Regional Development: My Department's Roads Service does not maintain records on a calendar year basis. It does, however, hold records by financial year, which covers the period from 1 April to 31 March.

Details of actual spend on Minor Capital activities, in all District Council areas, for the years 2007/08 and 2008/09, is shown in the table below:

District Council	Minor Capital Spend	
	Year 2007/08	Year 2008/09
Antrim	£476,000	£444,000
Coleraine	£1,289,000	£315,000
Limavady	£581,000	£702,000
Moyle	£142,000	£386,000
Ballymoney	£251,000	£494,000
Derry	£618,000	£1,337,000
Ballymena	£992,000	£2,472,000
Larne	£806,000	£810,000
Belfast	£1,245,000	£3,177,000
Castlereagh	£811,000	£252,000
Newtownabbey	£354,000	£492,000
Carrickfergus	£54,000	£248,000

District Council	Minor Capital Spend	
	Year 2007/08	Year 2008/09
North Down	£1,098,000	£553,000
Lisburn	£853,000	£1,297,000
Ards	£439,000	£784,000
Armagh	£1,719,000	£1,432,000
Newry & Mourne	£1,751,000	£1,258,000
Banbridge	£318,000	£596,000
Craigavon	£943,000	£1,331,000
Down	£523,000	£512,000
Magherafelt	£946,000	£1,130,000
Omagh	£1,326,000	£1,506,000
Strabane	£611,000	£410,000
Cookstown	£380,000	£168,000
Fermanagh	£2,501,000	£1,847,000
Dungannon	£524,000	£986,000
Totals	£21,551,000	£24,939,000

CCTV Cameras in NI Railway Stations

Mr A Ross asked the Minister for Regional Development how many CCTV cameras there are currently on each section of the NI Railway network.

(AQW 7073/10)

Minister for Regional Development: Translink have provided details of CCTV provision on the NIR rail network by section, as outlined in the table below:

Area	Location	Stations	Car Park/ Park & Ride	Crossings	Total
Belfast	Great Victoria Street	23	4		27
"	Central Station	48	11		59
"	Botanic Station	16	0		16
	Total	87	15	0	102

Area	Location	Stations	Car Park/ Park & Ride	Crossings	Total
Belfast to Border	Lisburn	3	6		9
"	Moirá	3	8		11
"	Lurgan	11	8		19
"	Portadown	5	17		22

Area	Location	Stations	Car Park/ Park & Ride	Crossings	Total
“	Newry	25	12		37
	Total	47	51	8	106

Area	Location	Stations	Car Park/ Park & Ride	Crossings	Total
Belfast to Bangor	Bangor Rail/ Bus Station	19	0		19
	Total	19	0	0	19

Area	Location	Stations	Car Park/ Park & Ride	Crossings	Total
Belfast to Larne	Yorkgate	27	0		27
“	Whiteabbey Park & Ride		11		11
“	Greenisland	7	9		16
“	Carrickfergus	15	1		16
“	Whitehead	6	10		16
	Total	55	31	2	88

Area	Location	Stations	Car Park/ Park & Ride	Crossings	Total
Belfast to L/Derry	Antrim	15	2		17
	Ballymena	8	6		14
	Ballymoney	8	5		13
	Coleraine Rail/Bus Station	27	0		27
	Waterside	4	0		4
	Total	62	13	21	96

CCTV Cameras in NI Railway Stations

Mr A Ross asked the Minister for Regional Development how many CCTV cameras are located in NI Railway stations and if there are any plans for additional cameras.

(AQW 7074/10)

Minister for Regional Development: The details of current CCTV provision on the NIR rail network are outlined in the table below:

Area	Stations	Car Park/ Park & Ride	Crossings	Total
Belfast	87	15	0	102
Belfast to Border	47	51	8	106
Belfast to Bangor	19	0	0	19
Belfast to Larne	55	31	2	88
Belfast to Derry*	62	13	21	96
Grand Totals	270	110	31	411

Translink advise that they have a rolling programme of CCTV installations and renewals. There are plans to install additional camera systems, however, the timing and scope of this work is dependent on operating experience, prioritisation and approval for funding.

(*includes Portrush)

CCTV Cameras in NI Railway Trains

Mr A Ross asked the Minister for Regional Development how many NI Railway trains have CCTV cameras on board.

(AQW 7075/10)

Minister for Regional Development: Translink advise that they have 38 operational train sets available and CCTV cameras are installed on all 23 CAF Class 3000 trains, with 8 cameras on each. The CCTV system was not rolled out to other vehicles in the fleet because of plans to replace most of these.

Door-to-Door Transport Scheme

Mr A McQuillan asked the Minister for Regional Development if he plans to review the Door-to-Door Transport Scheme in order to identify areas for improvement.

(AQW 7097/10)

Minister for Regional Development: I have no plans to carry out a formal review of the Door-to-Door Transport Scheme at this time.

However, in line with commitments contained in the Accessible Transport Strategy, the Department will continue to monitor the performance of the Scheme by analysing the usage data and customer feedback that is collected on an on-going basis

Additionally, my Department recently engaged the services of Community Evaluation Northern Ireland (CENI) to carry out an evaluation of the social benefits of the Scheme. The results of this work will help the Department shape the future direction of the Scheme.

Department for Social Development

Housing Executive

Mr J Shannon asked the Minister for Social Development how many complaints were made to the Housing Executive by tenants because of (i) noise; (ii) physical abuse; and (iii) violence by neighbours in each of the last three years.

(AQW 6802/10)

Minister for Social Development (Ms M Ritchie): The information is not available in the format requested as the Housing Executive does not record complaints regarding physical abuse or violence by

neighbours. The Housing Executive records complaints of anti-social behaviour under 22 categories. In relevant or related categories to the terms of the question details for the last three years are:-

	07/08	08/09	09/10
Criminal Behaviour	107	96	158
Damage to Property	226	271	271
Domestic Violence	7	6	5
Harassment	264	280	295
Homophobic Abuse	4	5	1
Intimidation	30	30	20
Multiple	761	646	646
Noise	1081	1196	1366
Nuisance from business use	5	5	9
Nuisance from vehicles	100	82	90
Nuisance in a public space	328	229	282
Racial Abuse	6	14	23
Sectarian Abuse	4	3	5
Verbal Abuse	102	120	153

Newbuild Social Housing Units

Mr D McKay asked the Minister for Social Development how many new build social housing units are planned for the 2010/11 financial year in North Antrim.

(AQW 6875/10)

Minister for Social Development: There are currently 127 dwellings (8 schemes) programmed to start during 2010/11 within the North Antrim Parliamentary constituency.

Employment Support Allowance

Mr P Weir asked the Minister for Social Development to detail (i) the number of (a) written appeals; and (b) oral tribunals processed by her Department in relation to Employment Support Allowance in each of the last three years; and (ii) the number of appeals in each case that were successful.

(AQW 6890/10)

Minister for Social Development: Employment Support Allowance replaced Incapacity Benefit and Income Support paid on the grounds of incapacity for new customers from 27 October 2008. No Employment Support Allowance appeals were determined until 2009/10 financial year therefore there is no data relating to 07/08 and 08/09.

The table below details the number of (a) written appeals and (b) oral appeals processed by the Department in relation to Employment Support Allowance during the 2009/10 financial year; and (ii) the number of appeals in each case that were successful:

	Number Appeals Processed	Number Appeals Successful
Paper	511	22
Oral	1062	402

Social Security Appeals Commissioners

Mr P Weir asked the Minister for Social Development how many Social Security appeals have been referred to the Social Security Appeals Commissioners in each of the last three years; and how many cases were upheld.

(AQW 6893/10)

Minister for Social Development: The Appeals Service provides advice to appellants on the right of appeal to Office of Social Security Commissioners. Appellants may submit an appeal directly to the Commissioner therefore the Appeal Service does not hold information on all appeals referred. This information is held by the Office of Social Security Commissioners.

Magherafelt Social Security Office Staff

Mr P McGlone asked the Minister for Social Development, pursuant to AQW 6568/10, what consultation took place with (i) Standards Assurance Unit staff; and (ii) the Debt Referral Team, in the Magherafelt Social Security Office.

(AQW 6914/10)

Minister for Social Development: The staff from Standards Assurance Unit and the Debt Referral Team was engaged with throughout the Strategic Business Review and Customer First consultation period. This engagement increased in recent months as the position as to whether they were required to relocate, and options as to future location, became clearer. The Agency also engaged with the Trade Union throughout this period.

Employment Support Allowance Application

Mr P McGlone asked the Minister for Social Development to detail (i) the target time; and (ii) the average actual time taken to process an Employment Support Allowance application.

(AQW 6986/10)

Minister for Social Development:

- (i) The 2010/11 target for processing an Employment and Support Allowance (ESA) application is 17 days.
- (ii) The average actual time to process an ESA application during April 2010 was 15.9 days.

Applications for Housing Cost Claims

Mr P McGlone asked the Minister for Social Development how many applications for housing cost claims from people on Income Related Employment Support Allowance are currently outstanding.

(AQW 6987/10)

Minister for Social Development: The Employment and Support Allowance Centre currently has 213 customers with outstanding applications for assistance with mortgage interest costs. Of these, 184 customers have been written to and the Centre is awaiting further information in order to process these applications. The remaining 29 applications have been received within the last five days and are awaiting action.

Royal Exchange Development

Mr F McCann asked the Minister for Social Development to clarify the situation in relation to the decision to put the Royal Exchange Development proposals on hold; and if he will now consider abandoning the approach of sequencing city centre development plans in Belfast and giving priority to the West Side Regeneration proposals.

(AQW 7330/10)

Minister for Social Development: The Royal Exchange scheme is not on hold. My Department has entered into a Development Agreement with the developer consortium for the scheme which sets

out the legal and contractual context for the scheme moving forward. The Agreement provides that the developer must submit a planning application, approved by DSD, to the Department of the Environment's Planning Service by 31 October 2010.

The scheme is therefore on track and will be ready to take advantage of the upturn in the retail sector when this arrives. By moving the scheme through statutory planning we will ensure that Belfast is ready to compete for a share of the future retail market rather than lagging behind other city centres. My Department will be bringing forward proposals to move forward the West Side Regeneration Masterplan in the near future. The Westside Plan is not a retail-laid plan and therefore is not in competition with Royal Exchange in terms of priority or sequencing. It covers the Greater Castle Street (South West Quarter) area known as the Westside. The sequencing policy only applies to Victoria Square (South East Quarter), Royal Exchange (North East Quarter) and Castlecourt (North West Quarter) in this order of sequence for regeneration.

Northern Ireland Assembly

Friday 11 June 2010

Written Answers to Questions

Office of the First Minister and deputy First Minister

Rights of Disabled People

Mr P Weir asked the First Minister and deputy First Minister what co-ordination is in place between Departments to ensure the rights of disabled people are protected.

(AQW 7164/10)

First Minister and deputy First Minister (Mr P Robinson and Mr M McGuinness): The rights of persons with a disability are firmly enshrined in law through the Disability Discrimination Act (DDA) (1995), Section 75 of the Northern Ireland Act 1998 and the UN Convention on the Rights of Persons with Disabilities. As such it is incumbent on all Government Departments to comply with their statutory obligations and there are several processes in place to ensure this happens.

The Disability Discrimination Act (1995) was further strengthened by the Disability Discrimination Order (DDO) (Northern Ireland) (2006) which requires Public Authorities, when carrying out their functions to have due regard to the need to promote positive attitudes toward persons with a disability and encourage their participation in public life.

All Government Departments here now produce a Disability Action Plan and the extent of their compliance with the requirements under DDO (2006) is monitored and reviewed by the Equality Commission annually.

You may also be aware that we received the Report of the Promoting Social Inclusion Working Group on Disability in December 2009. This report was the culmination of an extensive piece of work across all Departments in conjunction with the sector, which looked at addressing barriers that people with a disability here face in their everyday lives. Within its report, the PSI group made a series of recommendations; the Executive will provide a formal response to the report and there will be formal consultation on this response. This work will be taken forward along with work to implement the UN Convention.

Article 33 of the UN Convention covers national implementation and monitoring. We have worked with the Office of Disability Issues and the other devolved administrations to ensure that a monitoring framework is in place that includes independent mechanisms; and that Civil Society, in particular, persons with disabilities and their representative organisations, shall be involved and participate fully in the monitoring process. We intend to build on the work of the PSI Working Group through extending that Group to develop a disability stakeholder forum and through the establishment of disability champions in departments.

Review of Public Administration

Mr P McGlone asked the First Minister and deputy First Minister to detail the cost, to date, to their Department and its agencies of the Review of Public Administration.

(AQW 7179/10)

First Minister and deputy First Minister: Since April 2002, the Office of the First Minister and deputy First Minister has spent £5.2m on the Review of Public Administration. A breakdown is as follows:

2002/03	2003/04	2004/05	2005/06	2006/07	2007/08	2008/09	2009/10
£0.8m	£0.9m	£0.9m	£1.1m	£0.5m	£0.4m	£0.4m	£0.2m

EU Progress Microfinance Facility

Mrs D Kelly asked the First Minister and deputy First Minister how much of the €500m leveraged credit under the new EU Progress Microfinance Facility will be allocated to Northern Ireland and what is the current position on the administration and allocation of this finance.

(AQO 1385/10)

First Minister and deputy First Minister: As part of the EU's response to the current economic situation, the European Council and the European Parliament took a joint Decision on 25 March 2010 (No 283/2010/EU) to establish a 'European Progress Microfinance Facility for employment and social inclusion'.

The rationale for the Facility is to offer a new chance to unemployed individuals and micro-companies and open the road to entrepreneurship for some of Europe's most disadvantaged groups who have difficulty in accessing the conventional credit market. The aim of the Facility is to provide additional microfinance to this sector from the European Commission, the European Bank (EIB) and the European Investment Fund (EIF): €100 million has been set-aside from the EU Commission and this is expected to lever €500 in total.

The Facility is not aimed directly at beneficiaries but at microfinance organisations including commercial banks in all EU Member States. There is no specific amount allocated in advance to Member States or regions as it will be open to microfinance organisations to apply for assistance in response to calls issued by the EIF once the Facility becomes operational. Successful applicant organisations will then distribute the funds obtained from the Facility to the final beneficiaries.

Under the terms of the EU Decision, the EU Commission and the EIF are to conclude an Agreement which will specify the detailed terms and conditions for the operation, accountability and review of the Facility.

The EU Commission has informed us that the Agreement is expected to be concluded very shortly and that the first call for proposals is expected in summer 2010 with a second call expected in autumn 2010.

Once the Agreement has been reached, the EIF will publish full details of how and when microfinance organisations can apply for assistance. Given its links with the social entrepreneurship sector, DETI will be the Department responsible for providing guidance and advice to microfinance organisations here on accessing the new Facility. DEL will also have a role to play in regard to synergies between the new financial instrument and the existing European Social Fund activities in Northern Ireland to promote employment and entrepreneurship.

British-Irish Council and Joint Ministerial Council

Mr A Easton asked the First Minister and deputy First Minister to outline any improvements to the operation of the British-Irish Council and the Joint Ministerial Council that were suggested at the meeting of the devolved administrations on 24 May.

(AQO 1362/10)

First Minister and deputy First Minister: At our meeting with Ministers from Scotland and Wales in Parliament Buildings on 24 May we discussed the beneficial contacts between our administrations and continued co-operation through our collective participation in the Joint Ministerial Committee and the British-Irish Council.

Our discussions covered the processing of disputes and options for arbitration, implications of the budget cuts announced on 24 May and the devolved administrations' approach to these and the scope for addressing the current financial settlements.

Decision-making

Mr S Gardiner asked the First Minister and deputy First Minister what steps they have taken to expedite the decision making process within their Department, given that the process of creating a Commissioner for Older People is only beginning now despite the original consultation having taken place in 2006.

(AQO 1364/10)

First Minister and deputy First Minister: Members will be aware that the decision to create a Commissioner for Older People was announced by the former First Minister and the deputy First Minister in December 2007, and we enshrined this commitment in our Programme for Government.

Our priority in creating this post has always been to appoint the right Commissioner with the right responsibilities and powers. We want to ensure that the older members of our society have a strong, independent voice, and receive the support and protection they fully deserve.

In order to appoint a Commissioner we need to bring forward primary legislation. We have been clear all along that we aim to complete this legislation within the lifetime of this Assembly.

In developing the draft legislation, our officials have considered the extensive evidence base available, developed policy proposals and undertook pre-consultation engagement with stakeholders.

We have endeavoured to consult as fully and widely as possible on this important legislation. In order to expedite the process, we took the decision to consult on the policy and the draft Bill together. We believe that this approach provided a more focused and meaningful consultation and streamlined the process.

We have already seen from the very constructive debate on the second stage of the Bill earlier today that we are on track to meet the timeframe.

Victims and Survivors Service

Mr T Elliott asked the First Minister and deputy First Minister to outline the total administrative costs associated with the establishment of the new Victims and Survivors Service.

(AQO 1365/10)

First Minister and deputy First Minister: As the work of establishing the Service is still ongoing it is not possible to provide an absolute figure.

We are committed to establishing a first class Service for Victims and Survivors as quickly as we can. We fully understand the complexities and sensitivities of the sector and the importance of getting the Service right first time and ensuring it is fit for purpose.

Long Kesh Site

Mr P Maskey asked the First Minister and deputy First Minister for their assessment of the economic, historic and reconciliation potential of the Long Kesh Site.

(AQO 1366/10)

First Minister and deputy First Minister: Maze/Long Kesh presents us with a unique and viable redevelopment opportunity. In the current economic climate, opportunities of this type are rare and it is important that we exploit this potential to the full.

We intend that the redevelopment of Maze/Long Kesh will impact positively on our economy and to the good of the whole community, not least given its long history from being a vital World War II aircraft base, its use as a prison and now through the planned transformation of the site.

We announced last year our intention to create a Development Corporation to take forward the regeneration of the site and we are currently considering the detail of this.

Cohesion, Sharing and Integration Strategy

Mr P McGlone asked the First Minister and deputy First Minister whether they can provide an assurance that the Cohesion, Sharing and Integration Strategy will be subject to a full Equality Impact Assessment and will reflect the needs of all people in our society.

(AQO 1367/10)

First Minister and deputy First Minister: We agreed the core of the Programme for Cohesion, Sharing and Integration on 23rd February 2010. The Programme sets out a vision for a new era in which we work together to build a shared and better future, a future where fairness, equality, rights, responsibilities and respect are acknowledged and accepted by all. As such, it will aim to produce positive good relations outcomes for everyone in our society.

It is expected that the Programme will go out to public consultation before the summer and the consultation period will run until at least the end of September 2010.

The consultation document will include detail of how the Programme has been screened for equality impacts and the public will have opportunity to comment on this as part of the consultation exercise.

As a Programme that will cut across many areas of responsibility, the departmental policies currently underpinning it, and any new policies or programmes leading from it, will also be subject to Equality Impact Assessment processes where appropriate.

Public Services: Savings

Mr K Robinson asked the First Minister and deputy First Minister what discussions they have had with the First Ministers of Scotland and Wales to develop shared public services that will result in overall savings.

(AQO 1368/10)

First Minister and deputy First Minister: We invited the First Ministers of Scotland and Wales to Stormont on 24 May 2010 to discuss a range of issues of common interest and to discuss the implications for our administrations of the recent change of government in London. This meeting afforded the opportunity to explore areas where a common approach would be both desirable and practicable. We expect such meetings to take place regularly to develop further a co-operative agenda. You will in addition be aware that the British Irish Council (BIC) already provides a collaborative forum for the member administrations where the sharing of best practice and the avoidance of duplication of effort are among the main benefits. We will continue to consider collaboration in the delivery of cost effective delivery of public services where opportunities arise.

The challenging economic situation has also been discussed at recent BIC summits and we anticipate that there will be further discussions on this topic at the next summit in Guernsey later this month.

Public Assemblies, Parades and Protests Bill

Mr J Dallat asked the First Minister and deputy First Minister for their assessment of how the requirement, in the Draft Public Assemblies, Parades and Protests Bill, for 37 days notice of a proposal to assemble will impact on the right to freedom of association and the right to protest.

(AQO 1369/10)

First Minister and deputy First Minister: We would refer the Member to the answer given on 1 June 2010 to Dr S Farry in response to AQW 6744/10.

Economy: Policy Co-ordination

Mr R McCartney asked the First Minister and deputy First Minister what action has been taken in conjunction with the Irish Government to provide a co-ordinated response on economic issues relating to the National Asset Management Agency, the Quinn Group and the Anglo Irish/First Trust Bank. **(AQO 1370/10)**

First Minister and deputy First Minister: OFMDFM maintains regular bi-lateral contact with the Taoiseach's office on economic matters with issues relating to the National Asset Management Agency (NAMA), the Quinn Group and the Allied Irish/First Trust Bank all under discussion.

Where appropriate, economic issues have also been raised at the North South Ministerial Council and the British Irish Council, with Irish Government Ministers contributing to the discussion.

At its plenary meetings in July 2009 and December 2009, the North South Ministerial Council (NSMC) discussed the economic challenges facing both jurisdictions, respective responses to dealing with the downturn and its impact, particularly on the banking sectors, and with an exchange of views on respective measures being implemented to promote growth and protect employment.

The Finance Minister, Sammy Wilson, closely monitors developments on NAMA and has met with Brian Lenihan many times over the last year on this matter. Minister Lenihan has repeatedly provided an assurance that it is in no-one's interest to undertake a 'firesale' of assets here. Most recently, Minister Sammy Wilson has also met with Minister Mansergh on 20 May 2010. A key outcome of these discussions has been the establishment of a NAMA Northern Ireland Advisory Committee on which we have two representatives.

Whilst the Executive cannot interfere directly in the commercial decisions of our local or indeed ROI banks, Minister Sammy Wilson also took the opportunity, during these discussions, to raise the potential economic implications concerning the sale by the Allied Irish Bank of the First Trust Bank. He raised concern over the potential negative impacts on jobs and the wider local economy associated with AIB's decision. He also intends to discuss this issue with Minister Lenihan when they next meet. We are keen that the impact on the local economy is considered as decisions are taken.

At the meeting with Minister Mansergh on 20 May, Minister Wilson also welcomed the joint Invest NI/Enterprise Ireland consideration of INTERREG funding as a positive way of helping those affected by the Quinn insurance situation.

Following the appointment of joint administrators to Quinn Insurance in March 2010, we promptly wrote to the Taoiseach and the Prime Minister asking for help to expedite a positive resolution. On 29 April 2010, the Irish Regulator announced the re-opening of UK motor business on a limited basis. In response to the company administrator's announcement of job losses, the Ministers for Enterprise, Trade and Investment and Employment and Learning appointed Mr Leslie Ross on 12 May 2010 to help co-ordinate the inter-agency approach to Quinn Insurance for those facing redundancy in Fermanagh. Mr Ross is working closely with his counterpart in the Republic of Ireland, Mr Dan Flinter, to help minimise the impact of the planned redundancies in both jurisdictions, and has chaired a meeting with all key agencies involved.

Every effort is being made by Invest NI, the company administrators, the senior management team and the Quinn Group to ensure investment and employment is maintained in the Fermanagh and surrounding area.

Department of Agriculture and Rural Development

Shellfish Fishing in Belfast Lough

Mr K Robinson asked the Minister of Agriculture and Rural Development (i) how many vessels are currently engaged in fishing for shellfish in Belfast Lough; (ii) to detail the annual tonnage of catches

in each of the last five years; and (iii) what procedures are in place to ensure that adequate re-seeding takes place to maintain the capacity of the fishery.

(AQW 7055/10)

Minister of Agriculture and Rural Development (Ms M Gildernew): I regret that it is not possible to provide any of the information you have requested in relation to commercial wild shellfish fisheries within Belfast Lough. For statistical purposes, Belfast Lough falls within ICES Rectangle 38E4 which covers a significant area of the Irish Sea to the 55°N line. Unfortunately, there is no legal obligation on licensed fishermen to enter sub-rectangle data to indicate fishing activity specifically in Belfast Lough.

An experimental wild cockle fishery has taken place within the Lough in 2008 and 2009. In 2008, 2 vessels landed a total of 128 tonnes of cockles, while in 2009, 13 vessels landed in total just under 71 tonnes. This experimental fishery has been carried out in a precautionary manner and a substantial area has not been fished. Of the area where fishing was permitted, uptake was restricted to one-third of the available cockle resource to ensure that sufficient cockles remain to sustain the natural environment.

Belfast Lough also supports a significant farmed shellfish industry, producing bottom grown mussels. Up to 12 mussel dredgers can be involved in servicing 32 licensed sites, including the relaying of seed and the harvesting of mature mussels. Production of mussels from Belfast Lough over the last five years is as follows:-

Year	2004	2005	2006	2007	2008
Tonnes	1635	3505	3370	2724	4483

The mussel industry in Belfast Lough operates on a 2 to 3 year growth cycle and at any given time producers will have seed mussel, half grown mussel and mature mussels ready for harvesting on their sites. Producers receive an annual seed mussel allocation for their licensed sites which they primarily source from naturally occurring seed beds located in the Irish Sea.

Agricultural Practices

Mr K Robinson asked the Minister of Agriculture and Rural Development for her assessment of the current precautions in place to prevent agricultural practices from impacting negatively on streams, water courses, rivers and inland loughs.

(AQW 7056/10)

Minister of Agriculture and Rural Development: A wide range of measures are in place to prevent agricultural practices impacting negatively on water quality.

The Nitrates Action Programme contains comprehensive measures to manage manures and fertilisers and prevent water pollution. The Programme was implemented jointly with the Department of the Environment in 2007 and applies to all farmers in the north of Ireland.

Training workshops, guidance and on line computer programmes have been provided to help farmers meet the Action Programme requirements.

In addition, capital grant support of £120 million was provided through my Department's Farm Nutrient Management Scheme to improve slurry and manure storage facilities. Over 3900 projects were completed under the scheme. This represents a total investment of over £200m in farm infrastructure which will help to protect water quality.

The Code of Good Agricultural Practice provides practical advice for farmers on management practices designed to reduce any negative impact from agricultural activities on the environment.

My Department's Agri-environment schemes include a range of options which protect water quality of rivers and lakes. Some 12,500 farms currently participate in these schemes and have been provided with farm nutrient and waste management advice to ensure effective pollution control.

Regulations are in place to control the discharge or disposal of potentially polluting materials, such as sheep dip, pesticides, ammonia and biocides.

A recent detailed scientific assessment has concluded that water quality appears to be stable and it will take time for the impact of the Nitrates Action Programme measures to show through in water quality data. However, since 2007 there have been significant improvements in the efficient use of manures and trends in fertiliser use are very encouraging.

Agencies and Bodies Funded by the Department

Mr J Craig asked the Minister of Agriculture and Rural Development to detail (i) all the agencies and bodies funded by, and associated with, her Department; and (ii) the total running costs of each agency or body for each of the last five years.

(AQW 7067/10)

Minister of Agriculture and Rural Development: The bodies or agencies the department has a specific remit with fall into three main categories.

These are Non Departmental Public Bodies (NDPB), Executive Agencies and North South Bodies and are detailed in Table 1.

TABLE 1

Non Departmental Public Bodies
Agri-Food and Biosciences Institute (AFBI)
Livestock and Meat Commission for Northern Ireland (LMC)
Northern Ireland Fisheries Harbour Authority (NIFHA)
Drainage Council for Northern Ireland
Agricultural Wages Board for Northern Ireland
Executive Agencies
Rivers Agency
Forest Service
North South Body
Foyle Carlingford and Irish Lights Commission (Loughs Agency)

Of the five NDPBs associated with the department only three have a specific running costs budget and these are the Livestock and Meat Commission (LMC), Agri-Food and Bioscience Institute (AFBI) and Northern Ireland Fisheries Harbour Authority (NIFHA).

The gross running costs, excluding income, for the last five financial years of these three NDPBs, together with the department's two executive agencies, are shown in Table 2. Running costs are defined as those costs associated with salaries, general administrative expenditure, travel and subsistence and will include such items as heat, light and power. Income and programme costs are excluded.

TABLE 2

Financial Year	LMC	AFBI	NIFHA	Rivers Agency	Forest Service
2005-2006	£2,218,278	AFBI only established April 2006	£941,251	£12,777,000	£8,385,000

Financial Year	LMC	AFBI	NIFHA	Rivers Agency	Forest Service
2006-2007	£1,798,055	£35,577,000	£987,957	£12,657,000	£7,764,000
2007-2008	£1,851,384	£46,299,000	£1,517,237	£13,586,000	£7,452,000
2008-2009	£1,787,326	£44,110,000	£1,137,341	£14,010,000	£7,365,000
2009-2010*	£1,745,687	£43,935,000	£1,142,804	£11,883,000	£7,740,000

* The figures for 2009/10 are unaudited as the accounts for these bodies are not yet finalised.

As a North South Body the Loughs Agency is jointly funded on a 50/50 basis by the department and the south of Ireland's Department of Communication Energy and Natural Resources (DCENR).

The Loughs Agency's financial year is the calendar year and Table 3 shows the department's contribution to its running cost for each of the last five calendar years.

TABLE 3.

Year	2005	2006	2007	2008*	2009*
Foyle Carlingford and Irish Lights Commission (Loughs Agency)	£1,079,137	£1,664,439	£1,820,862	£1,622,918	£1,659,850

* The figures for 2008 and 2009 are unaudited as the Loughs Agency's accounts have not been finalised for these years.

Single Farm Payments

Mr P J Bradley asked the Minister of Agriculture and Rural Development how many Single Farm Payments were totally or partially denied to applicants in each of the last three years; and to detail the total sum of these payments for each year.

(AQW 7090/10)

Minister of Agriculture and Rural Development: Up to the present the total number of Single Farm Payments, which were totally or partially denied to applicants due to the application of penalties in each of the last three years, was 1,066 for 2009, and 1,039 and 1,371 for the years 2008 and 2007 respectively. The total value of the SFP withheld in this regard for 2009 was £796,699. The sums of £418,540 and £591,728 were withheld for years 2008 and 2007 respectively.

Insurance Cover to Farmers and Growers

Mr P J Bradley asked the Minister of Agriculture and Rural Development to list the insurance companies of which her Department is aware that offer cover to farmers and growers against weather related loss or damage.

(AQW 7094/10)

Minister of Agriculture and Rural Development: The Department does not hold information on insurance providers marketing such specific insurance cover here. However, in the context of recent weather related calls for hardship funding, I recently asked my officials to hold discussions with the farming and insurance industries to identify insurance provision and to see if there are any ways of making insurance more accessible to farmers as this is the direction we, collectively, would like to see the industry follow.

Suckler Cows

Mr P J Bradley asked the Minister of Agriculture and Rural Development for her assessment of the subsidies being paid on suckler cows in other European countries.

(AQW 7095/10)

Minister of Agriculture and Rural Development: Locally, we moved to a fully decoupled agricultural support regime in 2005. That was the right decision and one which was taken with the strong support of our major stakeholders. Moving forward, I would prefer to see the removal of all remaining production-linked support payments made under the CAP in other European countries. These distort competition within the EU and, therefore, work to the disadvantage of our local farmers. I hope this can be achieved as part of the forthcoming CAP reform.

Electronic Grading System

Mr P J Bradley asked the Minister of Agriculture and Rural Development for her assessment of the financial impact on beef producers of the electronic grading system becoming fully operational and the potential job losses when electronic systems are installed in meat plants.

(AQW 7099/10)

Minister of Agriculture and Rural Development: I believe that it is important that everyone gets a fair return so that a sustainable food supply chain is maintained in which all links, right back to the producer, are profitable. However, you will be aware that pricing structures are a commercial matter and not within my remit. Manual graders at meat plants are employed by the Livestock and Meat Commission (LMC) and I understand that the LMC is working with local industry representatives on the issue of price structures and also the staffing implications of the proposed introduction of Video Image Analysis (VIA).

I visited Foyle Meats to observe the VIA machine undergoing EC certification testing. Having seen the system operate at Foyle meats, I am assured that the machine underwent extensive testing by grading experts, was set to the correct EU classification standard and performed successfully against experienced EU manual graders. We will continue to monitor this closely and in the event of VIA being introduced DARD Technical Inspectors would continue to be responsible for monitoring the classification standard and for ensuring that the EU Classification rules are applied.

I believe that in the long term this technology has the potential to provide for a better payment system, based on meat yield, which would be a big step forward.

The progress of adoption and installation of the technology in meat plants in the north of Ireland will be subject to the outcome of the certification test and obtaining formal approval from the European Commission before machines can be licensed for use in abattoirs here. My Department will continue to work with all those involved to do all that it can to support the industry's desire to embrace new technology.

Review of Public Administration

Mr P McGlone asked the Minister of Agriculture and Rural Development to detail the total cost, to date, to her Department and its agencies of the Review of Public Administration.

(AQW 7110/10)

Minister of Agriculture and Rural Development: The total cost during the period 1 April 2005 to 31 March 2010 was £7,477.89.

Animal Cruelty Offences

Mr T Burns asked the Minister of Agriculture and Rural Development to detail (i) the number of animal cruelty offences recorded in each of the last five years; (ii) the number of prosecutions which resulted

in a conviction; (iii) the sum total of any fines which were imposed; and (iv) for a summary of any other sanctions which were imposed.

(AQW 7207/10)

Minister of Agriculture and Rural Development:

- (i) The total numbers of animal cruelty cases recorded are as follows:
 - 01/01/2004 - 31/12/2004 — 14
 - 01/01/2005 - 31/12/2005 — 33
 - 01/01/2006 – 31/12/2006 — 60
 - 01/01/2007 – 31/12/2007— 61
 - 01/01/2008 – 31/12/2008 — 38
 - 01/01/2009 – 31/12/2009 — 69
 - 01/01/2010 – 28/05/2010 — 35
- (ii) 59 welfare investigations resulted in convictions.
- (iii) The total sum of fines imposed on the 59 convictions was £79,390.
- (iv) Other sanctions have included bans from keeping livestock, custodial sentences and jail sentences.

European Union Fine

Dr S Farry asked the Minister of Agriculture and Rural Development to explain the circumstances that led the European Union to impose a £60 million fine on her Department; to report on what efforts are being made to recover misused funds and to lobby the EU to reduce the level of the fine; to set out the investigations that have been launched by her Department into this matter; and to comment on the budgetary implications of the fine.

(AQW 7438/10)

Minister of Agriculture and Rural Development: Firstly, there is no £60m fine. The Commission have advised of their intention to disallow a flat rate of 5% of area aids claimed from 2004 to 2006. Allowing for currency movements this is around £30m. This is based on a Commission audit in 2006 and its subsequent concerns that the Department had weaknesses in its control processes. A decision on this disallowance is expected later this month.

A further audit in 2008 (covering the scheme years 2007 and 2008) found that while our controls had improved, it was still not possible to estimate precisely the risk to the EU Fund. In these circumstances, the Commission view was that the correction should remain at 5%. This proposal is currently being taken through the conciliation process to help clarify both our and the Commission's understanding of the actual risk to the Fund.

All efforts are made to recover any over claimed payments. Every year my Department carries out both administrative cross check and on farm inspections. When inaccuracies are found, overpayments are recovered and penalties are applied. In addition, my Department has referred a number of potential fraud cases for investigation. In all cases where investigations are complete there was insufficient evidence to proceed further. Some investigations are still underway.

I, the ARD Committee and my officials have all lobbied the Commission. As stated we have used the conciliation process and we have engaged in both formal and informal discussions with Commission officials, these discussions are ongoing. The First Minister and deputy First Minister requested further support in making our case to the Commission from the Joint Ministerial Committee.

So far between the Executive and DARD, we have been able to meet the pressure for 2004, 2005 and 2006. We have challenged and countered the arguments put forward by the Commission. In our

view, as many of the errors found are small, the real risk to the Fund is less than 2% and disallowance proposed is disproportionate and that no financial correction is required.

DARD has challenged the Commission's proposal and is considering the possibility of legal action through the European Court of Justice".

Department of Culture, Arts and Leisure

Ulster-Scots Dictionary

Mr T Burns asked the Minister of Culture, Arts and Leisure for an update on the publication of an Ulster-Scots dictionary; and to detail how much money has been spent on this project to date.
(AQW 7079/10)

Minister of Culture, Arts and Leisure (Mr N McCausland): The Ulster Scots Academy Implementation Group (USAIG) ran a Language Development Programme which produced an Ulster-Scots 'Word Glossary' and 'Spelling and Pronunciation Guide'.

The documents have not been published as yet but the Department would wish to progress this issue in parallel with developments on the Ulster-Scots Academy project.

To date a total of £20,673.00 has been spent on the USAIG Dictionary Project.

Vandalism on Library Buildings

Mr T Burns asked the Minister of Culture, Arts and Leisure how many incidents of vandalism on library buildings and facilities have been recorded in each of the last five years; and to outline the total cost incurred by his Department for repairs or replacements as a result of these incidents.
(AQW 7081/10)

Minister of Culture, Arts and Leisure: The total number of incidents of vandalism on library buildings and facilities is unavailable prior to 2009/10. Libraries NI have recorded 128 incidents in this year.

The following table outlines the total costs incurred each year for repairs or replacements as a result of vandalism in the last 5 years:

Year	09/10	08/09	07/08	06/07	05/06
Amount	£26,228.96	£9,255.59	£23,534.96	£15,957.29	£17,581.38

Information prior to 1 April 2009 was provided by the five Education & Library Boards. Information for 2009/10 was provided by Libraries NI.

Theft from Libraries

Mr T Burns asked the Minister of Culture, Arts and Leisure to detail (i) the total number of (a) books; and (b) other items stolen from libraries in each of the last five years; and (ii) the total costs incurred by his Department as a result of these incidents.
(AQW 7082/10)

Minister of Culture, Arts and Leisure: Libraries NI have provided the figures for 2009/10. All figures prior to 2009/10 were provided by the five Education and Library Boards and are the responsibility of their accounting officers.

The analysis obtained from the five Education and Library Boards is incomplete. Historically the different Boards analysed their figures in different ways. All available figures have been provided.

The following tables only detail the total number of (a) books and (b) other items borrowed from libraries and not returned in each of the last five years and the total costs incurred as a result.

LIBRARIES NI

	2009/10
No. of Books lost	52,759
Cost of Books lost	£150,860
No. of other items lost	2,700
Cost of other items lost	£8,937
Total Cost of losses	£159,797

BELFAST EDUCATION AND LIBRARY BOARD

	2005/06	2006/07	2007/08	2008/09
No. of Books lost	4,828	5,298	6,860	*
Cost of Books lost	£19,747	£22,876	£32,723	£62,496
No. of other items lost	511	1,169	755	*
Cost of other items lost	£3,117	£7,381	£6,150	£12,031
Total Cost of losses	£22,864	£30,257	£38,873	£74,527

NORTH EASTERN EDUCATION AND LIBRARY BOARD

	2005/06	2006/07	2007/08	2008/09
No. of Books lost	14,252	12,644	10,746	10,941
Cost of Books lost	£64,799	£54,169	£50,138	£52,128
No. of other items lost	747	465	423	511
Cost of other items lost	£4,297	£2,800	£2,770	£3,429
Total Cost of losses	£69,096	£56,969	£52,908	£55,557

SOUTHERN EDUCATION AND LIBRARY BOARD

	2005/06	2006/07	2007/08	2008/09
No. of Books lost	9,164	8,074	7,202	7,790
Cost of Books lost	£44,810	£39,040	£35,859	£39,327
No. of other items lost	1,091	960	721	798
Cost of other items lost	£5,770	£7,431	£9,548	£11,225
Total Cost of losses	£50,580	£46,471	£45,407	£50,552

SOUTH EASTERN EDUCATION AND LIBRARY BOARD

	2005/06	2006/07	2007/08	2008/09
No. of Books lost	7,134	8,163	7,858	7,739

	2005/06	2006/07	2007/08	2008/09
Cost of Books lost	£30,957	£35,392	£35,558	£35,903
No. of other items lost	907	775	598	546
Cost of other items lost	£5,409	£4,784	£4,706	£4,643
Total Cost of losses	£36,366	£40,176	£40,264	£40,546

WESTERN EDUCATION AND LIBRARY BOARD

	2005/06	2006/07	2007/08	2008/09
No. of Books lost	10,849	12,704	9,948	10,606
Cost of Books lost	£48,167	£55,467	£43,644	£47,069
No. of other items lost	832	796	652	489
Cost of other items lost	4,964	4,971	3,948	2,150
Total Cost of losses	£53,131	£60,438	£47,592	£49,219

* = These figures have not been provided by the Education and Library Boards.

The Education and Library Boards did not carry out annual stocktaking exercises to identify books that may have been stolen without first being borrowed.

To rectify this an annual stocktaking programme is being implemented in Libraries NI. Annual stocktaking losses will continue to be reported in future years.

Public Libraries

Mr T Burns asked the Minister of Culture, Arts and Leisure to detail the total number of books borrowed from public libraries in each of the last 10 years.

(AQW 7083/10)

Minister of Culture, Arts and Leisure: The following table shows the number of library books issued in each of the last 10 years.

Year	Number of books borrowed
09/10	5,896,635
08/09	6,013,411
07/08	5,790,608
06/07	5,905,788
05/06	6,317,228
04/05	6,950,777
03/04	6,523,046
02/03	7,834,243
01/02	8,223,129
00/01	8,974,281

All figures before 2008/09 are taken from The Chartered Institute of Public Finance and Accountancy's (CIPFA) Public Library Statistics annual reports.

Libraries NI provided figures for 2008/09 and 2009/10 from the library management system.

Figures are for books only and do not include audio, visual, electronic or other library stock.

Agencies and Bodies Funded by the Department

Mr J Craig asked the Minister of Culture, Arts and Leisure to detail (i) all the agencies and bodies funded by, and associated with, his Department; and (ii) the total running costs of each agency or body for each of the last five years.

(AQW 7147/10)

Minister of Culture, Arts and Leisure: All of the agencies and bodies directly funded by the Department during the last 5 years are listed below.

The audited financial statements of these organisations were used to extract details of running costs. No information is available for the 2009/10 year because audits have not been completed. Except where stated, running costs refer to the year ended 31 March.

In some cases audited financial statements are not yet available for previous years. Where possible, draft figures have been used.

The financial statements of the N/S Language Body for 2006 are currently with the Comptroller and Auditor General (CAG) in Dublin and should be available in the near future. Work will not begin on consolidating the results of the constituent agencies (Ulster Scots Agency and Foras na Gaeilge) for 2007, 2008 and 2009 until these earlier accounts have been finalised.

PRONI was an agency until 2006/07 when it was absorbed into the Department. Ordnance Survey NI was an agency of the Department until 2008/09 when it transferred to Land and Property Services (LPS), an agency of DFP. The Fisheries Conservancy Board was dissolved on 31 May 2009; its functions were then transferred into the Department. The Department also provided modest funding in the past to the Ulster Historical Foundation. This ceased after the 2006/07 year. The figures provided in the table relate only to grant paid to the body. No further information is available at this time.

The phrase “running costs” has been interpreted to mean total spend in a given year, reported on an accruals basis.

SPEND DETAILS

	2008/09 £	2007/08 £	2006/07 £	2005/06 £	2004/05 £
Armagh Observatory & Planetarium	1,195,977	1,183,210	1,063,597	1,018,138	1,176,860
Arts Council NI	20,502,641	19,860,233	12,000,906	13,243,986	12,143,116
Libraries - Western Board	348,822	345,011	315,114	318,395	303,549
Southern Board	363,961	353,838	322,451	316,448	294,093
South Eastern Board	305,765	315,438	272,092	281,455	255,998
North Eastern Board	343,118	333,194	312,486	307,714	285,396
Belfast Board	305,401	257,496	235,958	244,401	230,342

	2008/09 £	2007/08 £	2006/07 £	2005/06 £	2004/05 £
National Museums NI ***	16,172,537	14,280,037	15,124,752	15,310,215	15,802,067
NI Screen	9,709,589	10,048,221	10,470,707	8,458,222	3,282,205
NI Museums Council	437,879	414,040	391,869	548,167	356,587
Sport NI	** 24,785,826	** 17,606,226	** 12,913,518	9,093,300	7,493,375
Waterways Ireland*	** 34,711,000	30,788,840	24,342,320	21,988,355	19,938,941
North/South Language Body*	not finalised	not Finalised	not finalised	not finalised	15,315,611
Centre For Migration Studies	140,647	135,866	132,768	128,982	139,468
Somme Heritage	185,673	185,216	165,031	135,175	121,902
Library Information Services Council	84,145	88,335	82,799	67,959	66,929
Cardinal O'Fiaich Memorial Library and Archive (COFLA)	126,601	83,933	136,710	57,342	53,645
Linenhall Library*	** 1,134,930	1,407,330	1,189,949	1,217,691	1,221,762
Public Record Office NI	n/a	n/a	n/a	4,456,756	3,868,119
Ordnance Survey NI	n/a	9,062,000	8,867,000	8,867,244	7,877,000
Northern Ireland Events Company	** 166,484	2,250,594	3,138,458	3,923,638	1,920,603
Fisheries Conservancy Board*	n/a	** 893,535	** 941,138	1,108,164	1,194,234
Ulster Historical Foundation	Nil	Nil	38,000	38,000	38,000

Notes

- * Values are for calendar Year
- ** Based on unaudited Financial Statements
- *** Includes the costs of W5 which is a subsidiary of NMNI

Review of Public Administration

Mr P McGlone asked the Minister of Culture, Arts and Leisure to detail the cost, to date, to his Department and its agencies of the Review of Public Administration.

(AQW 7178/10)

Minister of Culture, Arts and Leisure: The relevant costs for DCAL spend on RPA to date are set out in the table below.

Description	Costs
Capital spend - NI Library Authority (NILA) Computer system	£ 694,550.00
Salary costs from 06 to date	£ 602,552.23
Travel, hospitality and other	£ 8,406.68
Management consultancy fees and expenses	£ 64,905.46
NILA Implementation Team costs	£ 1,201,749.07
NILA redundancy payments paid to the Education and Library Boards	£ 2,883,000.00
Government Actuarial costs Pension provision for staff transferring from FCB to DCAL	£ 49,396.09
Total	£ 5,504,559.53

Voluntary Donations Received by Sport NI

Mr J Wells asked the Minister of Culture, Arts and Leisure to detail the total amount of voluntary donations received by Sport NI from the sports sector during the 2009/2010 financial year.

(AQW 7190/10)

Minister of Culture, Arts and Leisure: Sport NI received no voluntary donations from the sports sector during the 2009/2010 financial year.

Capital Funding for Motorsports

Mr P Weir asked the Minister of Culture, Arts and Leisure for an update on the provision of capital funding for motor sports.

(AQW 7191/10)

Minister of Culture, Arts and Leisure: My Department has earmarked up to £2 million to help motorsport improve health and safety at motorsport venues across Northern Ireland. An approved business case for this funding was developed by Sport Northern Ireland (SNI) together with the umbrella body for motorsports here, the 2&4 Wheel Motorsport Steering Group Limited. SNI has advised that three awards totalling £1.155m have been made for improvements to Nutts Corner, Kirkistown and Bishopscourt Race Circuits. A further award of £219,700 has been made for the purchase of a range of safety equipment and £155,000 has been spent on urgent safety works at the North West 200 and Cookstown 100. Other safety works at various venues have been identified covering 33 projects at 25 motorsport clubs. A project management team is being appointed to oversee these works.

Support for the Orange Order or the Ulster-Scots Agency

Mr T Burns asked the Minister of Culture, Arts and Leisure to detail (i) the number of times he has expressed support for, or lobbied on behalf of, the Orange Order or the Ulster Scots Agency in written correspondence during his time in office; (ii) to whom each piece of correspondence was sent; (iii) when it was sent; and (iv) for what reason.

(AQW 7204/10)

Minister of Culture, Arts and Leisure: I have not lobbied on behalf of any organisations in my role as Minister. I am committed to the principles of a shared and better future and in advancing good relations, human rights and the promotion of equality in all aspects of cultural life in Northern Ireland. I believe it is my responsibility as Minister to remind arm's length bodies of these principles.

Department of Education

Translation

Mr T Elliott asked the Minister of Education to list the documents that she has required the Education and Library Boards to translate fully into Irish and the estimated cost involved.

(AQW 6602/10)

Minister of Education (Ms C Ruane): Ó mhí na Bealtaine 2007, áiríodh gur thabhaigh na Boird Oideachais agus Leabharlainne costas de £300 chun doiciméid a aistriú go hiomlán go Gaeilge. Baineann an costas seo le haistriú Clár um Theangacha ar Bhunscoil (CTB) do Bhord Oideachais agus Leabharlainne an Oirdheiscirt.

Since May 2007, the actual costs incurred by the Education and Library Boards for translation of documents fully into Irish have been calculated as £300. This amount relates to translation of a Primary Languages Programme (CASS) for the South Eastern Education and Library Board.

Youth Service and Community Relations Budget

Ms D Purvis asked the Minister of Education to detail the reasons for the reduction in her Department's youth service and community relations budget.

(AQW 6643/10)

Minister of Education: Tá an cistiú a chuir mé ar fáil do sheirbhísí don ógra a bheag nó a mhór gan athrú agus tá mé fós tiomanta don tseirbhís don ógra agus dá ról mar chuid thábhachtach den chóras oideachais, rud a chuidíonn le gach duine óg, go háirithe dóibh siúd a mhothaíonn go bhfuil siad eisiata go sóisialta, chun a lánchumas a fhorbairt.

The funding which I have made available for youth services is largely unchanged and I remain committed to the youth service and its role as an important part of the education system, one which helps all young people, in particular those who feel socially excluded, to develop their potential to the full.

My decision to set the community relations budget at £1.1m in 2010/11 must be viewed within the context of the wider education budget and my plans to introduce a new Community Relations, Equality and Diversity policy.

In 2010/11 funding for education has been increased to just over £1.9 billion, an increase of only 1.9%, and, faced with meeting efficiencies required by the Executive, it has been a difficult budget involving difficult decisions. In agreeing the 2010/11 education budget, my priority has been to protect frontline services and to ensure the needs of those most disadvantaged continue to be at the forefront.

I have had to balance a range of education priorities against the need to achieve efficiencies but in recognition of the continued need for community relations I have sought to retain a funding stream and have made provision of £1.1m for 2010/11.

I am looking to the Boards to ensure as far as possible that any reductions do not impact on core services for children and youth, particularly marginalised young people living at interface areas.

I am committed to encompassing a wider approach to improving relations between communities by educating children and young people to develop self-respect and respect for others, where equality and inclusion are the cornerstones of an education system which enables every learner to fulfil his or her potential.

I am investing over £200m in other policies which contribute to this wider approach, such as Supporting Newcomer Pupils and SEN and I have also made available an additional £90 per primary pupil which is an increase of 3.1% compared to last year.

Classroom Assistants

Mr D Simpson asked the Minister of Education to detail the number of classroom assistants in each school in the Upper Bann constituency, in each of the last three years.

(AQW 6809/10)

Minister of Education: Chuir Príomhfheidhmeannach ar Bhord Oideachais agus Leabharlainne an Deiscirt in iúl dom gurb é seo a leanas líon na gcúntóirí ranga i scoileanna i dtoghcheantar na Banna Uachtair:

I have been advised by the Chief Executive of the Southern Education and Library Board of the following number of classroom assistants in the schools in the Upper Bann constituency:

Name of School	Number of Classroom Assistants		
	31-Mar-08	31-Mar-09	31-Mar-10
Abercorn PS	8	15	15
Ballyoran PS	11	9	11
Banbridge Academy	2	3	3
Banbridge HS	13	15	14
Banbridge NS	2	1	0
Birches PS	2	2	4
Bleary PS	2	2	2
Bocombra PS	5	4	4
Brownlow College	10	7	8
Carrick PS Lurgan	25	26	23
Ceara SS	31	32	34
Clounagh JHS	14	15	16
Craigavon SHS	6	6	7
Dickson PS	6	9	8
Donacloney PS	6	6	6
Donard SS	17	19	20
Downshire NS	1	3	0
Drumcree College	7	7	11

Name of School	Number of Classroom Assistants		
	31-Mar-08	31-Mar-09	31-Mar-10
Drumgor PS	11	13	12
Drumnamoe NS	3	2	1
Edenderry NS	1	1	2
Edenderry PS Banbridge	18	18	19
Edenderry PS Portadown	16	17	15
Gilford PS (Craigavon PS)	4	4	5
Harrison NS	0	1	0
Hart Memorial PS	22	23	20
Killicomaine JHS	5	5	6
Kings Park PS	16	19	18
Lismore Comprehensive	14	16	18
Lurgan College	0	0	1
Lurgan JHS	4	8	7
Lurgan Model PS	10	8	10
Maralin Village PS	8	9	11
Millington NS	3	1	2
Millington PS	30	33	30
Milltown PS	4	3	3
Moyallon PS	3	4	5
Portadown College	0	0	1
Presentation PS	3	3	8
Richmount PS	3	2	2
Scarva PS	3	4	3
Seagoe PS	7	9	8
St Anthony's PS	21	27	24
St Brendans PS	18	23	26
St Colman's PS Laurencetown	5	5	4
St Francis PS Aghaderg	2	4	4
St Francis PS Lurgan	27	30	32
St John The Baptist NS	2	2	0
St John The Baptist PS	12	13	16
St John's PS Gilford	1	3	3

Name of School	Number of Classroom Assistants		
	31-Mar-08	31-Mar-09	31-Mar-10
St Marys JHS Lurgan	7	8	9
St Marys PS Banbridge	28	25	30
St Marys PS Derrymore	4	3	4
St Marys PS Derrytrasna	4	3	6
St Marys PS Maghery	3	3	5
St Patricks College Banbridge	5	8	10
St Patricks PS Aghacommon	14	13	11
St Patricks PS Derrynaseer	3	2	2
St Patricks PS Magheralin	4	5	4
St Pauls JHS Lurgan	14	15	15
St Teresa's PS Lurgan	8	8	9
Tannaghmore PS	16	19	21
Tullygally PS	12	13	12
Waringstown PS	6	6	7
Total:	572	622	647

Please note that this table does not include Voluntary Grammar/Grant Maintained Integrated Schools in the Upper Bann constituency.

Preschool Places

Mr A Ross asked the Minister of Education to detail the shortfall in pre-school places in each ward in the East Antrim constituency, in each of the last three years.

(AQW 6985/10)

Minister of Education:

Target Ward/ Cluster	2007/08		2008/09		2009/10	
	Number of funded pre-school places	Shortfall	Number of funded pre-school places	Shortfall	Number of funded pre-school places	Shortfall
Carrickfergus						
Killycrot	147	-3	155	-4	156	-7
Bluefield	162	13	158	-5	165	12
Knockagh	60	34	51	47	61	37
Blackhead	99	-19	96	-18	103	-13

	2007/08		2008/09		2009/10	
Target Ward/ Cluster	Number of funded pre-school places	Shortfall	Number of funded pre-school places	Shortfall	Number of funded pre- school places	Shortfall
Total	468	25	460	20	485	29
Larne						
Ballyloran	104	-30	104	-55	104	-39
Harbour	114	38	120	38	120	41
Glynn	9	19	18	4	14	15
Glenarm	52	-6	76	-38	58	-9
Total	279	21	318	-51	296	8
Newtownabbey						
Ballyclare South	201	21	194	33	201	8
Coole	298	-92	299	-97	307	-84
Carnmoney	348	-28	338	-1	344	6
Collinbridge	71	12	70	20	70	8
Abbey	13	45	14	45	14	45
Hawthorne	3	19	4	21	4	25
Total	934	-23	919	21	940	8

The table above details the number of funded pre-school places available in each of the wards within the East Antrim constituency over the last three years. The North Eastern Education and Library Board group the wards within the constituency into clusters for the purpose of determining the level of pre-school provision.

Whilst there has been a shortfall of funded places in individual wards in the last three years, the overall level of pre-school provision in each cluster has consistently exceeded the Department's target of 90%.

In the 2009/10 school year additional funding was allocated to the NEELB after the end of the pre-school admissions process to enable more pre-school places to be funded.

Ina theannta sin, féadaim a dhearbhu gur chuir mé suas le £1.3m ar fáil chun líon na n-áiteanna cistithe réamhscoile a mhéadú chun cuidiú leis an éileamh ar áiteanna cistithe réamhscoile a chomhlíonadh do na páistí sin a bhfuil ina mbliain láithreach réamhscoile sa bhliain 2010/11.

In addition, I can confirm that I have made available up to £1.3m to increase the number of funded pre-school places in order to assist in meeting the demand for funded pre-school places for those children in their immediate pre-school year in 2010/11.

Nursery School Provision

Dr A McDonnell asked the Minister of Education (i) what methods, statistical and other, are used by her Department to ensure that adequate annual nursery school provision is available for every child

reaching pre-school age; (ii) whether these methods were used for the September 2010 intake; and (iii) how the shortfall of 1,200 nursery school places occurred in respect of September 2010.

(AQW 7016/10)

Minister of Education: Ní hé amháin go bhfuil áiteanna mhaoinithe réamhscoile ar fáil in earnáil na naíscolaíochta reachtúla, (naíscóileanna agus naí-aonaid atá ceangailte le bunscoileanna), ach tá siad ar fáil fosta i suíomhanna san earnáil phríobháideach dheonach.

Funded pre-school places are available not only in the statutory nursery sector, (nursery schools and nursery units attached to primary schools), but also in settings in the private and voluntary sector.

While my Department retains policy and budgetary responsibility for the Pre-School Education Expansion Programme, the planning and implementation at local level is the responsibility of the Pre-School Education Advisory Groups (PEAGS) within each Education and Library Board. These groups undertake an annual review of provision at local level taking into account factors such as demographic changes and the relocation/closure of settings, in order to ensure that the allocation of places to voluntary/private sector providers continues to meet the needs of each area.

However, the management of pre-school places is a complex process and there is no statistical data available at a local level which provides detailed information on the projected number of children which will be in their final pre-school year – those aged between 3 years 2 months and 4 years 2 months – each September.

Whilst statistical projections indicate that the number of three year olds will rise from 23,221 in 2008 to 24,524 this year, it is suggested that this figure will decline slightly again to 24,425 by 2012. However, while these projections can indicate an overall rise, they cannot predict specifically where increased demand will occur, and what proportion of parents in any given area will want a pre-school place for their child. Therefore the P1 number, which is collated as part of the annual School Census, is used as a proxy for the size of the pre-school cohort. This method is considered to be the most accurate way of predicting likely demand in an individual locality. Other factors, such as birth rate figures, are taken into account but they are of limited use as they cannot be disaggregated below District Council level. The numbers of newcomer children in a given area, and whether parents will request full-time or part-time provision are also factors which cannot be predicted.

This year saw a higher than normal demand for pre-school places. The precise reasons for this are not yet known but may have been impacted on by any of the factors outlined above i.e. parental preference for full time places, newcomer children etc.. However, officials in my Department, in conjunction with colleagues in the Education and Library Boards, are exploring the reasons for the high demand and will seek to make any necessary adjustments to the Admissions process to ensure that a recurrence is avoided next year.

Preschool Places

Dr A McDonnell asked the Minister of Education what steps she is taking to reassure parents that (i) P1 provision for the September 2011 intake will not be affected by the present under provision of pre-school places; and (ii) that pre-school provision for the September 2011 intake will meet the demand.

(AQW 7017/10)

Minister of Education:

- (i) Féadaim a dhearbhu go mbeidh soláthar leordhóthanach i mBliain 1 do gach páiste atá ag aois éigeantach scoile agus a bheidh ar lorg iontrála ar bhunscoil sa bhliain acadúil 2011/12. I gcásanna ina n-eascaíonn meadú déimeagrafach i gceantar áirithe i mbliain ar leith, féadfaidh an Roinn líon iontrálacha na scoile a mhéadú ar bhonn sealadach. Ní mór don Roinn, áfach, infhaighteacht na n-áiteanna i scoileanna malartacha laistigh den cheantar a chur san áireamh sula ndéanóidh sí a leithéid de mhéadú.
- (i) I can confirm that there will be adequate Year 1 provision for all compulsory school age children who will be seeking admission to primary school in the 2011/12 school year. Where a demographic increase arises in an area in a particular year, the Department has the power to

temporarily increase the admissions number of a school. However, the Department must take account of the availability of places in alternative schools within the area before granting such an increase.

- (ii) Taking account of this year's experience, my Department, together with the Education and Library Boards, will review the current arrangements for pre-school provision to ensure that, as far as possible, sufficient places are available to meet the demand for pre-school places in the 2011/12 school year.

Review of Capital Projects

Dr S Farry asked the Minister of Education what guidance on maintenance work is being provided to schools awaiting the outcome of the current departmental review of capital projects.

(AQW 7042/10)

Minister of Education: Bainistíonn na Boird Oideachais agus Leabharlainne go díreach cothabháil na scoileanna fud an eastáit. Déanann na Boird cláir chórasacha um shuirbhéanna ar staid gach foirgnimh scoile, lena n-áirítear iad sin atá san athbhreithniú caipitil faoi láthair, chun tosaíochtaí le haghaidh maoinithe a mheas.

Maintenance of schools across the estate is managed directly by the Education and Library Boards. The Boards carry out a rolling programme of condition surveys of all school buildings, including those currently in the capital review, from which they determine priorities for funding.

STEM Subjects at Secondary School Level

Mr P Weir asked the Minister of Education what steps she is taking to adjust the curriculum to increase the emphasis on STEM subjects at secondary school level, particularly after Key Stage 3.

(AQW 7129/10)

Minister of Education: Tá an curaclam athbhreithnithe i bhfeidhm trasna gach bhliainghrúpa i ngach scoil dheontaschúnta anois. Ag Eochairchéim 3, folaíonn sé fócas soiléir ar mhatamaitic agus ar uimhearthacht agus, laistigh dá réimsí foghlama, folaíonn sé fócas ar leith ar eolaíocht agus ar theicneolaíocht. Soláthraíonn sé saoirse bhreise do mhúinteoirí, fosta, chun foghlaim atá bainteach le STEM a spónadh le daltaí i mbealach nuálaíoch suimiúil.

The revised curriculum is now in place across all year groups in all grant-aided schools. At Key Stage 3 it includes a clear focus on mathematics and numeracy and, within its areas of learning, a specific focus on science and technology. It also provides much greater freedom for teachers to explore STEM-related learning with pupils in an interesting and innovative way.

My Department has not adjusted the curriculum to increase the emphasis on STEM; rather it has been taking significant action on a number of fronts to ensure that STEM subjects are seen as exciting, stimulating and fulfilling by our young people. The revised curriculum provides much greater freedom for teachers to explore STEM-related learning with pupils.

After Key Stage 3, the Entitlement Framework (EF) is an integral part of young people's education. It is designed to provide greater breadth and balance in the range of courses offered to young people at 14 and above, delivering improved access to a wide range of learning opportunities to match their needs, aptitudes and interests, irrespective of where they live or the school they attend, including a minimum range of applied/vocational courses. This increased choice is being supported with improved careers education, information, advice and guidance, again with a particular focus on STEM-related career opportunities.

Through the Specialist Schools Programme, 17 schools have been designated as specialist schools with particular strengths in science, technology and/or mathematics and are working with their partner primary and post-primary schools to share their good practice and contribute to improving teaching and learning in science, technology and maths.

Secondary School Courses

Mr P Weir asked the Minister of Education what action she is taking to ensure that all secondary schools offer courses, at all levels, in Biology, Chemistry and Physics.

(AQW 7130/10)

Minister of Education: Tuigim an tábhacht a bhaineann le hábhair eolaíochta sa churaclam agus féadaim a dhearbhu go bhfuil Eolaíocht agus Teicneolaíocht ina réimsí éigeantacha den churaclam reachtúil ag Eochairchéim 3. Faoin réimse foghlama seo, ní mór deis a thabhairt do dhaltaí staidéar a dhéanamh ar ghnéithe de Bhitheolaíocht, de Cheimic agus d'Fhisic. Tríd an churaclam, ní mór do gach scoil eolaíocht agus teicneolaíocht a thairiscint ag Eochairchéim 4 mar rogha cáilíochta do dhaltaí.

I recognise the importance of science subjects in the curriculum and can confirm that Science and Technology, is one of the compulsory areas of learning of the statutory curriculum for Key Stage 3. Under this area of learning pupils must be given the opportunity to study aspects of Biology, Chemistry and Physics. Through the curriculum all schools must offer science and technology at Key Stage 4 as a qualification choice for pupils. This can be in various forms and there is no requirement to offer Biology, Chemistry and Physics as separate qualifications. Rather, the focus is on ensuring that young people have access to a broad and balanced a range of courses and qualifications, including in science-related subjects, that meet their needs and aspirations and that have clear progression routes into further or higher education, training or employment.

Educational and Skills Authority

Mr P Butler asked the Minister of Education to provide a breakdown of the costs, to date, incurred by her Department in preparation for the Educational and Skills Authority.

(AQW 7139/10)

Minister of Education: Dhíreoinn aird an Chomhalta ar an fhreagra a thug mé do Dawn Purvis (Oirthear Bhéal Feirste) ar AQW 6175/10 agus a foilsíodh sa Tuairisc Oifigiúil ar 14 Bealtaine 2010.

I refer the Member to my answer to AQW 6175/10 which I provided to Dawn Purvis (Belfast East) and was published in the Official Report on 14 May 2010.

Agencies and Bodies Funded by the Department

Mr J Craig asked the Minister of Education to detail for each of the last five years (i) all the agencies and bodies funded by, and associated with, her Department; and (ii) the total running costs of each agency or body.

(AQW 7149/10)

Minister of Education: Le linn na 5 bliana a chuaigh thart, thug an Roinn Oideachais cistiú do na heagraíochtaí seo a leanas:

During the last 5 years, the Department of Education has provided funding to the following organisations:

- Belfast Education and Library Board (BELB);
- North Eastern Education and Library Board (NEELB);
- South Eastern Education and Library Board (SEELB);
- Southern Education and Library Board (SELB);
- Western Education and Library Board (WELB);
- Council for Catholic Maintained Schools (CCMS);
- Staff Commission for Education and Library Boards (SCELB);
- Youth Council for Northern Ireland (YCNI);

- Council for the Curriculum, Examinations and Assessment (CCEA);
- Special Education Needs and Disability Tribunal (SENDIST);
- N.I. Council for Integrated Education (NICIE);
- Comhairle na Gaelscolaíochta (CnaG); and
- Middletown Centre for Autism (MCA).

Funding provided by the Department of Education to each of these organisations in relation to running costs in each of the last five years (1st April 2005 to 31st March 2010) is set out in the table below.

£000s

	2005-06	2006-07	2007-08	2008-09	2009-10 ¹
BELB	207,158	210,553	221,454	230,011	233,750
NEELB	262,841	267,479	286,975	300,297	304,239
SEELB	238,457	239,112	253,026	258,569	268,962
SELB	277,660	283,730	306,078	323,609	329,257
WELB	297,043	280,683	302,930	314,057	313,728
CCMS	3,708	4,414	3,931	3,633	5,627
SCELB	346	349	369	371	419
YCNi	3,883	3,898	4,127	4,371	4,516
CCEA	19,629	22,294	21,565	21,338	21,324
SENDIST	126	187	200	216	196
NICIE	542	693	718	653	681
CnaG	455	469	588	610	637
MCA	N/A	N/A	218	435	642

1. Figures for the 2009-10 year are currently provisional as annual accounts are in the process of being audited.

Early Years Strategy

Ms M Ritchie asked the Minister of Education when the Early Years Strategy will be published; and to make a statement on this matter.

(AQW 7186/10)

Minister of Education: Mheas mé an dréachtStraitéis Luathbhlianta (0-6) agus chuir mé in iúl do m'fheidhmeannaigh í seo a fhorbairt agus í a ullmhú le haghaidh comhairliú poiblí. Tá sé ar intinn agam an dréachtstraitéis a lainseáil le haghaidh comhairliú a luaithe is féidir.

I have considered the draft Early Years (0-6) Strategy and have advised my officials to take this forward, and to prepare for public consultation. I intend to launch the draft Strategy for consultation as soon as is practically possible.

The draft Strategy will set the scene for how early years services should be delivered in the next five years. I very much recognise the importance of investing in early years provision to ensure that our children have the best possible start in life. However, the draft Strategy will recognise that meaningful and sustained change will take time and adequate resources.

My Department has taken the time to consider the very many, and complex, issues examined in the draft Strategy I believe that, as a result of this consideration, we have a strategic framework that will enable us to meet the needs of all children and to provide every child with the very best start in life.

Funding for Sure Start

Ms J McCann asked the Minister of Education to detail (i) the criteria used to calculate the allocation of funding for the Sure Start budget for each area; (ii) how much funding each area received; and (iii) the level of funding, per child, in each area, in each of the last three years.

(AQW 7211/10)

Minister of Education: Tairgeann an Clár Tús Cinnte réimse seirbhísí do gach tuismitheoir a bhfuil páiste atá idir 0-4 bliana d'aois acu agus a bhfuil ina gcónaí i limistéar Thús Cinnte, lena n-áirítear cuairteanna tí agus for-rochtana, tacaíocht teaghlaigh, comhairle sláinte, deiseanna foghlama agus imeartha atá ar chaighdeán ard, agus tacaíocht do pháistí a bhfuil riachtanais ar leith acu. Ní mór do gach Tús Cinnte réimse seirbhísí lánacha a sholáthar agus tá an tsolúbthacht acu le seirbhísí agus imeachtaí a sholáthar a fhreagraíonn do riachtanais áitiúla. Cuidíonn na seirbhísí na luathóige seo le tuismitheoirí agus le teaghlaigh chun forbairt agus folláine na bpáistí a fheabhsú, lena chinntiú go mbainfear an t-uasmhéid leasa don pháiste amach.

The Sure Start Programme offers a range of services to all parents with children aged 0-4 years living in a designated Sure Start area, including outreach and home visiting, family support, healthcare advice, high quality play and learning opportunities and support for children with particular needs. Each Sure Start must provide a range of core services and they also have the flexibility to provide services and activities in response to locally identified needs. These quality early childhood services help parents and families to improve children's development and well-being, to ensure the maximum benefit for the child.

Sure Start covers at least the 20% most disadvantaged wards across the North of Ireland and was introduced during 2000/01. Sure Start has developed over time from 15 Sure Start Partnerships in 2001 to 32 Sure Start Partnerships enabling an estimated 34,000 children aged from 0-4 and their families to have access to the services provided through the Programme. Funding and overall support for the Sure Start Partnerships is provided through the 4 Childcare Partnerships based in the Health & Social Care Board.

Funding is not provided on a per capita basis, but is allocated according to the available budget, the areas requiring Sure Start coverage, population and the services that can be provided. While Sure Start covers the 20% most disadvantaged wards, the population profiles and needs in each ward differ. Some urban areas may have larger numbers of families with very young children, while rural areas may experience difficulties in providing services for a dispersed population. Parents choose to avail of the services on offer. During any given year of the child's life a parent may choose to avail of one or more services, therefore it would be misleading to provide a figure of expenditure 'per child'.

Details of the allocation of funding for each Childcare Partnership area, and the number of Sure Start Partnerships operating in these areas, is given below.

	2008/09 Allocation	2009/10 Allocation	2010/11 Allocation
Eastern Child Care Partnership (12 Sure Start programmes)	6,275,726	6,759,618	6,868,032
Northern Child Care Partnership (6 Sure Start Partnerships)	3,737,032	4,113,022	4,289,549
Southern Child Care Partnership (7 Sure Start Partnerships)	3,641,066	4,258,119	4,263,731

	2008/09 Allocation	2009/10 Allocation	2010/11 Allocation
Western Child Care Partnership (9 Sure Start Partnerships)	4,909,471	5,233,590	5,265,865
Total	18,563,295	20,364,349	20,687,177

Preparatory Schools

Mr S Hamilton asked the Minister of Education for her assessment of whether the recently announced funding for preparatory schools is a long-term resolution to address the shortage of places in preparatory schools.

(AQW 7217/10)

Minister of Education: Tá mé fós den bharúil go bhfuil maoiniú na ranna ullmhúcháin ina úsáid mhíchothrom de chistiú poiblí. Tuigim, áfach, go bhféadfar díothú an chistithe a bheith ina chúis le deacrachtaí do thuismitheoirí agus do pháistí agus a bheith ina chúis le cur isteach ar roinnt scoileanna. Mar sin de, chinn mé go leanfainn de bheith ag maoiniú ranna ullmhúcháin, ach go laghdóinn leibheál reatha an chistithe le trian, le héifeacht ó mhí Mheán Fómhair 2010.

I remain of the view that the funding of preparatory departments is an inequitable use of public funding. However, I recognised that the ending of funding completely may cause difficulties for parents and children and possible disruption to some schools. Hence my decision to continue funding preparatory departments, but to reduce the current level of funding by one-third with effect from September 2010.

In relation to future availability of places at preparatory departments, Article 18(1).(d) of the Education (NI) Order 1997 excludes preparatory departments of grammar schools from the open enrolment processes, therefore, the Department has no role in setting their admissions and enrolment numbers.

Education and Skills Authority: Implementation Team

Mr D O'Loan asked the Minister of Education to detail the number of senior management posts, at Grade 5 and above, within the Education and Skills Authority implementation team; and the amount spent on salaries since the team was established.

(AQW 7267/10)

Minister of Education: Tá triúr ball lánaimseartha agus ceathrar ball páirtaimseartha atá ag leibheál is comhionann le, nó níos airde ná, leibheál Ghrád 5 na státseirbhíse laistigh d'Fhoireann Feidhmithe an Údaráis um Oideachas agus Scileanna.

There are three full time and four part time staff who are at a level equivalent to, or higher than, civil service Grade 5 level within the Education and Skills Authority Implementation Team.

The total amount spent on salaries since the Team was established is £4.61 million.

The delay in the implementation of the Education and Skills Authority (ESA) has significantly reduced the potential to realise efficiencies through more streamlined management and administration. The Outline Business Case for the establishment of ESA had indicated £13m of savings this year and £20m per year in subsequent years.

Education and Skills Authority: Implementation Team

Mr D O'Loan asked the Minister of Education to detail the number of staff currently working within the Education and Skills Authority implementation team; and the projected spend on salaries in this financial year.

(AQW 7268/10)

Minister of Education: Tá 35 ball den fhoireann, baill lánaimseartha agus baill pháirtaimseartha araon, agus lena n-áirítear na Stiúrthóirí (Ainmnithe), ag obair laistigh d'Fhoireann Feidhmithe an Údaráis um Oideachas agus Scileanna faoi láthair.

Currently there are 35 full time and part time staff, including the Directors (Designate), working within the Education and Skills Authority Implementation Team.

The projected salary spend for this financial year is £2.2m.

In my statement to the Assembly in December 2009, I asked Gavin Boyd, Chief Executive (Designate) of the Education and Skills Authority, and his team to take forward a Convergence Delivery Plan covering reorganisation of back office functions and managing cross-Board services to drive forward key policies including Every School a Good School, the Entitlement Framework and Area-based Planning. The Education and Skills Authority Implementation Team is engaged in progressing this work.

The delay in the implementation of the Education and Skills Authority (ESA) has significantly reduced the potential to realise efficiencies through more streamlined management and administration. The Outline Business Case for the establishment of ESA had indicated £13m of savings this year and £20m per year in subsequent years.

Education and Skills Authority: Implementation Team

Mr D O'Loan asked the Minister of Education how much the Education and Skills Authority implementation team has spent on consultancy in each of the last three years.

(AQW 7269/10)

Minister of Education: Chaith Foireann Feidhmithe an Údaráis um Oideachas agus Scileanna na méideanna seo a leanas ar chomhairleacht sna trí bliana a chuaigh thart:

The Education and Skills Authority Implementation Team has spent the following on consultancy in the last three years:

2007-2008	2008-2009	2009-2010
£104,453.99	£72,768	£120,781.10

Education and Skills Authority: Implementation Team

Mr D O'Loan asked the Minister of Education how much has been spent on administration in the Education and Skills Authority implementation team since it was established.

(AQW 7270/10)

Minister of Education: Is é an caiteachas iomlán ar riarachán laistigh d'Fhoireann Feidhmithe an Údaráis um Oideachas agus Scileanna ó cuireadh í ar bun sa bhliain airgeadais 2006-07 ná £767,415.25.

The total administrative spend within the Education and Skills Authority Implementation Team since its establishment in the 2006-07 financial year is £767,415.25.

The delay in the implementation of the Education and Skills Authority (ESA) has significantly reduced the potential to realise efficiencies through more streamlined management and administration. The Outline Business Case for the establishment of ESA had indicated £13m of savings this year and £20m per year in subsequent years.

Review of Public Administration: Implementation Bodies

Mr D O'Loan asked the Minister of Education to detail the number of senior management posts, Grade 5 and above, and the salary scales of staff within her Department's Review of Public Administration implementation bodies, since each body has been established.

(AQW 7272/10)

Minister of Education: Is í an ESAIT an fhoireann feidhmithe amháin a cuireadh ar bun faoi Athbhreithniú mo Roinne ar Riarachán Poiblí. Tá sí fós ina craobh laistigh de mo Roinn, in ionad a bheith ina comhlacht leithleach.

ESAIT is the only implementation team that has been established under my Department's Review of Public Administration. It remains a branch within my Department, rather than a separate body.

There are currently no staff working within the Education and Skills Authority Implementation Team (ESAIT) at Civil Service Grade 5 level. However, there are three full time and four part time staff who are at an equivalent or higher level.

The salary scales of staff working within the ESAIT are as follows:

Job Title / Grade	Salary scale
Chief Executive (designate)	£98,059 – 205,000
Chair (designate)	£33,000 (fixed salary, no scale)
Director (designate)	£69,608-106,072
Principal (teaching, Group 5)	£55,669-76,537
Transition Co-Ordinator	£48,800-53,043
Principal Officer	£39,823-50,796
Project Manager	£38,961-58,236
Project Officer	£31,753-52,205
Deputy Principal / Senior Support Officer	£30,142-38,893
Support Officer	£24,089-30,520
Assistant Support Officer	£17,668-21,306
Personal Assistant	£17,161-26,276
Administrative Support Officer	£15,726-16,830

The delay in the implementation of the Education and Skills Authority (ESA) has significantly reduced the potential to realise efficiencies through more streamlined management and administration. The Outline Business Case for the establishment of ESA had indicated £13m of savings this year and £20m per year in subsequent years.

Review of Capital Projects

Mr G Campbell asked the Minister of Education when she will be able to confirm a timescale for the completion of the review of capital projects in the Foyle and East Londonderry constituencies.

(AQW 7296/10)

Minister of Education: Tá an t-athbhreithniú caipitil ag tulstaid agus cuirfear na torthaí in iúl do gach duine a bhfearann siad go díreach orthu a luaithe is féidir.

The capital review is at an advanced stage and all those directly affected will be advised of the conclusions as soon as possible.

However I want to reiterate that the motivation for the review has been to ensure that investment in the education estate is consistent with and supportive of the policy framework that I am putting in place and that it adheres to our statutory duties in relation to equality and targeting on the basis of objective need. I have indicated that all projects will be considered in the context of the six criteria outlined in the Sustainable Schools Policy alongside the condition of the schools buildings.

It is important to recognise however that, as a result of the current constraints on the capital budget, difficult decisions will have to be taken and not all projects will go ahead in the timeframe originally planned or at a pace that we would all like to achieve.

Middletown Autism Centre

Mr M Storey asked the Minister of Education to detail the Service Level Agreements that Middletown Autism Centre has entered into with other bodies in the statutory, voluntary or community sectors.
(AQW 7304/10)

Minister of Education: Chuir Príomhfheidhmeannach ar Ionad Uathachais Choillidh Chanannáin gur thug an tIonad Comhaontú Leibhéal Seirbhíse i gcrích le Bord Oideachais agus Leabharlainne an Deiscirt agus le Stiúrthóireacht Lárnach Soláthair na Roinne Airgeadais agus Pearsanra d'fhoill seirbhísí ceannaigh agus soláthair a chur ar fáil.

I am advised by the Chief Executive of the Middletown Centre for Autism that the Centre has entered into a formal Service Level Agreement with the Southern Education and Library Board and with the Central Procurement Directorate of the Department of Finance and Personnel in order to provide purchasing and procurement services.

Middletown Autism Centre

Mr M Storey asked the Minister of Education whether there are any plans for a new build for Middletown Autism Centre in the review of capital projects.
(AQW 7305/10)

Minister of Education: Mar chomhthionscadal thuaidh/theas, ní thagann an obair mholta thógála le haghaidh Ionad Uathachais Choillidh Chanannáin faoi réim an athbhreithnithe ar an chlár caipitil um fhoirgnimh scoile.

As a joint north/south project, the proposed building work at the Middletown Centre for Autism does not fall within the parameters of the review of the schools capital building programme.

Review of Public Administration

Mr D O'Loan asked the Minister of Education how much the departmental Review of Public Administration implementation bodies have spent on consultancy in each of the last three years
(AQW 7313/10)

Minister of Education: Is iad ná méideanna a chaith eagraíochtaí feidhmithe na Roinne don Athbhreithniú ar Riarachán Poiblí ar chomhairleacht sna trí bliana a chuaigh thart ná:

The departmental Review of Public Administration implementation bodies have spent the following on consultancy in the last three years:

2007-2008	2008-2009	2009-2010
£146,263.99	£162,305.13	£216,629.18

Applications for School Places

Mr D Bradley asked the Minister of Education what advice her Department provides to schools in relation to dealing with applications for school places from parents whom they suspect are using an address of convenience in order to gain a school place.

(AQW 7319/10)

Minister of Education: D'fhonn teacht le tús na scoilbhliana nua, soláthróidh an Roinn treoir ar nósanna imeachta um iontráil i bhfoirm ciorclán do Phríomhoidí agus do Bhoird Ghobharnóirí ar scoileanna iarbhunoideachais, ar bhunscoileanna agus ar naíscoileanna, agus cuimsíonn na ciorcláin treoir ar iontrálacha ar naíranganna i mbunscoileanna fosta.

To coincide with the start of the new school year the Department provides operational guidance on admissions procedures in the form of circulars to Principals and Boards of Governors of post-primary schools, primary schools and nursery schools and also covering admissions to nursery classes in primary schools.

Each of these circulars contains an annex entitled "Duty to Verify". In this annex the Department sets out in detail how schools may verify address information which qualifies an applicant for admission where doubt exists as to the validity of that address.

Glenwood Primary School, Belfast

Mr M Storey asked the Minister of Education for an update on the provision of a new build for Glenwood Primary School, Belfast.

(AQW 7320/10)

Minister of Education: Cuimsítear na scéimeanna do bhunscoileanna Glenwood agus Springhill agus d'Edenderry Nursery School san athbhreithniú reatha ar gach tionscadal um oibreacha ollchaipitil. Mar sin de, níl mé in ann nuashonrú a sholáthar ar dhul chun cinn na dtionscadal seo faoi láthair.

The ongoing review of all major capital works projects, includes the schemes for Glenwood and Springhill Primary Schools and Edenderry Nursery School. I am not, therefore, able at this time, to provide an update on the progress of these projects.

Springhill Primary School, Belfast

Mr M Storey asked the Minister of Education for an update on the provision of a new build for Springhill Primary School, Belfast.

(AQW 7321/10)

Minister of Education: Cuimsítear na scéimeanna do bhunscoileanna Glenwood agus Springhill agus d'Edenderry Nursery School san athbhreithniú reatha ar gach tionscadal um oibreacha ollchaipitil. Mar sin de, níl mé in ann nuashonrú a sholáthar ar dhul chun cinn na dtionscadal seo faoi láthair.

The ongoing review of all major capital works projects, includes the schemes for Glenwood and Springhill Primary Schools and Edenderry Nursery School. I am not, therefore, able at this time, to provide an update on the progress of these projects.

Edenderry Nursery School, Belfast

Mr M Storey asked the Minister of Education for an update on the provision of a new build for Edenderry Nursery School, Belfast.

(AQW 7322/10)

Minister of Education: Cuimsítear na scéimeanna do bhunscoileanna Glenwood agus Springhill agus d'Edenderry Nursery School san athbhreithniú reatha ar gach tionscadal um oibreacha ollchaipitil. Mar sin de, níl mé in ann nuashonrú a sholáthar ar dhul chun cinn na dtionscadal seo faoi láthair.

The ongoing review of all major capital works projects, includes the schemes for Glenwood and Springhill Primary Schools and Edenderry Nursery School. I am not, therefore, able at this time, to provide an update on the progress of these projects.

Bangor Academy

Mr P Weir asked the Minister of Education to detail (i) the number of applicants; and (ii) the number of admissions of Year 8 pupils to Bangor Academy, in each of the last five years.

(AQW 7333/10)

Minister of Education: Is mionsonraithe sa tábla thíos atá (i) líon na n-iarratasóirí; agus (ii) líon na ndaltaí ar ghlacadh isteach leo sa bhliain 8 ar Bangor Academy, i ngach ceann de na cúig bliana a chuaigh thart:

The (i) number of applicants; and (ii) the number of admissions of year 8 pupils to Bangor Academy, in each of the last five years are as detailed in the table below:

Year	(i) Applications	(ii) Admissions
2010	301	242
2009	291	242
2008	287	242
2007	221	219
2006	170	171

The number of applications is the total number of applications at all preferences (first, second, third preference and so on) during the admissions process which completes at the end of May each year. The number of admissions is the total admissions at the school census date (early October) except for 2010 which is the number accepted for admission in September 2010.

Education and Library Board Consultancy

Mr D O'Loan asked the Minister of Education how much each Education and Library Board has spent on consultancy since 2007.

(AQW 7353/10)

Minister of Education: Níl sonraí ar chaiteachas na mBord Oideachais agus Leabharlainne ar chomhairleacht sa bhliain 2009-10 le fáil go fóill. Leagtar amach sa tábla thíos caiteachas na mBord Oideachais agus Leabharlainne ar chomhairleacht do na blianta 2007-08 agus 2008-09:

Data in relation to the Education and Library Board's consultancy* spend in 2009-10 is not yet available. Expenditure by the Education and Library Boards on consultancy* for 2007-08 and 2008-09 is set out in the table below:

Education and Library Board	2007-08	2008-09
Belfast Education and Library Board	£1,079,125	£187,000
Western Education and Library Board	£685,276	£355,300
South Eastern Education and Library Board	£130,153	£70,819

The Southern Education and Library Board and the North Eastern Education and Library Board did not have any expenditure on consultancy in 2007-08 or 2008-09

* Consultancy in this context is Use of External consultants

Education and Library Board

Mr D O'Loan asked the Minister of Education how many administration staff were made redundant in the headquarters of each Education and Library Board, in each of the last three years; and the cost of the associated severance packages.

(AQW 7354/10)

Minister of Education: Dhearbhaigh Príomhfheidhmeannaigh na mBord Oideachais agus Leabharlainne líon iomarcaíochtaí fhoireann riaracháin na gceanncheathrúna agus na costais a bhí orthu dá limistéir Bhoird faoi seach. Tá na sonraí seo mionsonraithe thíos:

The Chief Executives of the Education and Library Boards have confirmed the numbers and costs of headquarter administration staff redundancies for their respective Board areas. These details are outlined below:

BOARD AREA		2007/08	2008/09	2009/10
BELB	Number	0	0	0
	Cost (000s)	0	0	0
NEELB	Number	1	0	2
	Cost (000s)	6	0	8
SELB	Number	0	0	0
	Cost (000s)	0	0	0
SEELB	Number	0	0	0
	Cost (000s)	0	0	0
WELB	Number	1	0	1
	Cost (000s)	48	0	25

Senior Management Posts

Mr D O'Loan asked the Minister of Education to detail the number of senior management posts within her Department; and the amount spent on salaries each year since 2007.

(AQW 7355/10)

Minister of Education: Foilsítear sonraí ar poist bhainistíochta laistigh de mo Roinn i gCuntais Sócmhainne na Ranna atá le fáil i Leabharlann an Tionóil agus ar shuíomh gréasáin an RO ag na naisc thíos. Foilseofar na Cuntais don bhliain 2009/10 in am trátha.

Details of senior management posts within my Department are published in the Departmental Resource Accounts which are available in the Assembly Library or on the DE website at the links below. The Accounts for 2009/10 will be published in due course.

http://www.deni.gov.uk/2007_resource_accounts.pdf

http://www.deni.gov.uk/department_of_education_2007-08_resource_accounts.pdf

http://www.deni.gov.uk/departmental_resource_accounts_2008-09.pdf

Consultancy

Mr D O'Loan asked the Minister of Education how much her Department has spent on consultancy in each of the last three years.

(AQW 7356/10)

Minister of Education: Níl leibhéal caiteachais na Roinne Oideachais ar chomhairleacht sa bhliain 2009-10 ar fáil faoi láthair mar gheall ar leagan amach na gcuntas bliantúil don bhliain 2009-10. Is mar seo a leanas a bhí caiteachas na Roinne ar chomhairleach idir na blianta 2006/07 agus 2008/09:

The level of consultancy spend for the Department of Education in 2009-10 is currently unavailable due to the finalisation of the 2009-10 annual accounts. Expenditure on consultancy by the Department between 2006/07 and 2008/09 is as follows:

	2006/07	2007/08	2008/09
Consultancy spend*	£905,601	£1,067,705	£850,884

* Consultancy in this context is deemed to be the use of external consultants.

Enrolment Figures

Mr P Weir asked the Minister of Education to detail (i) the maximum enrolment capacity; and (ii) the enrolment figures at Year 8 in each secondary school in the North Down area, in each of the last five years.

(AQW 7368/10)

Minister of Education: Is mionsonraithe sa tábla thíos atá an t-uaschumas rollaithe agus na figiúirí rollaithe don bhliain 8 i ngach meánscoil i limistéar an Dúin Thuaidh i ngach ceann de na cúig bliana anuas.

The maximum enrolment capacity and enrolment figures at year 8 in each secondary school in the North Down area in each of the last five years are detailed in the table below

	(i) Approved Enrolment Number	(i) Approved Admissions Number	(ii) Actual Number Admitted to Year 8
2006/07			
Bangor Academy and Sixth Form College	1420	242	171
St Columbanus' College	501	91	91
Priory College	450	85	64
Glenlola Collegiate	1100	157	157
Bangor Grammar School	950	136	137 *
Sullivan Upper School	1060	150	150

	(i) Approved Enrolment Number	(i) Approved Admissions Number	(ii) Actual Number Admitted to Year 8
2007/08			
Bangor Academy and Sixth Form College	1420	242	219
St Columbanus' College	507	90	90
Priory College	450	85	81

	(i) Approved Enrolment Number	(i) Approved Admissions Number	(ii) Actual Number Admitted to Year 8
2007/08			
Glenlola Collegiate	1100	158	160 *
Bangor Grammar School	950	137	138 *
Sullivan Upper School	1060	150	150

	(i) Approved Enrolment Number	(i) Approved Admissions Number	(ii) Actual Number Admitted to Year 8
2008/09			
Bangor Academy and Sixth Form College	1420	242	242
St Columbanus' College	501	91	91
Priory College	450	104	104
Glenlola Collegiate	1100	157	157
Bangor Grammar School	910	125	126 *
Sullivan Upper School	1060	150	151 *

	(i) Approved Enrolment Number	(i) Approved Admissions Number	(ii) Actual Number Admitted to Year 8
2009/10			
Bangor Academy and Sixth Form College	1420	242	242
St Columbanus' College	503	90	90
Priory College	450	95	94
Glenlola Collegiate	1100	157	159 *
Bangor Grammar School	900	125	124
Sullivan Upper School	1060	150	151 *

	(i) Approved Enrolment Number	(i) Approved Admissions Number	(ii) Actual Number Admitted to Year 8
2010/11			
Bangor Academy and Sixth Form College	1420	242	242
St Columbanus' College	500	90	90

	(i) Approved Enrolment Number	(i) Approved Admissions Number	(ii) Actual Number Admitted to Year 8
2010/11			
Priory College	450	85	91 *
Glenlola Collegiate	1100	157	157
Bangor Grammar School	900	125	125
Sullivan Upper School	1060	150	150

* where the actual number admitted to Year 8 exceeds the approved admissions number the school has been granted a temporary variation or a child or children have been admitted to a school as the result of an appeal to an independent admissions appeal tribunal .

Secondary School Places

Mr P Weir asked the Minister of Education how many Year 7 pupils, in the North Down area who are due to transfer to secondary school in 2010/11, have not yet been allocated a school place.

(AQW 7369/10)

Minister of Education: Chuir Bord Oideachais agus Leabharlainne an Oirdheiscirt in iúl go bhfuil 14 dalta i mBliain 7 i limistéar an Dúin Thuaidh atá le haistriú go hiarbhunscoil sa bhliain 2010/11 nár leithdháileadh áit scoile orthu go dtí seo.

The South Eastern Education and Library Board have advised that there are currently 14 Year 7 pupils in the North Down area due to transfer to secondary school in 2010/11 who have not yet been allocated a school place.

Closed Primary and Post-primary Schools

Mr I McCrea asked the Minister of Education to list the (i) primary schools; and (ii) post-primary schools that have been closed by her Department in the last 10 years; and to detail whether each of those school buildings is still owned by her Department.

(AQW 7374/10)

Minister of Education: Dúnadh 55 bunscoil agus 12 iarbhunscoil sna 10 mbliana a chuaigh thart. Sa tréimhse chéanna, cuireadh 14 cónascadh bunscoile agus 5 cónascadh iarbhunscoile i gcrích; agus bhain gach cónascadh le 2 scoil nó níos mó. Tá liosta de na scoileanna lena mbaineann ceangailte thíos.

Ní leis an Roinn aon fhoirgnimh scoile.

55 primary and 12 post-primary schools have closed in the last 10 years. In the same period, 14 primary school amalgamations and 5 post-primary school amalgamations have taken place; each amalgamation involving 2 or more schools. A list of the schools concerned is attached below.

The Department does not own any school buildings.

PRIMARY

Name of primary school	Date of closure
St Anthony's, Willowfield	31/8/01
Cavanacaw, Omagh	31/8/01
Glengoorland, Strabane	31/8/01

Name of primary school	Date of closure
Ballymena Academy Preparatory	31/8/01
Tullywisker, Strabane	31/8/02
Hunter House College Preparatory	31/8/02
Mosside, Ballymoney	31/8/02
O'Neill Memorial, Belfast	31/8/02
St Patrick's, Belfast	31/8/03
Foyle and Londonderry College Preparatory	31/8/03
Toberlane, Cookstown	31/8/03
Earl of Erne, Stragowna, Enniskillen	31/8/03
St Joseph's, Lisconrea, Omagh.	31/8/03
Ballypriormore, Larne	31/12/03
Maydown and Strathfoyle	31/8/04
Brackalislea, Desertmartin	31/8/04
Lurgan College Preparatory	31/8/04
Ballyrock, Bushmills	31/8/04
St Mary's, Laught	31/8/05
Antiville, Larne	31/8/05
Granville	31/8/05
Portadown Preparatory	31/8/05
Ardmore, Craigavon	31/8/06
Loughbrickland	31/8/06
Stragowna, Enniskillen	31/8/06
Mersey Street, Belfast	31/8/06
St Mary's, Aghadowey	31/8/06
Lisnamurrigan, Broughshane	31/8/06
All Saints, Ballela, Banbridge	31/8/06
Glenarm	31/8/06
Eglis, Dungannon	31/8/07
Ballyduff, Newtownabbey	31/8/07
Groomsport	31/8/07
St Mary's, Ballygowan	31/8/07
Tullymacarette, Dromore	31/8/07
Lambeg, Lisburn	31/8/07
Minterburn, Caledon	31/8/08

Name of primary school	Date of closure
Collone, Armagh	31/8/08
Shanmullagh, Ballinamallard	31/8/08
Trillick, Omagh	31/8/08
Conlig Primary School	31/8/08
Guiness, Ballynahinch	31/8/08
Gaelscoil an Damba	31/8/08
Kindle Integrated	31/8/08
Hilden Controlled Integrated, Lambeg	30/11/08
St Columba's, Curley, Dromore	31/8/09
St Patrick's, Garvallah, Seskinore	31/8/09
St Colman's, Moira	31/3/09
Benburb, Dungannon	31/8/09
Suffolk, Belfast	31/8/09
Newtownbreda	31/8/09
St Colmcille's, Armagh	31/8/09
St John's, Glenn	31/8/10
Ballee, Ballymena	31/8/10
St Patrick's, Creggan	31/8/10
Ballycloughan	31/12/10*
Derriaghy	31/8/11*

* Decisions pending

POST PRIMARY

Name of Post-primary school	Date of closure
Templemore, Derry	31/9/03
Massereene Community College, Antrim	31/8/06
St Joseph's High School, Plumbridge	31/8/07
Mount Gilbert Community College Belfast	31/8/07
Lisnasharragh High School, Belfast	31/8/08
Balmoral High School, Belfast	31/8/08
St Gabriels College, Belfast	31/8/08
Down Academy, Downpatrick	31/8/08
Donaghadee High School	31/8/09
Maghera High School	31/8/09
Armagh Integrated College	31/8/09

Name of Post-primary school	Date of closure
Castle High School, Belfast	31/8/09

Closures of units at primary or post primary schools are not included.

AMALGAMATIONS SINCE 2000 – EACH FORMING 1 NEW SCHOOL

Schools	Date of closure
Primary	
Charley Memorial, Lambeg, Hillhall and Drumbo Primary Schools.	31/8/03
Ballygawley and Innismagh Primary School Ballygawley	5/1/04
Dervaghroy Primary School, Hutton Primary School and Sixmilecross Primary School	28/2/05
Clough Primary School, Downpatrick and Downshire Primary School, Dundrum	30/4/05
Annaghmore Primary School and Tullyroan Primary School	31/8/05
Hillsborough Primary School and Newport Primary School Hillsborough	31/8/05
St Catherines Primary School, St Galls Primary School and St Johns Primary School, Belfast	31/8/05
Convent of Mercy and St Mary's Boys' Primary Schools, Newry	31/8/06
Parish of Ballymena (Kirkcubbin) – St Louis, St Joseph's, St Mary's & All Saints Primary School at All Saints and St. Louis	31/8/07
St James Primary School, Tandragee and St Josephs Primary School, Poyntzpass	31/8/07
Killyman and Tamnamore Primary Schools, Dungannon	31/8/07
St Josephs Primary School Ahoghill and St Patricks Primary School Ahoghill	31/3/08
Burnfoot, Dungiven and Largy Primary Schools	31/8/08
Sydenham Infants and Strand Primary Schools	31/8/09
St John the Baptist Girls and Boys Primary Schools	1/9/10*
St Patrick's Boys and Convent of Mercy Girls	1/9/11*
Post-primary	
Clondermot and Faughan Valley High Schools, Derry	31/8/04
Enniskillen High School & Duke of Westminster High Schools	31/8/04
Convent Grammar, Our Lady of Mercy Secondary and St. Colman's High School, Strabane	31/8/05

Schools	Date of closure
St Malachy's High School, Antrim and St Olcan's High School, Randalstown	31/8/06
St MacNissi's College (Garron Tower), St Comgall's High School, Larne and St Aloysius High School, Cushendall	29/3/10
Strabane Grammar and Strabane High	Planning for approved merger on-going

* Decisions pending

Number of Department Staff

Mr D O'Loan asked the Minister of Education to detail the number of staff within her Department, broken down by grade and indicating salary scales.

(AQW 7375/10)

Minister of Education: Tá an t-eolas a iarradh mionsonraithe thíos.

The information requested is detailed below.

Grade (including analogous)	Number of Staff	Pay Scale Minimum (£)	Pay Scale Maximum (£)
Grade 2	2	98,059	205,000
Grade 3	3	81,600	160,000
Grade 5	12	57,300	116,000
Grade 6	66	48,527	62,407
Grade 7	39	41,661	50,796
Deputy Principal	84	31,663	38,893
Staff Officer	70	25,278	30,520
Staff Officer Accountant	2	28,278	33,520
Staff Officer Auditor MIIA and BATS (252)	3	26,378	31,620
Staff Officer Auditor MIIA and BATS (254)	2	27,478	32,720
Executive Officer 1	65	21,826	26,086
Executive Officer 2	102	20,285	23,250
Administrative Officer	141	16,312	22,180
Administrative Assistant	42	14,131	17,533

- Staff numbers are whole time equivalent
- Staff temporarily promoted to a higher grade are listed against the higher grade
- Figures exclude 10 DFP staff currently working in Statistics & Research

Killinchy Primary School

Mr J Shannon asked the Minister of Education when work on the new build for Killinchy Primary school will commence.

(AQW 7379/10)

Minister of Education: The major capital works scheme for Killinchy Primary School is currently at Economic Appraisal stage which is the first step of the planning process. The South-eastern Education and Library Board is currently preparing the Economic Appraisal for the Department's consideration and approval.

Is féidir gurb eol duit gur fhógair mé athbhreithniú ar gach tionscadal molta um oibreacha ollchaipitil, i bhfómhar na bliana 2009. Cuideoidh an t-athbhreithniú caipitil le cur chuige níos straitéisí a fhorbairt ar chinntí ar infheistiú caipitil agus ar bhainistíocht eastát na scoileanna. Sa timpeallacht gheilleagrach reatha, cinnteoidh an t-athbhreithniú go n-úsáidfear gach acmhainn atá ar fáil chun na torthaí is fearr do pháistí agus an luach is fearr don cháiníocóir a bhaint amach. Mar gheall air seo, tá sé tábhachtach go ndearbhaíonn muid go bhfuil gach tionscadal caipitil ina n-infheistíonn muid inmharthana san fhadtéarma.

You may be aware, that in the autumn of 2009, I announced a review of all proposed major capital work projects. The capital review will inform a more strategic approach to capital investment decisions and the management of the schools estate. In the current economic climate the review will ensure that available resources are used to secure the best outcomes for children and maximum value for the taxpayer. In light of this it is important that we validate that the capital projects in which we invest are viable in the long term.

To date the review has focused on those schemes which have previously been the subject of a 'New Starts' announcement and are included in the Department's Investment Delivery Plan.

I cannot at this time provide a timeframe on the way forward for potential projects such as that for Killinchy Primary School, which have not been previously announced for funding.

Projected Spend on Sectoral Support

Mr D O'Loan asked the Minister of Education to detail the projected spend on sectoral support for (i) the maintained sector; (ii) the integrated sector; and (iii) the Irish-medium sector in each of the next three years.

(AQW 7392/10)

Minister of Education: Ní féidir an teolas a iarradh a sholáthar ag an am seo. Cinnfear Buiséad Ranna do na trí bliana atá romhainn trís an phróiseas Buiséid áitiúil don bhliain 2010, agus táthar ag súil nárbh eol an toradh go dtí deireadh na bliana 2010.

It is not possible to provide the information requested at this time. Departmental Budgets for the next three years will be determined by the local Budget 2010 process, the outcome of which is not expected to be known until late 2010.

Classroom Assistants

Mr P Weir asked the Minister of Education how many classroom assistant (i) jobs; and (ii) hours will be cut in the South Eastern Education and Library Board area at the end of the 2009/10 academic year.

(AQW 7410/10)

Minister of Education: Classroom assistance is funded centrally by the Board and is based on the number of pupils requiring a statement of special educational needs. The Board is required to increase/decrease posts and hours, dependent on need, during the year.

I have therefore been advised by the Chief Executive of the South Eastern Education and Library Board that he is unable to be definitive about the number of posts and related hours for classroom assistants at the end of the 2009/10 academic year.

Is féidir liom a dheimhniú áfach, go bhféachann an Bord le cúntóirí ranga a ath-imlonnú ag deireadh na bliana agus déanann an Bord bainistiú ar feadh na bliana ar leibhéal na n-uaireanta a roinntear trí phróiseas modhnóireachta.

I can confirm however that the Board actively seeks to redeploy classroom assistants at the year end and throughout the year manages the level of hours allocated through a moderation process.

Exceptional Circumstances Body

Mr D Bradley asked the Minister of Education to detail the criteria which will be used by members of the Exceptional Circumstances Body to make decisions about whether or not a child should be admitted to a certain school.

(AQW 7434/10)

Minister of Education: Leagadh amach sna Rialúcháin (N I) um Iontrálacha Scoileanna (Imthosca Eisceachtúla) 2010, a cuireadh i bhfeidhm ar 1 Márta 2010, sainmhíniú ar na hImthosca Eisceachtúla a úsáidfí an Comhlacht um Imthosca Eisceachtúla chun cinntí a dhéanamh.

The School Admissions (Exceptional Circumstances) Regulations (N I) 2010, which came into operation on 1 March 2010, set out the definition of Exceptional Circumstances which the Exceptional Circumstances Body will use to make its decisions.

They state that “exceptional circumstances” means circumstances which are both exceptional and personal to the child in question and relate to admission to a specified school only.

The Regulations give the following examples of circumstances which may be regarded as exceptional;

- a) circumstances where in the opinion of a registered medical practitioner the child has been subjected to sexual abuse;
- b) circumstances where a child is looked after by an authority (as defined in Article 25 of the Children (NI) Order 1995).

The Regulations also give the following examples of circumstances which may not be regarded as exceptional;

- a) circumstances related wholly or mainly to the kind of education provided at that school;
- b) circumstances related to a child's academic ability;
- c) circumstances related wholly or mainly to the availability of transport to that school.

Planned Capital Expenditure

Mr T Elliott asked the Minister of Education to detail the planned capital expenditure for the 2010/11 financial year.

(AQW 7439/10)

Minister of Education: The approved capital budget and the projected capital cost of ePIC is £12.8m. To date the total Capital expenditure on the project is £11.2m. A further £1.6m will be spent this financial year to complete the Project.

Preliminary work is underway to identify any changes which may need to be applied to ePIC to ensure the system operates effectively in Local Authorities. This work will be fully scoped and business case prepared when clear direction is given regarding the Local Government delivery model. At this stage it is not possible to predict the cost for any remedial work required to the system.

Department for Employment and Learning

Programme-led Apprenticeships

Mr P Weir asked the Minister for Employment and Learning what consultations his Department has had on the implementation of Programme-led Apprenticeship's for September 2010.

(AQW 6957/10)

Minister for Employment and Learning (Sir Reg Empey): The Programme Led Apprenticeship (PLA) provision was introduced in September 2009 as a contingency measure, during the present economic downturn. The Department had a responsibility to guarantee that, in the absence of available jobs for school leavers, an adequate provision was in place to ensure that young people, who so wished, could avail of apprenticeship training through another route.

In responding to the rapidly changing and difficult economic circumstances, there was limited time to develop and roll out this new provision. Consultation was, obviously, more restricted than would have been the case in normal circumstances. However, a number of FE Colleges and the Education and Training Inspectorate were involved in the design of the PLA and officials met with Summit Skills, the SSC for the building services sectors and ETT and PMST, the training delivery bodies for electrical, plumbing, heating, refrigeration and ventilation.

My Department is currently taking forward the re-contracting of the future delivery of Training for Success and ApprenticeshipsNI. As part of that process a stakeholder group has been established, which includes representatives from the Sector Skills Councils, training organisations, FE Colleges, the Awarding Bodies, and the Education and Training Inspectorate. To date much of the discussion has been about the structure of the future Level 2 provision for unemployed trainees that will ultimately replace the Programme Led Apprenticeship.

You will be aware that the DEL Committee also held a recent meeting with Department officials, some SSCs, employers and FE Colleges to discuss PLA. These discussions have since continued with two meetings chaired by the Alliance of Sector Skills and have been very useful in further exploring the issues. I understand that a further meeting of this group is to be scheduled for late June. My Department's own consultation group will also meet again soon.

I trust this information is helpful.

Monitoring Rounds

Mr P Butler asked the Minister for Employment and Learning how much money his Department returned in each of the monitoring rounds during the last financial year.

(AQW 6965/10)

Minister for Employment and Learning: The Department returned a total of £24.4m during 2009/10, split as follows: £10.7m in the June 2009 monitoring round; £7.1m in the September 2009 monitoring round; £1.1m in the December 2009 monitoring round and £5.5m in the February 2010 monitoring round.

Department Reviews

Mr P Butler asked the Minister for Employment and Learning to list the reviews he has asked his Department to carry out since becoming Minister, including the area and policies that each review covered.

(AQW 6967/10)

Minister for Employment and Learning: The attached table lists the reviews carried out in the Department since my appointment as Minister. The list excludes the Department's planned programme of policy and programme evaluations.

Review	Policy Area
Review of progress2work pilot programme	Employment Service – Steps to Work
Review of the Steps to Work Employers' Subsidy	Employment Service – Steps to Work
Review of Success through Skills	Skills and Industry – Skills Strategy
Review of Workforce Development Forums	Skills and Industry – Future Skills
Review of Skillsafe	Skills and Industry – Future Skills
Independent Review of the Construction Industry Training Board	Skills and Industry – Sectoral Development
Review of Management and Leadership Development Opportunities	Skills and Industry – Management Development
Review of the Governance arrangements of the Colleges of Further Education	Further Education – Corporate Governance and Accountability
Review of the Labour Relations Agency	Employment Relations
Joint DE / DEL Review of the Education Maintenance Allowance Scheme	Higher Education – Student Finance
Independent Review of Variable Fees and Student Finance Arrangements in Northern Ireland	Higher Education – Student Finance
Review of Methodology for Funding St Mary's and Stranmillis University Colleges	Higher Education - Finance
Northern Ireland Higher Education Council Review	Higher Education - Policy
Review of Higher Education in Further Education	Higher Education - Policy
Review of Widening Participation Funding Initiatives	Higher Education – Widening Participation
Review of the Overseas Research Student Awards Scheme (ORSAS) – UK Wide Review	Higher Education – Research Policy
Review of Postgraduate Policy and funding	Higher Education - Policy
Science Research Investment Fund – UK-Wide Review	Higher Education – Research Policy
Review of Research Excellence Framework	Higher Education – Research Policy
Review of Higher Education Innovation Fund 2	Higher Education – Research Policy
Review of HE-FE Collaboration Fund	Higher Education - Policy
Review of Careers Resource Centres	Skills and Industry – Careers Information, Advice and Guidance
Review of the Delivery of Adult Careers Guidance Services	Skills and Industry – Careers Information, Advice and Guidance
Review of Adult Guidance Services	Skills and Industry – Careers Information, Advice and Guidance
Training for Success (TFS) - 1st Year Review	Skills and Industry – Training Programmes

All Ireland Skills Study Report

Mr P Butler asked the Minister for Employment and Learning what progress has been made in implementing the all Ireland skills study report.

(AQW 7010/10)

Minister for Employment and Learning: The all Ireland Skills Study Report was commissioned jointly by the Skills Expert Group in Northern Ireland and the Expert Group on Future Skills Needs in the Republic of Ireland as a piece of analytical research and was presented at the 2008 All Island Skills Conference. No recommendations for action were contained in the report but the research informs future policy developments, such as “Success through Skills 2”, the Skills Strategy for Northern Ireland now out for consultation.

Education Maintenance Allowance

Mr P Weir asked the Minister for Employment and Learning to detail the number of (i) successful; and (ii) unsuccessful applications for an Education Maintenance Allowance in the current academic year, broken down by constituency.

(AQW 7022/10)

Minister for Employment and Learning: Data is not available in the constituency format requested. However, the table below details (i) the number of successful applications for Education Maintenance Allowance; and (ii) the number of unsuccessful applications for Education Maintenance Allowance for the current academic year 2009/2010. As the current academic year is still ongoing, the table represents the latest figures up to and including April 2010.

Successful EMA applications	Unsuccessful EMA applications
23,962	852

Agencies and Bodies Funded by the Department

Mr J Craig asked the Minister for Employment and Learning to detail (i) all the agencies and bodies funded by, and associated with, his Department; and (ii) the total running costs of each agency or body for each of the last five years.

(AQW 7070/10)

Minister for Employment and Learning: The information requested is set out in the attached table.

Public Body	Running Costs				
	05-06	06-07	07-08	08-09	09-10
Labour Relations Agency	£2,728,761	£2,699,658	£2,870,256	£3,082,424	£3,313,136
Certification Officer for NI	£229,995	£172,244	£187,624	£187,676	£177,886
Fair Employment Tribunal and Industrial Tribunals	£3,196,000 (Costs do not include Rent/Rates)	£3,308,000 (Costs do not include Rent/Rates)	£3,410,000 (Costs do not include Rent/Rates)	£3,323,000 (Costs do not include Rent/Rates)	£3,670,000 (Costs do not include Rent/Rates)

Public Body	Running Costs				
	05-06	06-07	07-08	08-09	09-10
Reinstatement Committee for Reserve Forces in Civil Employment	0	0	0	0	Cost included in the total cost of the Industrial Tribunals & Fair Employment Tribunal.
Industrial Court (NI)	£78,315.01	£119,745.98	£116,952.57	£79,524	£92k approx
CITB – Construction Skills Northern Ireland	£5,341,959	£4,735,201	£5,058,841	£5,695,300	£4,560,277 (Estimated)
Ulster Supported Employment Limited	£7,110,404	£7,664,235	£8,169,571	£8,205,733	£8,459,260
St Mary's College	£7,130,257	£8,014,155	£8,203,180	£8,451,646	n/a*
Stranmillis	£7,329,856	£8,992,619	£9,164,234	£9,902,917	n/a*

Public Body	Running Costs				
	05-06	06-07	07-08	08-09	09-10
NIHEC	£12,312	£15,407	£13,904	£11,946	£8,001
**Foundation Degree Forward			£84,339	£127,460	£128,434
Enterprise Ulster	£8,539,040	£2,423,515	£53,846 ***		
NI Advisor on Employment and Skills				£122,354 (set up Oct '08)	£380,264
Belfast Institute of Further and Higher Education	£49,917,000	£50,946,000	-	-	-
Castlereagh College of Further and Higher Education	£9,558,000	£9,652,000	-	-	-
Causeway Institute of Further and Higher Education	£8,677,000	£8,157,000	-	-	-
East Antrim Institute of Further and Higher Education	£10,950,000	£11,026,000	-	-	-

Public Body	Running Costs				
	05-06	06-07	07-08	08-09	09-10
North East Institute of Further and Higher Education	£16,984,000	£17,335,000	-	-	-

* Figures for 2009-10 are not available as the academic year does not end until 31 July 2010. Estimates for the year are not available.

** The Department has engaged Foundation Degree Forward to promote and support the development of Foundation Degrees in Northern Ireland. Specifically, to develop partnerships between Higher Education institutions, the regional colleges, Sector Skills Councils, employers and employer bodies and to get involved in the dissemination of good practice in the design, development and delivery of Foundation Degrees.

*** Covers April – June 07, when Enterprise Ulster was abolished

Public Body	Running Costs				
	05-06	06-07	07-08	08-09	09-10
Limavady College of Further and Higher Education	£8,007,000	£6,530,000	-	-	-
North West Institute of Further and Higher Education	£27,640,000	£27,987,000	-	-	-
East Down Institute of Further and Higher Education	£8,974,000	£10,109,000	-	-	-
Lisburn Institute of Further and Higher Education	£8,098,000	£9,442,000	-	-	-
North Down & Ards Institute of Further and Higher Education	£18,279,000	£17,666,000	-	-	-
Armagh College of Further and Higher Education	£7,630,000	£7,654,000			
Newry & Kilkeel Institute of Further and Higher Education	£17,040,000	£20,292,000	-	-	-
Upper Bann Institute of Further and Higher Education	£14,324,000	£13,758,000	-	-	-

Public Body	Running Costs				
	05-06	06-07	07-08	08-09	09-10
East Tyrone College of Further and Higher Education	£9,345,000	£10,446,000	-	-	-
Fermanagh College of Further and Higher Education	£10,093,000	£10,184,000	-	-	-
Omagh College of Further Education	£10,760,000	£11,876,000	-	-	-
Belfast Metropolitan College	-	-	£65,130,000	£56,220,000	£60,757,000
Northern Regional College	-	-	£37,514,000	£34,920,000	£33,904,000
North West Regional College	-	-	£37,348,000	£33,396,000	£33,299,000
South Eastern Regional College	-	-	£43,577,000	£39,354,000	£42,028,000
Southern Regional College	-	-	£42,272,000	£40,932,000	£43,707,000
South West College	-	-	£33,826,000	£32,534,000	£34,431,000

Apprenticeships

Ms C Ní Chuilín asked the Minister for Employment and Learning to outline his plans to assist young people seeking apprenticeships; and what steps he has taken, to date, to address the shortage of apprenticeships.

(AQW 7122/10)

Minister for Employment and Learning: The starting point is the provision of high quality and impartial careers information, advice and guidance, and my Department's Careers Service will continue to provide this to all young people who are interested in apprenticeships.

The primary option for such young people will be the Department's employer-led ApprenticeshipsNI programme since, it is employers, and not my Department, that create apprenticeships. The apprenticeship training package on offer to employers is very attractive, in that the apprentices' directed training costs are paid by the Department and on completion an employer incentive is also paid. In some instances, training organisations can also assist in finding suitable apprenticeship positions. In addition, the Department's 2010 ApprenticeshipsNI advertising campaign will have a strong focus on encouraging employers to recruit apprentices.

In September last year I introduced the Programme-Led Apprenticeship for unemployed 16 and 17 year olds. This provides an alternative for young people who aspired to an apprenticeship, but who were unable to find employment. This was intended as a short-term response to economic conditions, which my Department is reviewing, together with Sector Skills Councils and training providers.

During the recession, I have also introduced a number of schemes to support employers to retain apprentices in the workplace. The use of employment incentive schemes has also been considered but these raise issues of state aid and the risk of possible displacement of existing experienced workers. My Departmental officials and I will continue to keep such initiatives under consideration.

The economy is a top priority for the Northern Ireland Executive and Assembly. My Department will continue to work to raise employment levels and, encourage employers to provide apprenticeship opportunities.

STEM

Mr P Weir asked the Minister for Employment and Learning what action his Department is taking to ensure the full implementation of the report on the promotion of STEM.

(AQW 7124/10)

Minister for Employment and Learning: The independent Report of the STEM Review was published at the end of September 2009. The report set out 20 recommendations, for both Government and business, aimed at increasing the uptake of STEM in Northern Ireland.

The Department has established a Government STEM sub group to ensure that all the relevant recommendations contained in the Report are implemented. There are representatives from DEL, DE, DETI, DARD, DHSSPS and DCAL on this group. Rapid progress is also being made in the production of a Government STEM strategy, which will outline Government's commitment to the implementation of the Report.

We are in the process of establishing a Business Sub Group to ensure that those recommendations in the Report which fall to business are also fully implemented. The Government and business sub groups will report to an overarching STEM Implementation Steering Group.

My Department has also been undertaking numerous STEM related activities. These include the provision of funding for the Step-up to Science programme, offering additional PhD places and various HE and FE activities. We have also made additional funding available for Sector Skills Councils undertaking STEM projects and commissioned a feasibility study into the possibility of providing STEM bursaries or scholarships. Although the final draft of this study has yet to be published, early indications are that a limited number of industry led scholarships will be recommended.

Review of Public Administration

Mr P McGlone asked the Minister for Employment and Learning to detail the cost, to date, to his Department and its agencies from the Review of Public Administration.

(AQW 7181/10)

Minister for Employment and Learning: I would refer to my earlier response to AQW 884/10 which advised that in relation to the Review of Public Administration, my Department had incurred a total of £63,915 to 9 October 2009. I would advise that there have been no further costs incurred by my Department.

Programme-led Apprenticeship

Mr P Ramsey asked the Minister for Employment and Learning (i) how many young people are currently participating in the Programme-led Apprenticeship; and, of these (ii) how many have found a work placement, broken down by trade-skill area, in each constituency.

(AQW 7212/10)

Minister for Employment and Learning: Occupancy on the Programme-Led Apprenticeship programme as at 2nd June 2010 records totals of 2815. Of these 1556 (55%) have an employer placement, an increase of 4% from March this year.

It is not possible to provide a combined table of these placements by each constituency and trade-skill area as you requested. However, I can provide figures trade-skills areas (see Annex A) and my officials are currently working to collate constituency data based on participant postcode and which I shall forward to you in due course.

Following consultation with training organisations and the Alliance of Sector Skills Councils my Department announced on 6th May 2010 new arrangements with the aim of improving the placement rate. My Department will continue to monitor the impact of these new arrangements in the coming months.

While it is too early to claim the new arrangements are wholly responsible for the rise noted above, it is nonetheless encouraging to see an upward trend.

ANNEX 1

Framework/Trade-Skill Area	Numbers on PLA	Numbers Placed
Business Administration 15.2	149	96
Agriculture 3.1	18	17
Construction 5.2	867	339
Brickwork	152	60
Carpentry, Joinery, Wood Occupations.	500	194
Construction	40	24
Tiling (Floor & Wall)	37	7
Painting & Decorating	81	33
Plastering, Trowel Occupations	54	19
Plant Maintenance	3	2
Food Manufacturing 7.4	57	34
Health & Social Care 1.3	219	165
Electrical 4.1	140	85
Engineering 4.1	175	98
Beauty Therapy 7.3	59	31
Hairdressing 7.3	260	171
IT 6.1, 6.2	80	26
Automotive 5	430	320
Mechanical Engineering 4.1	183	71
Retail 7.1	141	77
Leisure 8.1	20	15
Logistics 7.2	17	11
Overall Totals	2815	1556

Apprenticeships

Mr P Weir asked the Minister for Employment and Learning how many people enrolled in apprenticeships in North Down, in each of the last three years.

(AQW 7225/10)

Minister for Employment and Learning: I refer the Member to the answer given to the Member for Foyle, Mr Mark Durkan, to AQW5555/10 on 23rd March 2010. For ease of reference the information provided is given in the table below.

The data in the table, lists the number of apprentices who have enrolled in each of the last three years by constituency.

TABLE 1. NUMBER OF PEOPLE COMMENCING APPRENTICESHIPS BY CONSTITUENCY, 2007-2009

Constituency	Number of Apprenticeships 2007	Number of Apprenticeships 2008	Number of Apprenticeships 2009
Belfast East	180	269	318
Belfast North	221	331	315
Belfast South	151	248	282
Belfast West	316	424	445
East Antrim	276	352	353
East Londonderry	209	344	368
Fermanagh and South Tyrone	346	479	539
Foyle	269	392	387
Lagan Valley	258	401	444
Mid Ulster	364	417	331
Newry and Armagh	281	417	481
North Antrim	367	487	432
North Down	175	209	220
South Antrim	321	509	425
South Down	352	502	473
Strangford	256	324	350
Upper Bann	234	371	399
West Tyrone	281	459	532
Unknown	76	160	175
Total	4933	7095	7269

Source: DEL Client Management System

Notes:

1. Apprenticeships are mapped to Constituency on the basis of postcode. Those with incomplete/missing postcodes are categorised as Unknown. "Unknowns" are included in the table above.

Educational Maintenance Allowance

Mr P Weir asked the Minister for Employment and Learning to detail the amount of Educational Maintenance Allowance paid in each of the last three years.

(AQW 7263/10)

Minister for Employment and Learning: The table below details the total amount of Education Maintenance Allowance (EMA) paid in each of the last three financial years.

Financial Year	2007/08	2008/09	2009/10
Total EMA paid	£20,695,000	£20,706,000	£23,594,000

Young People not in Education, Training or Employment

Ms S Ramsey asked the Minister for Employment and Learning when the scoping study on young people not in education, training or employment will be published.

(AQW 7336/10)

Minister for Employment and Learning: The issue of young people not in education, employment or training is a high priority for me and as you are aware my Department is taking the lead on the Scoping Study. Although this problem has been around for many years I want to ensure that the scoping study is comprehensive and provides the foundation for the development of a cohesive strategic approach to addressing this issue. The issue is complex and very wide ranging. These young people can face a variety of barriers of different origin and a wide spectrum of different degrees of challenge. It is essential therefore to take sufficient time to ensure that the report is comprehensive and also that it takes account, as far as is possible, of emerging information on this complex issue.

It is clear from this work that the issues affecting these young people are multi-agency and cross-departmental in nature. For example, one of the characteristics of those who are not in education, employment or training can be a lack of educational qualifications and essential skills, an issue pertinent to the Department of Education. Since any strategy which might be developed on foot of the scoping study report will need to be carried forward on a cross-departmental basis, I therefore intend to bring the results of this work to my Executive colleagues for consideration as soon as possible. I would then intend to make the Report more widely available.

Third Level Degree from a University in Dublin

Ms C Ní Chuilín asked the Minister for Employment and Learning (i) to detail the process to be followed by a student from Northern Ireland obtaining a third level degree from a university in Dublin; and (ii) why a masters degree in Art and Design, awarded by a university in Dublin to a student from Northern Ireland, is not recognised.

(AQW 7348/10)

Minister for Employment and Learning:

Part (i)

In common with students in the Republic of Ireland, students from Northern Ireland must apply for entry to third level education, in the Republic of Ireland, through the Central Applications Office (CAO) process. Higher education institutions in the Republic of Ireland have delegated to CAO the task of processing applications to their undergraduate courses. The participating institutions retain the function of making decisions on admissions.

Part (ii)

Since June 2009, all qualifications delivered in higher education institutions in the Republic of Ireland are recognised on the National Framework of Qualifications (NFQ).

The Department for Employment and Learning and the National Qualifications Authority of Ireland have ensured that the qualifications frameworks of the UK and the Republic of Ireland are mutually compatible within the Framework for Qualifications of the European Higher Education Area. This framework has been agreed, under the Bologna Process, as a mechanism for relating the qualification frameworks of different European countries to each other. This ensures that all qualifications, including those at post graduate and masters level, received at higher education institutions on the island of Ireland have mutual recognition.

Young People not in Education, Employment or Training

Ms S Ramsey asked the Minister for Employment and Learning if and when he will bring proposals for a strategy on young people not in education, employment or training to the Executive.

(AQW 7357/10)

Minister for Employment and Learning: My Department is close to completing a key piece of work in the form of a scoping study to learn more about those young people who are not in education, employment or training, identify the key relevant actions and initiatives which are in place to address associated aspects of social and economic exclusion, and inform the debate on a strategic approach to the issue. These young people can face a variety of barriers of different origin and a wide spectrum of different degrees of challenge, which can be compounded, and which affect their ability to engage, right from their earliest years. The issue is therefore pertinent to the responsibilities of several Northern Ireland departments including, for example, the Department of Education, which has a key role in helping to stem the flow of young people into inactivity. As the development of any strategy or action plan on foot of the scoping study will therefore need to be carried forward on a cross-departmental basis I intend to bring the results of the scoping study to my Executive colleagues for consideration before the Summer Recess.

Further and Higher Education: Working-class

Mr J Bell asked the Minister for Employment and Learning what progress is being made to encourage young people from working class communities to access further and higher education.

(AQO 1371/10)

Minister for Employment and Learning: Significant progress is being made. For example:

- Participation rates in Further Education for the last five years would indicate higher than average participation rates for young students from working class areas, with 22% of these students coming from the 20% most deprived areas.
- Participation by young people from the 20% most deprived areas increased by 19% over the same period.
- Participation in Higher Education by young people from low income backgrounds has also risen over the last five years - with 6% more young people from Socio Economic Classification groups 4 to 7 entering Higher Education.
- In 2008/09 almost 42% of young full-time first degree entrants at the Northern Ireland Higher Education Institutions were from Socio Economic Classification groups 4 to 7. This is well above the UK average of 32% for these groups.

These trends are encouraging and reflect the positive work which my Department has been undertaking to widen access to Further and Higher Education.

Employment: People with Learning Disabilities

Mrs M O'Neill asked the Minister for Employment and Learning what measures his Department has in place to ensure that young adults with learning disabilities can make the transition successfully from full-time education to employment.

(AQO 1375/10)

Minister for Employment and Learning: My Department's Careers Service provides impartial careers information, advice and guidance to all young people leaving full-time education, including those with learning disabilities. Careers Advisers play an active role in the Transition Planning Process of pupils with learning disabilities. They are invited by schools to attend key Transition Plan Meetings and Annual Reviews, for these pupils, from age 14 onwards. Careers Advisers support the young people and their parents and carers, in the decision making process, by providing information, advice and guidance on the range of appropriate options available in education, training and employment. In some cases employment is not appropriate.

In addition to Training for Success and Apprenticeship NI programmes, a Pre-Entry Training Support Service is being developed to support potential entrants to training who have a disability. My Department's Disability Advice Service also has measures in place to support young adults with a disability to access employment. Measures include Access to Work (NI), Workable (NI), New Deal for Disabled People, Job Introduction Scheme, Work Preparation Programme and Condition Management Programme.

School Leavers

Mr M Brady asked the Minister for Employment and Learning what plans he has for this year's school leavers, given the continued increase in the number of young people not in education, employment or training.

(AQO 1376/10)

Minister for Employment and Learning: To my knowledge, in 2008/09, 82% of those young people who left school, at Year 12, did not achieve at least 5 GCSEs at grades A*- C including both English and Maths. This represented 7,281 of the 8,879 young people who left school at Year 12.

Clearly the need to improve educational attainment is a key component in any work to prevent young people from falling into inactivity.

My Department's Careers Service plays a crucial role in supporting young people leaving school, by providing impartial information advice and guidance on the education, training and employment opportunities and pathways available to them. All 16-18 year olds have a guaranteed training placement.

The main options provided by my Department include Training for Success, with a Skills for Life strand, the ApprenticeshipsNI programme, and a wide variety of courses in Further Education Colleges.

Young People not in Education, Employment or Training

Mr P Doherty asked the Minister for Employment and Learning how much of his Department's budget was spent in dealing with the issue of young people not in education, employment or training in the last financial year.

(AQO 1378/10)

Minister for Employment and Learning: The issue of young people not in education, employment or training is a high priority for me.

My Department has the following major programmes that assist in addressing this issue and it is not possible to disentangle the programme costs to identify the budget spent solely on those not in employment, education or training.

The Careers Service provides impartial information, advice and guidance to young people throughout Northern Ireland to encourage and support them to achieve their potential. Careers Service expenditure in 2009/10 totalled £5.768 million.

The Department has also been encouraging widening participation in Higher Education through a number of policy initiatives and specific funding mechanisms. In academic year 2008/09, the Department allocated almost £2.4 million to these initiatives.

With regard to the Further Education sector, the Department has developed the Learner Access and Engagement Pilot Programme for adults who are economically inactive or disengaged from the labour market. Colleges are able to access up to £3 million per annum for this initiative.

In 2009/2010, the Department spent £36 million on its Training for Success programme which is primarily aimed at 16 and 17 year old school leavers who have not yet found full time employment. It also spent almost £14 million on Essential Skills provision, offering an alternative, nationally accredited suite of courses which provide participants with the literacy, numeracy and Information, Communication and Technology skills to function more effectively in society.

Further Education: Degree Courses

Mr B McElduff asked the Minister for Employment and Learning to outline his Department's strategy for delivering degree courses through the further education sector.

(AQO 1379/10)

Minister for Employment and Learning: My Department is committed to the continued development of the Foundation Degree, offered in partnership between the universities and local Further Education colleges, as the primary intermediate qualification to meet the skills needs of local employers.

With a few exceptions, the Further Education sector does not offer Bachelor's Degrees as, in the Department's view, those qualifications are best delivered through the University system.

In 2009-10 my Department funded 3,833 full time and 6,108 part time places in Higher Education delivered through the Further Education college system. In 2010-11 funding for Higher Education in Further Education will be £25 million, an increase of 0.5% on the previous year.

Employment: Professional and High-tech Sectors

Mr J Craig asked the Minister for Employment and Learning what assistance his Department is providing to people who have lost their jobs in the professional and high-tech sectors; and what opportunities exist for them to re-train for other industries.

(AQO 1380/10)

Minister for Employment and Learning: My Department has introduced a range of assistance aimed at those who have lost their jobs in the professional and high-tech sectors. Within Steps to Work, the Department's main adult return to work programme, additional provision has been put in place including enabling staff to authorise up to £2,000 (previously £300) to cover the costs of higher level short training courses. For example, my Department is currently working with Citi on a graduate level conversion programme to provide people from various academic disciplines with the skills to equip them to take up employment with Citi in the financial services sector. In response to the difficulties being faced by the legal profession the Department's Careers Service established a project with the Law Society to enhance the provision of specialist careers information, advice and career guidance to solicitors who have become unemployed, or who are at risk of losing their employment. There is also assistance for all unemployed people who wish to pursue self-employment.

Student Fees

Mr L Cree asked the Minister for Employment and Learning for his assessment of the importance of student fees to the higher education budget.

(AQO 1381/10)

Minister for Employment and Learning: My Department considers student fees to be a vital component of the higher education budget.

Variable fees were introduced in September 2006, with the aim of providing Northern Ireland Higher Education Institutions with much needed additional revenue to help them meet long-term challenges to maintain and improve standards, widen access, strengthen links with business and become internationally competitive.

Abolishing tuition fees would place an additional pressure on the public purse in the region of £75-£80 million per year.

In addition, my Department also provides direct funding annually to the Northern Ireland Higher Education Institutions for teaching and research through the block grant. For academic year 2008/09, this funding totalled approximately £202 million.

University Places

Mr B Wilson asked the Minister for Employment and Learning whether the decision of the new UK Government to restrict university places in England and Wales will impact on the number of university places in Northern Ireland.

(AQO 1382/10)

Minister for Employment and Learning: The plans of the new Coalition Government are to provide an increase of 10,000 university places for the academic year 2010/11. However, the number of student places at the universities in Northern Ireland is a matter for Northern Ireland to decide. The number of additional places announced in England and Wales will not impact on the number of places made available here.

Univesity Places

Mr T Buchanan asked the Minister for Employment and Learning for his assessment of the potential impact of budget cuts on the number of university places, given the reduction in the number of places in England and Wales.

(AQO 1383/10)

Minister for Employment and Learning: The plans of the new Coalition Government are to provide an increase of 10,000 university places for the academic year 2010/11.

My Department will be providing almost 4% more funding to the higher education sector this year compared to last year. The number of full-time undergraduate places at both universities on which core grant funding is based remains largely the same as in the previous year. At almost 50%, Northern Ireland's participation rates in Higher Education are the highest in the United Kingdom.

The number of places at the universities in the years beyond 2010/11 will be funded out of the settlement secured from the next Comprehensive Spending Review and there will inevitably be difficult funding decisions and choices to be made. I will be seeking to secure a budget settlement for Higher Education that will allow current student numbers to be at least maintained and which would also allow a higher investment in the research activities of the universities to be made. It is vital for future economic growth in Northern Ireland that we maintain our investment in Higher Education and increase, if possible, the investment in research.

Department of Enterprise, Trade and Investment

Economically Inactive People

Lord Morrow asked the Minister of Enterprise, Trade and Investment (i) how many people are currently regarded as economically inactive; and (ii) for her assessment of the current number of economically inactive people compared to three years ago.

(AQW 7106/10)

Minister of Enterprise, Trade and Investment (Mrs A Foster): Latest estimates from the Labour Force Survey¹ (LFS) for the period January – March 2010 show that there are 558,000 people aged 16 and over who are economically inactive in Northern Ireland. This represents an increase of 27,000 (5%) from the same period three years ago (531,000 in January – March 2007).

The economically inactive figures above include those people that are past retirement age, some of whom are unlikely to re-engage with the labour market. Therefore, it is the economically inactive of working age² that are usually of most interest to labour market analysts. At January – March 2010 there were an estimated 296,000 economically inactive people of working age in Northern Ireland. This represents an increase of 14,000 (5%) from the estimate for the same period three years ago (282,000 in January – March 2007).

Among those that were economically inactive of working age in January – March 2010 were an estimated 95,000 students. This figure has increased by 13,000 (16%) from the estimate for the same period three years ago (81,000 in January – March 2007).

1 Please note that these estimates are sourced to a sample survey and are subject to sampling error.

2 Working Age refers to females aged 16 to 59 and males aged 16 to 64.

Agencies and Bodies Funded by the Department

Mr J Craig asked the Minister of Enterprise, Trade and Investment to detail, for each of the last five years, (i) all the agencies and bodies funded by, and associated with, her Department; and (ii) the total running costs of each agency or body.

(AQW 7161/10)

Minister of Enterprise, Trade and Investment: The Department of Enterprise, Trade and Investment funds, and is associated with, the following Non Departmental Public Bodies:

- Invest Northern Ireland
- Northern Ireland Tourist Board
- Health and Safety Executive Northern Ireland
- Consumer Council for Northern Ireland
- The Department also contributes towards the funding of the following North South Bodies:
- Tourism Ireland Ltd
- InterTradeIreland

The Gross Operating Expenditure as stated in the Income and Expenditure Account is provided for the total running cost of each body and is detailed below:

Organisation or Body	2005/06 £000	2006/07 £000	2007/08 £000	2008/09 £000	2009/10 £000 *
Invest NI	185,852	161,366	152,673	165,846	186,954
NITB	11,541	12,850	14,645	21,041	38,909
HSENI	4,494	4,376	4,341	4,512	7,007
CCNI	1,676	2,058	2,444	2,565	2,733
TIL	50,871	53,648	55,465	73,896	72,403
InterTrade Ireland	7,934	9,621	10,247	9,150	11,151

DETI provides only a proportion of the funding required to defray the cost of the N/S bodies.

* Unaudited accounts which may therefore be subject to change

North West 200

Mr A Ross asked the Minister of Enterprise, Trade and Investment what was the estimated total number of tourists attending this year's North West 200; and how this compares to the previous three years.

(AQW 7221/10)

Minister of Enterprise, Trade and Investment: The organisers estimate that between 120,000 – 150,000 people were in attendance at the North West 200 in recent years.

This year a fuller and more accurate survey is underway but the information will not be available until early – mid June 2010.

Invest NI and the Industrial Development Agency Ireland

Mr P Butler asked the Minister of Enterprise, Trade and Investment to detail the number of joint initiatives carried out by Invest NI and the Industrial Development Agency Ireland to attract inward investment in each of the last three years.

(AQW 7241/10)

Minister of Enterprise, Trade and Investment: Invest NI has a good working relationship with the Industrial Development Agency (IDA), particularly at Executive and Board level. Invest NI shares information with IDA from time to time, and has regular contact with officials from IDA. However, the bottom line for foreign direct investment is that Invest NI and IDA are competitors in the same field.

The most notable joint initiative between Invest NI and the IDA in the last three years is the establishment of the North West Business & Technology Zone (NWB TZ) in 2007. This initiative, partly funded by the EU Interreg programme, is a cross-border business and technology zone which harnesses the synergistic benefits of linking the educational research institutions, graduate pools, business clusters and the enhanced property solutions in both Londonderry and Letterkenny; all linked by a high specification telecoms network. The objective of the NWB TZ is to enable the North West cross-border region to compete more favourably for new inward and indigenous investment.

Invest NI and IDA have subsequently established the 'Northwest Now' initiative. The objective of Northwest Now is to pursue mutually beneficial cross-border cooperation and to develop specific initiatives that can exploit the combined attributes of "paired" urban centres on each side of the border. This is an initiative supported by the EU Interreg IIIA programme for Ireland and Northern Ireland.

Supplementary Planning Guidance for PPS18

Mr D McKay asked the Minister of Enterprise, Trade and Investment to detail her Department's input into the Supplementary Planning Guidance for PPS18.

(AQW 7258/10)

Minister of Enterprise, Trade and Investment: The Department did not have input into the Supplementary Planning Guidance on wind development in Northern Ireland's landscapes. However, the Guidance has been discussed at Ministerial level with the previous and current Environment Ministers.

Sites at Torr Head and the Copeland Islands

Mr D McKay asked the Minister of Enterprise, Trade and Investment what action her Department is taking to ensure that sites at Torr Head and the Copeland Islands are exploited for tidal energy.

(AQW 7260/10)

Minister of Enterprise, Trade and Investment: DETI has recently consulted on a Strategic Environmental Assessment (SEA) of its draft Offshore Renewable Energy Strategic Action Plan 2009-2020. This Plan will form the framework within which the Crown Estate can launch, later in 2010-2011, a competitive Leasing Round for projects in NI waters. Torr Head is within the main Tidal Resource

Zone identified within the Plan for potential commercial scale development. The SEA considered that there was, however, limited to no potential for commercial scale development at the Copeland Islands. This would not, however, preclude this area from consideration for smaller pre-commercial scale/demonstration developments.

Wave and Tidal Energy

Mr D McKay asked the Minister of Enterprise, Trade and Investment how much funding her Department plans to provide for the development of wave and tidal energy in the 2010/11 financial year.
(AQW 7261/10)

Minister of Enterprise, Trade and Investment: At this early stage in the development of the wave and tidal sector, the main funding for projects is managed at a UK level through the Marine Renewables Proving and Marine Renewable Deployment Funds which support the testing and early stage deployment of devices. The MCT SEAGEN project at Strangford Lough has received such support. During 2010-2011, DETI will be finalising the Offshore Renewable Energy Strategic Action Plan 2009 - 2020 and undertaking further extensive preparatory work leading up to the planned Crown Estate competitive Leasing Round for NI waters later in 2010-2011. This work may involve further funding studies/research to facilitate the longer term development of the offshore renewable sector in NI waters.

European Seventh Framework Programme

Mr P Butler asked the Minister of Enterprise, Trade and Investment (i) to list any North-South collaborative projects between Invest NI and Enterprise Ireland under the European Seventh Framework Programme; and (ii) the value of each project.
(AQW 7289/10)

Minister of Enterprise, Trade and Investment: With a budget of over €50 billion, the European Seventh Framework Programme (FP7) runs from 2007 and 2013 and is the European Commission's main method of funding transnational collaborative research and development. FP7 participation is in response to "Calls for Proposals" and the topics are, in the main, decided at the European level (not regional priorities). FP7 is open to a broad range of organisations (public and private) including university research groups, large innovative companies, and small and medium-sized enterprises. Funding is drawn down by transnational consortia. Government departments are eligible participants in some schemes such as ERA-nets but generally cannot lead a funding bid. The main players are universities, research institutes and large industry.

In response to the specific question, Invest NI has secured funding for two ERA-NETs under FP7. These are MNT-ERA.Net II and MATERA+. Enterprise Ireland is also involved in these ERA-NETs along with funding agencies from other European countries. The ERA-NET scheme seeks to increase coordination and cooperation of national and regional programmes and as such is aimed at the national and regional programme makers and managers. MNT-ERA.NET II has a value of €52,431 to Invest NI. The figure for Enterprise Ireland is not available. There is no new funding available for MATERA+ as the programme is a continuation from FP6.

In the broader context of North-South participation in FP7, figures indicate that as of 1 November 2009, there were 27 projects involving organisations from both Northern Ireland and the Republic of Ireland. The total value of these projects is €20.15million.

Unemployment Figures

Mr A Ross asked the Minister of Enterprise, Trade and Investment to detail the most up to date unemployment figures in each constituency.
(AQW 7338/10)

Minister of Enterprise, Trade and Investment: The table below provides the most up to date (April 2010) figures for persons claiming unemployment related benefits in each Parliamentary Constituency. The figures are also expressed as a percentage of the working age population in each area.

Parliamentary	Number of Claimants			% Of Working Age		
Constituency	Males	Females	Total	Males	Females	Total
Belfast East	1,597	494	2,091	6.6	2.1	4.4
Belfast North	2,644	714	3,358	10.7	2.9	6.8
Belfast South	2,128	673	2,801	6.8	2.2	4.5
Belfast West	3,618	992	4,610	14.4	3.8	9.0
East Antrim	2,222	656	2,878	7.9	2.5	5.3
East Londonderry	2,580	723	3,303	8.8	2.7	5.9
Fermanagh & South Tyrone	2,110	687	2,797	6.2	2.3	4.4
Foyle	3,772	1,208	4,980	10.7	3.6	7.2
Lagan Valley	1,760	573	2,333	5.1	1.7	3.5
Mid-Ulster	2,139	666	2,805	6.8	2.4	4.7
Newry & Armagh	3,046	806	3,852	8.8	2.5	5.7
North Antrim	2,407	715	3,122	6.9	2.3	4.7
North Down	1,418	498	1,916	5.0	1.9	3.6
South Antrim	1,927	612	2,539	5.6	1.9	3.8
South Down	2,841	651	3,492	7.5	1.9	4.9
Strangford	1,672	546	2,218	5.1	1.8	3.5
Upper Bann	2,711	796	3,507	7.2	2.3	4.9
West Tyrone	2,490	758	3,248	8.3	2.8	5.7
Northern Ireland	43,082	12,768	55,850	7.6	2.4	5.1

Funding Streams for Small and Medium Enterprises

Ms M Anderson asked the Minister of Enterprise, Trade and Investment to detail any funding streams or support mechanisms available to assist small and medium enterprises to gain accreditation to tender for public procurement contracts.

(AQW 7373/10)

Minister of Enterprise, Trade and Investment: Invest NI, through its Trade Division, provides companies with practical advice/guidance for both public and private sector tendering opportunities under its Exports Skills and Knowledge Workshops Programme. Workshops have been held on Introduction to Tendering and Advance Tendering. In addition, over 400 companies are subscribers to a Tenders Alert Service which provides them with daily updates on relevant public sector tenders from across Europe.

Invest NI, through its Business Improvement Services (BIS) Division, also offers support to small and medium enterprises (SME's) through its Supplier Development Model which has the objective of facilitating SME's to become part of the supply chain associated with the delivery of significant public

and private sector capital build projects within Northern Ireland. Since 2003 over 600 businesses have received assistance through the programme.

The Supplier Development Model was tendered for one year in June 2009, and was awarded to North West Marketing at £129,000 and has assisted c200 businesses. This tender expires at the end of June 2010 and will not be re-tendered until completion of an independent external evaluation of BIS programmes later this year. Without pre-judging the outcome of this evaluation BIS is actively working to create a tender readiness self-assessment tool based on and developed from the Olympics 2012 CompeteFor model. This will be available on-line within the next month on the Invest NI website www.nibusinessinfo.co.uk and will include links to a wide range of relevant information, support and guidance.

Under the Local Economic Development sub-priority of the European Sustainable Competitiveness Programme for NI 2007-2013, 4 local councils, namely Belfast City Council, Cookstown District Council and Newtownabbey Borough Council have submitted successful proposals which include assisting local businesses to tender for public and private sector work.

Quinn Insurance

Mr G McHugh asked the Minister of Enterprise, Trade and Investment what level of co-operation there has been between her Department and the Department of Enterprise, Trade and Innovation in the Republic of Ireland in relation to supporting the Quinn Insurance employees who have lost their jobs; and whether she has any plans to enhance this co-operation.

(AQW 7405/10)

Minister of Enterprise, Trade and Investment: My Department has moved quickly to provide support to Quinn Insurance employees affected by the massive job cuts announced by the joint administrators on 30th April 2010.

Further to the official company announcement on Friday 30th April 2010 regarding the planned redundancy programme at Quinn Insurance, staff from Invest NI and the Department for Employment and Learning (DEL) have met with the employee representative committee, ran information sessions for Quinn Insurance employees to outline the breadth of services available to workers affected by the redundancy announcement, including details of benefit entitlements and advice to those who may consider self employment as an alternative. These sessions were attended by 160 and 300 employees respectively.

In addition, our colleagues in DEL visited the Cavan office to outline the same services to workers who are resident in Northern Ireland. Likewise their counterparts in the Irish National Training and Employment Authority in the Republic of Ireland also attended an information day in the Enniskillen office. This allowed employees living on both sides of the Border to become informed of the services available to them.

In regards to enhancing the level of co-operation with the Department of Enterprise, Trade and Innovation in the Republic of Ireland, Mr Leslie Ross was appointed by myself and Sir Reg Empey on 12th May 2010. Mr Ross's role will be to help co-ordinate the inter-agency approach to those facing redundancy in Fermanagh. Since his appointment, Mr Ross has met with his counterpart in the Republic of Ireland, Mr Dan Flinter, and they are working closely together to help minimize the impact of the planned redundancies in both jurisdictions. We can also confirm that Mr Ross has chaired his first meeting of all the key agencies involved including representatives from DETI, DEL, Invest NI, DARD, Fermanagh District Council, the Local Enterprise Agency, the Irish Central Border Area Network and IntertradeIreland.

As Enterprise Minister I am keen to ensure that there is full co-operation in regards to providing support for employees affected, both across departments in the Executive as well as with our counterparts in the Republic of Ireland.

I can assure the Member that I will continue to monitor the situation closely and that my officials are continuing to work closely with the Company Administrators, the Senior Management Team, Employee

Representative Groups and the Quinn Group to ensure that every effort is made to maintain the vital investment and employment in Fermanagh and the surrounding area and ensure a viable and sustainable business for the long term.

Credit Unions

Mr P Butler asked the Minister of Enterprise, Trade and Investment for an update on the progress made to allow Credit Unions to offer the same financial services products as their counterparts in Britain and the Republic of Ireland.

(AQW 7419/10)

Minister of Enterprise, Trade and Investment: On 30 March 2010, HM Treasury and DETI published a joint consultation document setting out policy proposals for the reform of credit unions in Northern Ireland. The consultation ended on 24 May 2010. HM Treasury and DETI intend to publish a joint response to the submissions received in the near future.

I also plan to contact the new administration shortly to press for the required legislation to remove the current exemption for N Ireland credit unions to be brought forward at Westminster at the earliest opportunity.

The removal of the current exemption in itself is essential but on its own will not allow credit unions here to increase their range of services straightaway. The Financial Services Authority (FSA) is required to carry out a due diligence process before it can assume regulatory responsibility for credit unions here. FSA has indicated that this may take between 15 and 18 months to complete, and has provided the Enterprise Trade and Investment Committee with full details of what is involved. I am informed that the FSA has already made a start on this.

I remain fully committed to credit unions here being empowered to offer additional services at the earliest possible time.

Quinn Insurance

Mr C McDevitt asked the Minister of Enterprise, Trade and Investment (i) if she can confirm that Quinn Insurance received Invest NI support in the past two years; (ii) to quantify that support; (iii) how many jobs were to be created as a result; and (iv) whether she is taking any steps to ensure that the administrators respect the conditions and rights of the people hired with the assistance of Government grants.

(AQW 7450/10)

Minister of Enterprise, Trade and Investment: I can confirm that Quinn Insurance Limited has not received any support from Invest NI in the last two years. However, I can confirm that the last financial assistance offered to Quinn Insurance by Invest NI was in February 2007. A total of £1.2 million was offered to support the creation of 300 new jobs in Enniskillen over a base of 350.

The joint Administrators are fully aware of the conditions of the Financial Assistance Agreements between Quinn Insurance and Invest NI. The priority for Invest NI at this time is to continue to work closely with the company Administrators and the Quinn Group in order to retain the vital employment and investment in the Enniskillen area, particularly in light of the recent appointment of the merchant bank, Macquarie Capital Europe Limited, who will advise the Administrators and Quinn Group in relation to any potential sale of Quinn Insurance.

In terms of the steps taken to ensure the conditions and rights of staff, I can assure you that every effort is being made by my officials and colleagues in the Department for Employment and Learning to minimize the impact of the redundancies announced on 30th April 2010. In fact, following the announcement, I met with representatives of Quinn workers in Enniskillen and to date a number of information seminars have been delivered by both Invest NI and DEL to Quinn staff affected by the redundancy announcement. Invest NI will continue to monitor the situation and will seek to maximize the economic benefit for the NI economy.

First Trust Bank: Job Losses

Mr R McCartney asked the Minister of Enterprise, Trade and Investment what discussions she has had with her Executive colleagues about offsetting any potential job losses as a result of the proposed sale of the First Trust Bank.

(AQO 1392/10)

Minister of Enterprise, Trade and Investment: I have not formally discussed the decision by Allied Irish Bank to put First Trust Bank up for sale with Executive colleagues. However, the Minister of Finance and Personnel recently met with representatives of the Banking Union to discuss this issue.

The Finance Minister made it clear that the Executive cannot intervene directly in commercial decisions taken by the Board of Allied Irish Bank.

That said my Department, through Invest NI, would seek as necessary to enter into discussions with any prospective buyer to explore options to safeguard jobs in Northern Ireland.

Wind Turbines

Mr R Beggs asked the Minister of Enterprise, Trade and Investment what initiatives are in place to encourage and support the use of small-scale individual wind turbines and how these initiatives compare to support available in the rest of the UK.

(AQO 1393/10)

Minister of Enterprise, Trade and Investment: The Northern Ireland Renewables Obligation or NIRO is the main mechanism for incentivising renewable electricity generation in Northern Ireland. Under the NIRO, generators using wind turbines receive Renewables Obligation Certificates or ROCs for every megawatt hour of electricity generated.

The rest of the United Kingdom operates a Feed-In Tariff Scheme for small scale generators which provides fixed generation and export tariffs. The enhanced ROCs introduced to the NIRO on 1 April 2010 are intended to closely match the Feed-In-Tariff rates.

Tourism: Volcanic Ash

Mr T Buchanan asked the Minister of Enterprise, Trade and Investment for her assessment of the possible impact on the tourism industry of the disruption to flights caused by volcanic ash.

(AQO 1394/10)

Minister of Enterprise, Trade and Investment: It is estimated that between £1.9million and £2.7million pounds of direct tourism expenditure may have been either postponed or lost to the Northern Ireland economy during the days of flight restrictions due to the ash cloud.

If air travel restrictions continue to be sporadic for any length of time difficulties for the tourism industry are to be expected.

Therefore, the Northern Ireland Tourist Board is currently implementing a survey of tourism businesses to identify the impact to date and likely continued impact of the volcanic ash on their business. The results will be available by mid-June.

This survey will also test the appetite among tourism businesses for the introduction of a Northern Ireland Visitor Charter, similar to that recently introduced in the Republic of Ireland. The aim of the charter is to demonstrate a commitment to visitors and aims to provide reassurance to potential visitors in the event of 'ash-related' disruption to their travel arrangements.

Tourism: Sperrins

Mr B McElduff asked the Minister of Enterprise, Trade and Investment what her Department is doing to promote the Sperrins as a destination for visitors and tourists and for her assessment of the main strengths and attractions of the Sperrins region.

(AQO 1395/10)

Minister of Enterprise, Trade and Investment: The Northern Ireland Tourist Board (NITB) works to promote and develop tourism right across Northern Ireland. To this end, NITB regularly undertakes marketing campaigns in both the Republic of Ireland and Northern Ireland to promote the Northern Ireland tourism product and destinations.

The campaigns encourage people to explore more of what Northern Ireland has to offer and within this all of the key regions of Northern Ireland have featured. The Sperrins and County Tyrone has received significant coverage in a variety of media as a result of this with Beaghmore Stones, Creggandevsky Court Tomb, The Ulster American Folk Park and the Glasgowbury Festival among some of the attractions featured.

NITB is currently working with a number of public and private sector representatives to develop a tourism plan for the Sperrins region. Glenelly Valley is represented on this group and this should be the forum for further development of tourism in the Sperrins region.

Department of the Environment

Planning Applications

Mr D McKay asked the Minister of the Environment what is the total amount of deferred income from current planning applications.

(AQW 6515/10)

Minister of the Environment (Mr E Poots): The total amount of deferred income at 4 May 2010 is £4,677,311.

Private Hire Taxis

Mr A Maginness asked the Minister of the Environment for his assessment of the potential impact on tourism and the image of Belfast if private hire taxis are restricted in operating by public hire taxi drivers who illegally rank outside private hire taxi offices with a view to procuring business.

(AQW 6906/10)

Minister of the Environment: The Department is not aware of any pattern of complaints being made by tourists, and has no evidence that problems between public and private hire taxi operators are having an adverse effect on tourism, the image of Belfast or on the business of private hire taxi companies in Belfast. However, it is clear that an effective and well regulated taxi industry would be a positive component in any overall strategy for tourism.

During the last 12 months the Driver & Vehicle Agency has received complaints from taxi operators regarding this type of illegal activity. In response, enforcement officers have been deployed and have identified cases of illegal parking and waiting by both public and private hire operators. Where possible, they have directed offending vehicles away from the relevant locations. In order to improve the overall operation of the regulatory regime, the Department is also planning to bring in new legislation that will introduce a range of fixed penalty offences for taxis, and is working towards the introduction of single-tier licensing and the reform of the taxi operator licensing system.

Responsibility for general traffic management, enforcement action against illegal parking and for the location of taxi ranks rests with the Department for Regional Development.

Private Hire Taxis

Mr A Maginness asked the Minister of the Environment for his assessment of the impact on the business of private hire taxi companies in Belfast if public hire taxi drivers park illegally in the city centre, particularly outside private hire taxi company offices.

(AQW 6907/10)

Minister of the Environment: The Department is not aware of any pattern of complaints being made by tourists, and has no evidence that problems between public and private hire taxi operators are having an adverse effect on tourism, the image of Belfast or on the business of private hire taxi companies in Belfast. However, it is clear that an effective and well regulated taxi industry would be a positive component in any overall strategy for tourism.

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Responsibility for general traffic management, enforcement action against illegal parking and for the location of taxi ranks rests with the Department for Regional Development.

Review of Public Administration

Mr P McGlone asked the Minister of the Environment to detail the cost to date of the Review of Public Administration to (i) his Department and its agencies; (ii) local authorities; and (iii) any representative organisations.

(AQW 6992/10)

Minister of the Environment: I can advise for:

- (i) my Department and its Agencies that the estimated cost to date for the Local Government Reform element of the Review of Public Administration is £9.3m;
- (ii) information about local authorities expenditure is not readily available and could only be obtained at disproportionate cost; and
- (iii) in terms of representative organisations, £123k has been spent by NILGA and the Local Government Staff Commission on reform work.

Wildlife Crime

Mr J Wells asked the Minister of the Environment, in light of the recent incidents of poisoning of Red Kites, Buzzards, Golden Eagles and White Tailed Eagles, what plans he has to introduce better co-ordination between his Department, the Department of Agriculture and Rural Development and other agencies to prevent wildlife crime, in particular the persecution of birds of prey.

(AQW 7020/10)

Minister of the Environment: The PSNI currently investigates wildlife crime including incidents of suspected poisoning. NIEA provides support to the PSNI when required on wildlife crime issues and works closely with the PSNI Wildlife Liaison Officer. Between April 2007 and March 2010 there have been 24 reports of raptor persecution in Northern Ireland. Of these two were confirmed poisoning and five were unconfirmed poisoning.

Through the Partnership Against Wildlife Crime Northern Ireland and the National Wildlife Crime Unit raptor persecution has been identified as a 'wildlife crime priority' across the UK. Sub groups have been formed to address this wildlife crime and to co-ordinate efforts to prevent raptor persecution.

NIEA work closely with Department of Agriculture and Rural Development on several issues including cross compliance. Both DARD and NIEA sit on the Farmland Biodiversity Delivery Group which has been set up to help with the delivery of action plans for protected species, including raptors. NIEA will continue to communicate and work with DARD on such wildlife issues.

NIEA currently provides funding to the RSPB for various projects including the red kite reintroduction project. This funding includes an education programme which raises awareness of birds of prey and raptor poisoning issues to local communities.

Craigmore Landfill Site

Mr B Leonard asked the Minister of the Environment what measures his Department will take against the owner of the Craigmore Landfill site for work carried out without planning permission; and how he will ensure that the land is re-instated to its original form.

(AQW 7025/10)

Minister of the Environment: Investigations into the alleged unauthorised extraction at Craigmore landfill site are currently ongoing and the Department has not, to date, instigated formal enforcement action. There are a number of enforcement measures available to the Department including the service of a Submission Notice or an Enforcement Notice. If appropriate the use of one or other of the above Notices could ensure that the land is re-instated to its original form.

Review of Public Administration

Mr G Savage asked the Minister of the Environment for a breakdown of all the costs in related to Local Government aspects of the Review of Public Administration.

(AQW 7044/10)

Minister of the Environment: I can advise that for the Department of the Environment, the estimated cost to date for the Local Government aspects of the Review of Public Administration is £9.3m. Expenditure by NILGA and the Local Government Staff Commission on RPA related work for the Department is £123k. Information about district council expenditure is not readily available and could only be obtained at disproportionate cost.

Water Quality Sampling

Mr K Robinson asked the Minister of the Environment (i) where water quality sampling takes place to ascertain the current state of water-ways; (ii) how frequently such samples are taken; and (iii) if the levels of water quality have improved in the last five years.

(AQW 7057/10)

Minister of the Environment: Northern Ireland Environment Agency (NIEA) carries out water quality sampling at approximately 500 river sites for chemical analysis and 530 river sites for biological analysis across Northern Ireland.

Chemical monitoring is carried out on a monthly basis for a variety of general chemical quality elements including pH, Ammonia and Dissolved Oxygen. In addition, since 2008, under the EU Water Framework Directive (WFD), a rolling programme, involving monthly samples being taken for one year in every six, has been in place for the monitoring of specific polluting substances such as copper and zinc.

Biological water quality sampling is carried out, usually in spring and autumn, and includes monitoring of macro-invertebrates (aquatic insects) and macrophytes (aquatic plants). Determinands such as fish and hydromorphology (river structure) are also monitored as part of the rolling programme.

Analysis for the four years from 2004-2007 demonstrates that the overall trend is an improvement in river water quality both in terms of chemical and biological classification.

From 2008 WFD data will be used as a baseline for subsequent years to measure whether or not water quality continues to improve. WFD Classification data for 2009 is not yet available. WFD data is not

comparable with the results for 2004 – 2007, as these were produced under a significantly different classification system.

Planning Approval

Ms A Lo asked the Minister of the Environment how many times have conditions attached to a planning approval been ignored by a developer in each of the last three years; and how many times was enforcement action taken.

(AQW 7060/10)

Minister of the Environment: My Department is committed to maintaining up-to-date and accurate case records and to this end its existing Enforcement IT system was upgraded in 2009.

Prior to 2009, Planning Service did not retain full electronic records for Enforcement therefore, in order to provide you with accurate information for the time period in question; a manual check of case files would be required. This is not only disproportionate in terms of time and cost but would result in un-validated statistics being released.

Information in relation to the number of breach of condition enforcement cases opened in each of the last 3 calendar years, the number of breach of condition cases that have been resolved (2009) and the number of times enforcement action was taken by my Department in relation to breach of condition cases (2009) is set out in the table below

Breach of Condition	2009	2008	2007
Cases opened	703	365	207
Cases resolved	717	-	-
Enforcement Action:			
Notices	72	-	-
Summons	10	-	-

These figures have been extracted from a live dataset which is continuously updated and validated. They should therefore be regarded as indicative only at this point in time and should not be compared with any previous figures published by the Agency.

Enforcement Action is taken by my Department in accordance with the relevant legislation as set out in the Planning (Northern Ireland) Order 1991. However, it is important to note that the vast majority of breaches of planning control are resolved through negotiation with the owner/occupier or through the submission and consideration of a retrospective planning application.

Waste Tyre Site at Chapel Hill, Mayobridge

Mr P J Bradley asked the Minister of the Environment, pursuant to AQW 1605/10 and AQW 5528/10, what progress has been made in ensuring that the operators of the waste tyre site at Chapel Hill, Mayobridge comply with their licence; and for an update on the current situation at the site.

(AQW 7101/10)

Minister of the Environment:

- (i) The operator has a waste management licence which permits him to accept up to 7,000 tonnes of waste tyres at the site per year. Since the beginning of 2010 NIEA staff have carried out 7 site inspections and found a number of non-compliances.
- (ii) As a consequence an Article 12 Notice was issued to the operator on 29 March 2010 requiring the removal of waste tyres being stored outside the building on the licensed site. This breach was rectified and the Notice was lifted on 19 April 2010.

- (iii) Agency staff recorded breaches of the licence on a recent site inspection and issued an Article 16 Notice on 26 May 2010. This requires the operator to remove waste tyres being stored outside the building on the licensed site. The operator has also been asked to submit a plan by 9 June 2010, detailing measures with timelines to prevent future non-compliances. If the Agency is not satisfied with the steps proposed by the operator then it will consider revocation or suspension of all or part of the licence.
- (iv) The operator is currently pursuing possible outlets for shredded tyres and has been informing NIEA of his progress to date. The Agency would wish to ensure that there is a verifiable authorised outlet for processed tyre waste and prevent the addition of waste to the existing stockpile of baled and shredded tyres on adjacent land.
- (v) The Agency believes that unauthorised storage of tyres has taken place and has recently sent a file on the case to the Public Prosecution Service.
- (vi) Planning Service issued an Enforcement Notice on 5 March 2010 seeking the cessation of the importation of tyres onto the unauthorised part of the site and the removal of all tyres externally stored at the site. This Notice took effect on 8 April 2010. At the same time Planning Service issued a Stop Notice against the importation of further tyres onto the site and this took effect on 8 March 2010.

Historic Monuments and Archaeological Objects (Northern Ireland) Order 1995

Mr G Savage asked the Minister of the Environment to detail the current status of the Historic Monuments and Archaeological Objects (Northern Ireland) Order 1995.

(AQW 7102/10)

Minister of the Environment: The Historic Monuments and Archaeological Objects (Northern Ireland) Order 1995 remains fully in force at the present time. It has been supplemented by the Historic Monuments (Class Consents) Order (Northern Ireland) 2001, which outlines the classes or descriptions of works at a protected monument for which scheduled monument consent is required.

Hazard Maps for Waringstown

Mr G Savage asked the Minister of the Environment (i) if the Planning Service remains in possession of paper hazard maps for the Waringstown area; (ii) if not, when the maps were destroyed; and (iii) who approved the decision to destroy the maps.

(AQW 7103/10)

Minister of the Environment: I can confirm that Planning Service is no longer in possession of the paper hazard maps for the Waringstown Area. It is unclear as to when exactly the maps were destroyed but it has been confirmed that the decision to destroy all paper maps, after the introduction of the 20/20 computer system, was taken by the Planner 20/20 Project Board in 1999.

Rath at Mill Hill, Waringstown

Mr G Savage asked the Minister of the Environment if the rath at Mill Hill, Waringstown remains on the Northern Ireland Sites and Monuments database.

(AQW 7104/10)

Minister of the Environment: I can confirm that the archaeological site known as a rath at Mill Hill (now part of the Millfort housing development) continues to be included on the Northern Ireland Sites and Monuments Record (NISMR). The NISMR number of this monument is DOW 20:94. This record (the NISMR) is a sub-set of the Northern Ireland Monuments and Buildings Record, a larger publicly accessible archive of information about our built heritage.

The NISMR includes details of all previously recorded archaeological sites and monuments that are known to us. Once a site has been identified and included on this record, its details become part of our archive about the past. Records are updated periodically, but they are not removed from it.

Pollution of Rivers and Waterways

Mr T Burns asked the Minister of the Environment what measures he intends to take to ensure that companies and individuals who negligently pollute rivers and waterways are punished to the full extent of the law.

(AQW 7132/10)

Minister of the Environment: The Northern Ireland Environment Agency (NIEA) is responsible for responding to and investigating water pollution incidents throughout Northern Ireland. This includes initiating appropriate enforcement action where companies or individuals are suspected of having caused significant pollution.

NIEA has a vigorous enforcement policy which, in terms of the numbers of polluters prosecuted, compares favourably with the enforcement policies of other comparable environmental agencies. It is NIEA policy to initiate enforcement action for all High and Medium severity water pollution incidents where the polluter can be identified, or where there has been any significant or persistent breach of the conditions of a Water (Northern Ireland) Order 1999 consent.

NIEA currently prosecutes an average of 60 suspected polluters each year, resulting in successful convictions in well over 90% of cases taken before the Courts. In recent years there has been a significant increase in the level of fines imposed for pollution offences, with fines now averaging £2,050 and individual polluters being fined up to £22,500 (in that case for several offences heard together). NIEA also issues warning letters to an average of a further 80 polluters each year.

NIEA's vigorous enforcement policy has helped drive a significant decline in water pollution incidents in Northern Ireland, the numbers of which have fallen by approximately 40% since the mid-1990s.

NIEA seeks to work co-operatively with industry to secure improved practice, but acknowledges that enforcement action will need to be taken in some cases to ensure compliance. Any enforcement action taken is in accordance with the NIEA Enforcement and Prosecution Policy for Environmental Protection which can be found on the NIEA Website www.ni-environment.gov.uk.

Motor Bike Theory Test

Mr I McCrea asked the Minister of the Environment what consideration he has given to changing the policy on the two-part motor bike theory test to allow people who fail only the second part to repeat it at a reduced fee, instead of having to repeat and pay the full cost for parts one and two.

(AQW 7133/10)

Minister of the Environment: The legislation governing the learner driver theory test for motorcycle candidates, the Motor Vehicle (Driving Licences) Regulations (NI) 1998, specifies that the theory test, ie, the multiple choice and hazard perception elements, is one part of the overall test and therefore that in order to obtain a pass a candidate must successfully complete both elements.

The Driver & Vehicle Agency (DVA) is aware of the costs of all tests and endeavours to minimise fees to customers. Splitting the test would result in an overall increase in costs, as the administration effort associated with booking and invigilating the test would be duplicated.

There is currently no facility to enable a candidate either to sit the test elements separately or to bank a pass mark achieved in either element.

Area Plans

Mr M Durkan asked the Minister of the Environment (i) what is the notional expiry date of each area plan; (ii) for an update on replacements for these area plans; and (iii) for his assessment of the impact the proposed staff cuts in the Planning Service will have on the production of plans due for replacement.

(AQW 7157/10)

Minister of the Environment:

- (i) The notional end date for current area plans adopted by my Department is detailed in Table 1 below. It should be noted however, that the end dates given are notional – in most cases, the existing development plan will continue to provide a policy framework to guide development well beyond this date.

TABLE 1 – NOTIONAL END DATE OF AREA PLANS

Area Plan	Notional End Date
Antrim Area Plan 1984-2001	Dec 2001
Ards and Down Area Plan 2015	Dec 2015
Armagh Area Plan 2004	Dec 2004
Ballymena Area Plan 1986-2001	Dec 2001
Banbridge Area Plan 1983-1998	Dec 1998
Belfast Urban Area Plan 2001	Dec 2001
Carrickfergus Area Plan 2001	Dec 2001
Cookstown Area Plan 2010	Dec 2010
Craigavon Area Plan 2010	Dec 2010
Derry Area Plan 2011	Dec 2011
Dungannon and South Tyrone Area Plan 2010	Dec 2010
Fermanagh Area Plan 2007	Dec 2007
Larne Area Plan 2010	Dec 2010
Limavady Area Plan 1984-1999	Dec 1999
Lisburn Area Plan 2001	Dec 2001
Magherafelt Area Plan 1976-1996	Dec 1996
Newry and Mourne Area Plans 1984-1999	Dec 1999
Newtownabbey Area Plan 2005	Dec 2005
North Down and Ards Area Plan 1984-1995 (insofar as relates to North Down)	Dec 1995
North East Area Plan 1987-2002	Dec 2002
Omagh Area Plan 1987-2002	Dec 2002
Strabane Area Plan 1986-2001	Dec 2001

- (ii) Update information in relation to replacement area plans commenced by my Department is contained in Table 2 below. The plans together collectively cover 34% of the land area of Northern Ireland. In addition, my Department has recently engaged in preparatory forward planning work with all Council Transition Committees and Management Teams. This is intended to assist the proposed new councils move their new local development plans forward more quickly following the transfer of planning powers scheduled as part of the reform of local government. The forward planning work underway includes 4 pilot preparatory studies for the new Council areas of Omagh-Fermanagh; Derry-Strabane; Antrim-Newtownabbey and Armagh-Banbridge-Craigavon, while for all remaining new Councils it is intended to collate baseline data collection and monitoring information relevant to existing plans.

TABLE 2 – PROGRESS ON REPLACEMENT AREA PLANS

Replacement Plan	Council Area	Current Position
Belfast Metropolitan Area Plan 2015(BMAP)	Belfast; Carrickfergus; Castlereagh; Lisburn; Newtownabbey; and North Down.	The Independent Examination of Draft BMAP by the Planning Appeals Commission (PAC) closed in May 2008. The Department will progress this plan to adoption on receipt of the PAC Report. The PAC website indicates that the timescale for delivery of the Report is early summer 2010.
Magherafelt Area Plan 2015 (MAP)	Magherafelt.	The Independent Examination of Draft MAP by the PAC closed in June 2009. The Department will progress this plan to adoption on receipt of the PAC Report. The PAC website indicates that the timescale for delivery of the Report is the end of 2010.
Banbridge, Newry and Mourne Area Plan 2015 (BNMAP)	Banbridge; and Newry & Mourne.	The Independent Examination of Draft BNMAP by the PAC closed in March 2010. The Department will progress this plan to adoption on receipt of the PAC Report. The PAC website indicates that the timescale for delivery of the Report is the end of 2011.
Northern Area Plan 2016 (NAP)	Ballymoney; Coleraine; Limavady; and Moyle.	Work has now recommenced on the Draft NAP and the Department is seeking to progress to Independent Examination. Dates for the two stage Examination process will be set by the PAC.

Replacement Plan	Council Area	Current Position
Antrim, Ballymena and Larne Area Plan 2016 (ABLAP)	Antrim, Ballymena; and Larne	Substantive work by the Department on ABLAP, AAP and WTAP ceased during 2008 prior to any of these plans being published in draft form. This decision was taken at the time because of implications arising from a High Court decision relating to the issue of Strategic Environmental Assessment. This matter is currently the subject of an appeal by the Department which has been referred to the European Court of Justice. In March 2010 the Government response to the Planning Reform consultation confirmed that no further work would be undertaken on these three area plans. Rather future plan work would focus on work with Transition Committees for the new councils prior to the proposed reform of local government and transfer of planning powers (see above).
Armagh Area Plan 2018 (AAP)	Armagh	
West Tyrone Area Plan 2018 (WTAP)	Omagh; and Strabane	

- (iii) In light of the much reduced volume of planning applications and reduced income, the Planning Service is seeking to identify cost reduction measures which will help it to align staffing levels and costs more closely with work demands and revenue.

However, to date no final decisions have been taken on the redeployment of staff or the precise work priorities that will remain after the exercise is completed. As such it is too early for me to indicate the precise impact that redeployment will have on the production of replacement plans.

Bikesafe Assessed Ride-outs

Mr A McQuillan asked the Minister of the Environment how many bikers took part in the Bikesafe assessed ride-outs at the North West 200 in May 2010.
(AQW 7159/10)

Minister of the Environment: The Bikesafe initiative is the responsibility of the Police Service of Northern Ireland. I have no responsibility for operational aspects of PSNI, hence my Department has no role in this matter and therefore does not hold the information requested.

I would recommend that you address your question to the Minister with responsibility for policing and justice.

Agencies and Bodies Funded by the Department

Mr J Craig asked the Minister of the Environment to detail, for each of the last five years, (i) all the agencies and bodies funded by, and associated with, his Department; and (ii) the total running costs of each agency or body.
(AQW 7160/10)

Minister of the Environment: The Department funds 3 executive agencies – Planning Service, Northern Ireland Environment Agency and Driver Vehicle Agency and the running costs of each of these is shown in Table 1 below. Although DOE sponsors two executive Non-Departmental Public Bodies (NDPBs) - the Local Government Staff Commission (LGSC) and the Northern Ireland Local Government Officers' Superannuation Committee (NILGOSC), no funding is by the Department provided to these two bodies. The Department has also funded the Local Government Boundaries Commission (LGBC) and Northern Ireland Local Government Association (NILGA) in relation to the review of public administration. The running costs of these 2 bodies are contained in Table 2. The Department also funds a number of non-government organisations (NGOs) in both the voluntary and community sector as detailed in Table 3 below. As this funding can be only one element of the total NGO funding source, and can be either core or project based, the running costs element for the NGOs listed at Table 3 cannot be provided except at disproportionate cost. The Department also provides grant funding to the district councils.

TABLE 1

	DOE Agencies - Running Costs				
	2005/06	2006/07	2007/08	2008/09	2009/10
	£'000	£'000	£'000	£'000	£'000
Planning	24,904	27,404	27,091	27,884	27,950
NIEA	28,076	29,476	30,807	30,655	29,450
DVA	40,614	43,447	45,023	47,783	47,023
Total	93,594	100,327	102,921	106,322	104,423

TABLE 2

	LGBC and NILGA Running Costs				
	2005/06	2006/07	2007/08	2008/09	2009/10
	£'000	£'000	£'000	£'000	£'000
LGBC	0	500	127	492	140
NILGA	0	0	27	549	531
Total	0	500	154	1,041	671

List of Non Government Organisations which receive funding from the Department of the Environment

- Architectural Heritage Fund
- Association of Prevention Trusts
- Baglady Productions
- Belfast Hills Partnership
- Bryson House
- Butterfly Conservation NI
- Carntogher Community Association
- Carren Conservation Group
- Causeway Coast & Glens Heritage Society
- Conservation Volunteers NI
- Copeland Bird Observatory

- Countryside Recreation Network
- Creggan Education Research
- Derg Valley Care
- Earth Science 2000
- East Belfast Mission
- Eco Seeds Ltd
- Envirocentre
- Environmental Campaigns
- Fermanagh Local Strategy
- Friends of Somerset Ponds
- Groundwork NI
- Killesher Community Development Association
- Landscape Institute NI
- Limavady Community Development Initiative
- Lough Neagh Advisory Committee
- Marine Conservation Society Ltd
- Mid Ulster Enterprises
- Mourne Heritage Trust
- NI Environment Link
- Quarry Products Association
- Regeneration of South Armagh
- Share Centre
- Shopmobility Belfast
- South Lough Neagh Regeneration
- Speedwell Project
- Sperrin Tourism Ltd
- Sustainable NI
- Talnotry Avian Care Trust
- The Mammal Society
- The National Trust
- The Royal Society for the Protection of Birds
- The Ulster Wildlife Trust
- The Wildfowl & Wetlands Trust
- The Woodlands Trust
- Tidy Northern Ireland
- Tourism and Transport Consult
- Ulster Architectural Heritage Society
- Various Churches

- Voluntary Services Lisburn
- WWF
- NI Disabled Council
- Planning-Community Advice Grants

Noise Pollution

Mr P Weir asked the Minister of the Environment to detail the current legislation in place to combat noise pollution.

(AQW 7167/10)

Minister of the Environment: There is an extensive range of both primary and secondary legislation which relates to the control of noise in Northern Ireland. While noise is often controlled according to its source, it can also be regulated on the basis of the enforcing authority. The following is a list of relevant legislation in place in Northern Ireland.

Primary Legislation

- Noise Act 1996
- Environmental Protection Act 1990
- Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985
- Civil Aviation Act 1982
- Civil Aviation Act 2006
- Pollution Control and Local Government (Northern Ireland) Order 1978
- Land Acquisition and Compensation (Northern Ireland) Order 1973

Secondary

- Building (Amendment) Regulations (Northern Ireland) 2010
- Air Navigation Order 2009
- Air Navigation (Environmental Standards for Non-EASA Aircraft) Order 2008
- Air Navigation (General) Regulations 2006
- Environmental Noise Regulations (Northern Ireland) 2006
- Noise Emissions in the Environment by Equipment for Use Outdoor (Amendment) Regulations 2005
- Aerodromes (Noise Restrictions) (Rules and Procedures) Regulations 2003
- Noise Emission in the Environment by Equipment for Use Outdoors (Amendment) Regulations 2001
- Noise Emission in the Environment by Equipment for Use Outdoors Regulations 2001
- Building Regulations (Northern Ireland) 2000
- Aeroplane Noise (Amendment) Regulations 1999
- Aeroplane Noise Regulations 1999
- Noise Act 1996 (Commencement) Order (Northern Ireland) 1997
- Noise Insulation Regulations (Northern Ireland) 1995
- Household Appliances (Noise Emission) (Amendment) Regulations 1994
- Household Appliances Noise (Emission) Regulations 1990

- Control of Noise (Code of Practice on Noise from Audible Intruder Alarms) Order (Northern Ireland) 1982
- Control of Noise (Code of Practice on Noise from Ice-Cream Van Chimes, etc.) Order (Northern Ireland) 1982
- Control of Noise (Code of Practice on Noise from Model Aircraft) Order (Northern Ireland) 1982
- Control of Noise (Appeals) Regulations (Northern Ireland) 1978
- Building (Amendment) Regulations (Northern Ireland) 2010
- Control of Noise (Code of Practice for Construction and Open Sites) Order (Northern Ireland) 2002
- Pollution Control and Local Government (Northern Ireland) Order 1978
- Control of Noise at Work Regulations (Northern Ireland) 2006
- Health and Safety at Work (Northern Ireland) Order 1978
- Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1999
- Airports (Northern Ireland) Order 1994
- Aerodromes (Noise Restrictions) (Rules and Procedures) Regulations 2003
- Pollution Prevention and Control (Northern Ireland) Regulations 2003
- Environmental Assessment of Plans and Programmes Regulations (Northern Ireland) 2004

Noise Pollution from Cars

Mr P Weir asked the Minister of the Environment to detail the number of prosecutions for noise pollution from cars in each of the last five years.

(AQW 7168/10)

Minister of the Environment: Prosecution for noise pollution from cars is the responsibility of the Police Service of Northern Ireland. I have no responsibility for operational aspects of the PSNI, hence my Department has no role in this matter and therefore does not hold the information requested.

I would recommend that you address your question to the Minister with responsibility for policing and justice.

Land in each Borough or City

Mr D Kinahan asked the Minister of the Environment what steps he is taking to ensure that councils know who owns or is responsible for every piece of land in each borough or city.

(AQW 7173/10)

Minister of the Environment: District Councils are independent statutory bodies who are responsible for conducting their own affairs. It would be inappropriate to direct them how to go about their business in matters where they have autonomy.

Rubbish in Lough Neagh

Mr D Kinahan asked the Minister of the Environment what steps he is taking to reduce the amount of rubbish in Lough Neagh; and (ii) what plans he has to address the current build up of rubbish.

(AQW 7174/10)

Minister of the Environment: Lough Neagh is the biggest Lough in the British Isles and the third biggest lake in Europe measuring over 300 square kilometres. It is a major recreational and tourist attraction with six District Councils around its shoreline and six major rivers flowing into the Lough together with another one flowing out of it. The Lough is therefore widely used by a number of people both for pleasure and for business.

The majority of litter which comes in to Lough Neagh is likely to be deposited on land before being washed into the Lough. It is therefore a clear example of the damage which litter can do to the environment. I have made it clear that tackling litter is a priority, and expect that the measures which are being developed will have a direct impact on the problem of litter in Lough Neagh.

Under the present Litter (Northern Ireland) Order 1994 it is an offence to drop litter on land which is 'open to the air'. The Litter Order also places a duty on District Councils to ensure, so far as is practicable, that 'relevant' land is kept clear and clean of litter. Relevant land of a district council is land which is open to the air and is under the direct control of the council to which the public are entitled or permitted to have access with or without payment. District Councils therefore have a role to play in keeping the land and shoreline of the Lough clear of litter.

Where the land is privately owned, clearing litter is a more complicated process for the district Councils to deal with, involving litter control orders which may lead to court action.

In order to help District Councils with their responsibilities to clear up litter I am bringing forward the proposed Clean Neighbourhood and Environment Bill. It will strengthen the existing law to enable District Councils to deal more effectively with litter problems. For example it will provide Councils with new powers i.e. litter clearing notices, to require businesses and individuals to clear litter from their land. Councils will be able to deal more efficiently with land in private ownership which has accumulated litter. It will be an offence to fail to comply with a litter clearing notice and a person may be issued with a fixed penalty notice or if found guilty in a court be fined up to £2500. District Councils will also be able to enter the land, clear it of litter and impose a reasonable charge on the person who failed to comply with the notice.

Whilst Councils certainly have a role to play in helping to keep the Lough shores clean and clear of litter everyone who uses the Lough whether it is for tourism, recreational or for business purposes needs to contribute and help to keep the Lough free and clear of rubbish.

Recycling

Mr A Ross asked the Minister of the Environment to detail the amount of recycling carried out by each local council in the last year.

(AQW 7227/10)

Minister of the Environment: Since 2002, all district Councils have submitted municipal waste data returns to NIEA. Since January 2005, councils have submitted these returns on a quarterly basis via the WasteDataFlow system. This national on-line database assists District Councils to carry out timely and structured reporting. The in-year provisional estimates are reported quarterly by the Northern Ireland Environment Agency in conjunction with the Central Statistics Research Branch throughout the financial year. The final annual figures are only fully reconciled by the following December and consequently the figures for the calendar year 2009, given in the attached tables and highlighted below, may be subject to further reconciliation.

The attached Tables show that 1,010,345 tonnes of municipal waste were generated in 2009 of which 332,508 tonnes (32.9%) were recycled.

The household recycling rate for Northern Ireland has increased from 12.5% in 2003 to 27.7% in 2006/07 and 35.4% (309,336 tonnes) in 2009.

Banbridge District Council achieved the highest municipal and household recycling rates in 2009 reaching 51.9% and 49.9% respectively whilst Belfast City Council had the lowest municipal recycling rate of 22.4% and Strabane District Council the lowest household recycling rate of 26.3%.

2009 Municipal waste recycling by District Council ²	Municipal waste recycling (tonnes)	Municipal waste arisings (tonnes)	Municipal waste recycling rate (%)
Antrim Borough Council	18,834	37,379	50.4%

2009 Municipal waste recycling by District Council²	Municipal waste recycling (tonnes)	Municipal waste arisings (tonnes)	Municipal waste recycling rate (%)
Ards Borough Council	16,715	46,023	36.3%
Ballymena Borough Council	12,065	34,861	34.6%
Belfast City Council	34,826	155,514	22.4%
Carrickfergus Borough Council	6,806	22,721	30.0%
Castlereagh Borough Council	11,843	31,516	37.6%
Down District Council	10,367	36,686	28.3%
Larne Borough Council	7,367	20,990	35.1%
Lisburn City Council	22,467	62,809	35.8%
Newtownabbey Borough Council	15,698	47,014	33.4%
North Down Borough Council	16,544	47,991	34.5%
Total arc21: ¹	173,534	543,503	31.9%
Ballymoney Borough Council	5,209	15,227	34.2%
Coleraine Borough Council	12,374	40,685	30.4%
Derry City Council	16,880	58,682	28.8%
Limavady Borough Council	6,256	17,840	35.1%
Magherafelt District Council	11,829	25,135	47.1%
Moyle District Council	3,077	10,100	30.5%
Strabane District Council	4,800	20,167	23.8%
Total NWRWMG: 1	60,426	187,837	32.2%
Armagh City & District Council	11,350	29,708	38.2%
Banbridge District Council	14,732	28,828	51.1%
Cookstown District Council	8,000	20,544	38.9%
Craigavon Borough Council	15,785	50,302	31.4%
Dungannon & South Tyrone Borough Council	9,820	31,885	30.8%
Fermanagh District Council	11,160	36,415	30.6%
Newry & Mourne District Council	14,981	52,076	28.8%
Omagh District Council	12,721	29,247	43.5%
Total SWaMP2008:¹	98,549	279,005	35.3%
Northern Ireland Total: ^{1 2}	332,508	1,010,345	32.9%

1 It should be noted that data in the table above are shown rounded to the nearest tonne and thus their totals may not agree exactly

2 It should be noted that the majority of the 2009 data are provisional estimates only and have not yet been fully reconciled

2009 Household waste recycling by District Council ²	Household waste recycling (tonnes)	Household waste arisings (tonnes)	Household waste recycling rate (%)
Antrim Borough Council	14,629	30,980	47.2%
Ards Borough Council	16,367	41,593	39.4%
Ballymena Borough Council	10,976	32,215	34.1%
Belfast City Council	34,216	127,960	26.7%
Carrickfergus Borough Council	6,690	19,593	34.1%
Castlereagh Borough Council	11,298	30,073	37.6%
Down District Council	10,306	31,792	32.4%
Larne Borough Council	7,057	17,312	40.8%
Lisburn City Council	20,361	56,109	36.3%
Newtownabbey Borough Council	15,487	42,746	36.2%
North Down Borough Council	16,514	39,349	42.0%
Total arc21: ¹	163,903	469,721	34.9%
Ballymoney Borough Council	4,978	13,844	36.0%
Coleraine Borough Council	11,917	33,075	36.0%
Derry City Council	15,677	49,724	31.5%
Limavady Borough Council	6,104	17,683	34.5%
Magherafelt District Council	10,756	22,041	48.8%
Moyle District Council	2,936	8,924	32.9%
Strabane District Council	4,800	18,222	26.3%
Total NWRWMG: ¹	57,169	163,513	35.0%
Armagh City & District Council	9,847	25,858	38.1%
Banbridge District Council	12,817	26,120	49.1%
Cookstown District Council	6,990	18,073	38.7%
Craigavon Borough Council	15,785	44,130	35.8%
Dungannon & South Tyrone Borough Council	9,820	29,812	32.9%
Fermanagh District Council	8,543	29,316	29.1%
Newry & Mourne District Council	14,979	44,500	33.7%
Omagh District Council	9,485	23,704	40.0%
Total SWaMP2008: ¹	88,264	241,513	36.5%
Northern Ireland Total: ^{1 2}	309,336	874,747	35.4%

1 It should be noted that data in the table above are shown rounded to the nearest tonne and thus their totals may not agree exactly

2 It should be noted that the majority of the 2009 data are provisional estimates only and have not yet been fully reconciled

Taxi Act 2008

Mr C McDevitt asked the Minister of the Environment for an update on all the enabling legislation arising from the introduction of the Taxi Act 2008.

(AQW 7234/10)

Minister of the Environment: The Taxis Bill was introduced to the Assembly on 11 June 2007 and, having been scrutinised by the Committee completed its passage through the Assembly and received Royal Assent on 21 April 2008.

Current Position

The Taxis Act (Northern Ireland) 2008 (the Act) is enabling legislation (i.e. primary legislation) which gives the Department powers to introduce new secondary legislation for taxi operators, drivers and vehicles and to apply a system of fare regulation across Northern Ireland.

Officials have developed and agreed with the Driver and Vehicle Agency (DVA) a Taxis Act implementation plan. I attach a copy of this implementation plan at Annex A. The plan reflects the department's commitment to introduce taxi reform over a five year period. However, some of the timings can only be indicative at this stage as they are subject to available resources and the legislative process.

The following is a summary of progress achieved to date:-

First Commencement Order

The Taxis Act first Commencement Order was made in October 2009. The Order transferred the powers to designate taxi ranks to DRD, gave DVA the power to stop suspected illegal taxis and extended DVA's enforcement powers to the Harbour Estate and other harbour lands.

Taximeter Regulations

My officials have developed a new set of Regulations relating to the specification of taximeters, and in due course we will be consulting on the specifications contained within these proposed Regulations. It is envisaged that these new Regulations will be introduced at the start of 2011.

Operator Licensing

A voluntary Taxi Operator Registration scheme was introduced in January 2010. This scheme allows operators to register their businesses with the Department, and aims to facilitate better communication between the Department and the industry and to allow the Department to design an operator licensing scheme that will be tailored around the way taxi businesses operate.

Work on developing transitional legislation to allow for the introduction of an operator licensing scheme is on-going and is scheduled for introduction by December 2010. It is intended that the transitional scheme will introduce requirements for the use of properly licensed vehicles and drivers and for limited record keeping. Once the transitional scheme is up and running, regulations for full operator licensing will be developed and brought forward by June 2013.

Taxi Vehicle Regulations

Work is underway to consolidate and modernise existing taxi vehicle legislation into a set of regulations made under the Taxis Act, to bring forward the new powers of seizure contained in the Act and to accelerate the introduction of the single licensing regime. This will enable the Department to introduce a more flexible regulatory framework which will allow vehicles that currently cannot be facilitated under the existing licensing regime to be licensed and to introduce specific regulations describing what a wheelchair accessible taxi should be like. This work is on schedule for completion by August 2011.

Taxi Fares Regulations

The Taxis Act gives the Department powers to make new regulations establishing a Northern Ireland wide taxi fare. In developing this proposal, the Department needs to carry out research and

benchmarking on the way fares are calculated, reviewed and applied in other countries and set up an information management system that will allow the Department to determine the initial fare structure and maximum fare and to gather key information for future fare reviews. The use of external resources will be the most effective way to ensure that the research assignment is carried out to the required standard and within the required timescale. It is hoped that the assignment will start in the coming months.

Taxi Driver Test

The Department intends to re-introduce the taxi driver test by 2014. The DVA has completed preliminary consultation work on this and will begin to develop the test by 2012. RSD will provide the necessary support required to develop proposals for periodic training.

Taxi Vehicles

Mr C McDevitt asked the Minister of the Environment when he plans to introduce a maximum age limit for public and private hire taxi vehicles.

(AQW 7236/10)

Minister of the Environment: I have no plans to introduce a maximum age limit for taxis at this time. However, as part of the implementation of the Taxis Act (NI) 2008 my Department is working on a new specification for taxi vehicles. This policy development will look again at issues such as vehicle age and condition with a view to providing for a safe, comfortable and value for money taxi service in Northern Ireland. Once the draft specification has been developed we will be consulting widely on proposals so that everyone will have the opportunity to contribute to the final policy.

Taxis Over 10 Years of Age

Mr C McDevitt asked the Minister of the Environment to detail the number of (i) public hire taxi vehicles; and (ii) private hire taxi vehicles currently licensed that are over 10 years of age; and for a breakdown by age.

(AQW 7237/10)

Minister of the Environment: At 1 June 2010, there were 1,472 public hire taxis currently licensed ranging in age from over 10 years to 19. At the same date, there were 520 private hire vehicles ranging in age from over 10 years to 83. The private hire vehicles in the range 20 to 83 years are used for weddings and funerals.

The age breakdown is as follows:

Age (Years)	11	12	13	14	15	16	17	18	19	20 to 83
Private Hire	77	84	81	68	32	18	11	19	14	116
Public Hire	547	428	226	116	72	52	20	9	2	0

Dunmurry Ward

Mr P Butler asked the Minister of the Environment to outline the reasons why he did not accept the Boundary Commissioner's recommendation that the Dunmurry ward should move into the new Greater Belfast Council area.

(AQW 7239/10)

Minister of the Environment: I have circulated a paper on local government boundaries to the Executive for consideration which gives details of my reasons for proposing modifications to the final recommendations of the Local Government Boundaries Commissioner. As the matter is still before the Executive it would be inappropriate for me to comment on the detail of those proposals.

Green Belt in the Towerview area of North Down

Mr A Easton asked the Minister of the Environment for an update on safe guarding the Green Belt in the Towerview area of North Down.

(AQW 7275/10)

Minister of the Environment: Planning Policy Statement (PPS) 21 'Sustainable Development in the countryside, published on 1 June 2010, sets out planning policies for development in the countryside. Countryside is defined as land lying outside of settlement limits as defined in development plans.

The area of countryside adjacent to the Towerview area of Bangor was designated as green belt under Policy COU 1 of the draft Belfast Metropolitan Area Plan 2015. The policy provisions of PPS21 will now take precedence over any green belt designations contained in existing and published draft development plans.

Two of the objectives of PPS 21 are to manage growth in the countryside and to achieve appropriate and sustainable patterns of development that meet the essential needs of a vibrant rural community; and to conserve the landscape and natural resources of the rural area and to protect it from excessive, inappropriate or obtrusive development.

Insecticides in Farming

Mr J Shannon asked the Minister of the Environment for his assessment of whether the use of insecticides and changes in farming has decreased the number of yellow hammers, twite and reed buntings.

(AQW 7293/10)

Minister of the Environment: Changes in the agricultural practice and land use in Northern Ireland, including some use of pesticides, is thought to have had an adverse impact on some of our native bird species.

The Yellowhammer and Twite are priority species in Northern Ireland reflecting the decline in numbers recorded in recent years.

Yellowhammer declined in Northern Ireland by some 65% between 1991 and 1997 while the population of Twite, formerly regarded as widespread here, is now thought to be less than 10 pairs.

The most direct impact on Yellowhammer has been through changes in farming practice including conversion from arable crops to intensively managed grassland, the removal of areas of scrub and impacts on hedgerows. The use of insecticides on crops and herbicides on weeds will have reduced year round availability of food.

Similarly Twite have been affected by conversion from arable crops to intensively managed grassland while loss of more traditional habitats such as species rich grassland and heathland will also have had an impact. Use of herbicides on weeds will have reduced year round availability of food.

Reed Bunting has undoubtedly been affected in the past by changes in land management including loss of wetland habitats, the decline in mixed farming and the general intensification of agriculture. This led to population declines across the UK in the 1970's and 1980's.

Since then Reed Bunting population in Northern Ireland has shown an increase of some 11% between 1995 and 2007.

Reed Bunting appears to be resilient to or even benefiting from current changes in the countryside; usage of relatively new crops such as oilseed rape perhaps explaining the recovery of this species, at least in Britain.

Farmers Planning Applications

Mr W Irwin asked the Minister of the Environment if he has any plans to give special consideration to farmers whose planning applications have been deferred and do not currently meet the six-year activity ruling but will meet this requirement in early 2011, in light of the fact that the review of deferrals will take some time to clear.

(AQW 7294/10)

Minister of the Environment: In relation to processing applications under policy CTY 10 of PPS 21, including those cases which are currently deferred, I expect Planning Service staff to take full account of all the criteria for approving a dwelling on a farm.

Therefore I have no plans to give special consideration to applicants who have not met the requirement for the farm to have been established for a period of 6 years. However, I expect Planning Service in processing new applications and in working through the deferred cases to take a pragmatic view and fully consider all relevant material considerations including the length of time the farm has been active and the actual date when the 6 year period will elapse.

Wildlife Bill

Mr J Shannon asked the Minister of the Environment what discussion he or his officials have had with aviary groups in relation to (i) yellow hammer; (ii) twite; and (iii) reed bunting and (iv) the inclusion of these birds in schedule 4 of the Wildlife Bill.

(AQW 7295/10)

Minister of the Environment: No specific discussions have been held to date. However, I have recently accepted an invitation to meet members of the National British Bird and Mule Club (Northern Ireland) regarding this issue.

Planning Applications

Mr W Irwin asked the Minister of the Environment what plans he has to maintain adequate staffing levels to prevent unnecessary delay in the processing of planning applications, given the proposed reductions in Planning Service staff and the back-log of deferred planning applications to be considered following the publication of PPS21.

(AQW 7325/10)

Minister of the Environment: In light of the much reduced volume of planning applications and reduced income, the Planning Service is seeking to identify cost reduction measures which will help it to align staffing levels and costs more closely with work demands and revenue. The Planning Service will reorganise to live within budget and reprioritise resources to ensure key services to customers can be maintained and impact from the redeployment of staff is minimised.

In terms of the current PPS 21 deferred cases, Planning Service has agreed with me an action plan aimed at reassessing these applications within 6 months. Progress will be closely monitored to ensure there is no significant slippage particularly in those Divisions which have the greatest numbers of deferred cases.

I shall also ensure that the Department makes the appropriate representations for additional in year funding at the June Monitoring round. You may also wish to note that the Department has initiated a fundamental review of the nature and structure of the fees charged for planning services with the aim of ensuring that the fees charged for specific chargeable services are broadly consistent with the costs of providing those services.

Private Parking Companies

Mr J Shannon asked the Minister of the Environment why, under data protection laws, his Department discloses the names and addresses of people who overstay the permitted time in privately owned car

parks to private parking companies; and what action he is taking to prevent the details of security personnel being disclosed.

(AQW 7381/10)

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 the Department of the Environment and the Department for Transport.

In relation to the release of information, DVA acts in accordance with the policy set by the Driver and Vehicle Licensing Agency. The relevant legislation permitting the release of information from the vehicles register is regulation 27 (1) (e) of the Road Vehicles (Registration and Licensing) Regulations 2002 which states “(1) The Secretary of State may make any particulars contained in the register available for use - ... (e) by any person who can show to the satisfaction of the Secretary of State that he has reasonable cause for wanting the particulars to be made available to him”. Information is released to private car parking companies under this “reasonable cause” provision.

The supply of information to private car parking companies is carefully controlled, within the parameters of the “reasonable cause” provision. Information is only released, under contract, to reputable companies which are regulated by accredited trade bodies.

North West Regional Waste Management Group

Mr B Leonard asked the Minister of the Environment, given the advanced stage of plans for a mechanical biological treatment plant for the North West Regional Waste Management Group (NWRWMG) to take all waste from constituent councils from 2013, (i) whether active and detailed consideration has been given to the reduced landfill needs in the area covered by the NWRWMG; and (ii) for his assessment of the need for the NWRWMG to proceed with the Cam Road landfill site scheme outside Coleraine.

(AQW 7437/10)

Minister of the Environment: Waste Management planning is a function of local government, and it is for the North West Region Waste Management Group (NWRWMG) to decide what arrangements are appropriate for the management of waste within its area. In doing so consideration is given to the need for, the location, and capacity of waste facilities in the context of factors such as increasing recycling rates and the potential impact of the recession, and the resultant proposals form part of their waste management plan.

The NWRWMG waste management plan, which is subject to full public consultation and Departmental approval, was last approved in 2006. NWRWMG is due to submit a new waste management plan in 2011 and this will provide a further opportunity to consider proposed arrangements.

Department of Finance and Personnel

Article 55 Reviews

Mr C McDevitt asked the Minister of Finance and Personnel if he has any plans to extend the monitoring and reporting arrangements in relation to Article 55 reviews, to cover matters relating to discrimination, such as, race, disability, age, sexual orientation and fixed-term status.

(AQW 6743/10)

Minister of Finance and Personnel (Mr S Wilson): Article 55 of the Fair Employment and Treatment (NI) Order 1998 requires employers of registered concerns to review their employment composition and practices at least once every three years. The purpose of the review is to determine whether members of each community (ie Protestants and Roman Catholics) are enjoying and are likely to continue to enjoy fair participation in employment. Where this does not appear to be the case, the employer is

required to determine the affirmative action (if any) that would be reasonable and appropriate, and to set goals and timetables to measure change.

For the purposes of the Fair Employment and Treatment (NI) Order 1998 the Northern Ireland Civil Service is treated as being a single employer and my Department has responsibility for carrying out Article 55 Reviews on the Service as a whole.

At present my Department also monitors age, disability, ethnic origin and gender. Plans are in place to monitor the remaining equality groups identified in Section 75 of the Northern Ireland Act 1998 ie, political opinion, marital status, sexual orientation and dependants status. Monitoring information will be included in future reports of the NI Statistics and Research Agency and will be used by my Department to identify possible problem areas. The annual Equality and Diversity Reports prepared by my Department will detail the actions to be taken to address any difficulties identified. The annual costs to my department associated with equal opportunities monitoring is in the region of £200,000.

Redeployment of Planning Service Staff

Mr D O'Loan asked the Minister of Finance and Personnel, in relation to the potential redeployment of Planning Service staff, (i) how many vacant posts currently exist in the NI Civil Service for which funding is in place for this year; (ii) in which Departments do these vacancies exist; and (iii) at which grades. **(AQW 6757/10)**

Minister of Finance and Personnel: The number of vacancies in the appropriate grades for the redeployment of Planning staff for which funding is in place this year, and the Departments in which they exist, is set out in the attached table. No specific vacant posts have been set aside to be filled by Planning Service staff as all vacancies are used to redeploy surplus staff across the NICS Departments and Agencies.

The number of vacancies in the appropriate grades for the redeployment of Planning staff, and for which funding is in place this year as at 18 May 2010

	Admin Asst	Admin Officer	Executive Officer II	Executive Officer I	Staff Officer	Deputy Principal	Grade 7	Personal Secretary	Professional and Technical Officers	Total
DARD	1	10.1	5	2	3	4	1	1	2	29.1
DCAL	0	1	0	0	0	0	0	0	0	1
DE	0	0	0	0	0	0	0	0	0	0
DEL	3	9.6	18	16.2	9	4	3	0	0	62.8
DETI	1	3	1	1	0	3	0	0	0	9
DFP	6	2.5	5	4	2	2	0	0	0	21.5
DHSSPS	1	0	0	0	0	0	0	0	1	2
DOE	1	16	14	2	3	3	6	0	0	45
DOJ	6	17	0	22.5*	4	7	3	0	0	59.5
DRD	0	0	0	0	0	0	0	0	0	0
DSD	7	0	2	5	0	0	1	0	0	15
OFMDFM	1	0	1	1	0	0	0	0	0	3

	Admin Asst	Admin Officer	Executive Officer II	Executive Officer I	Staff Officer	Deputy Principal	Grade 7	Personal Secretary	Professional and Technical Officers	Total
PPS	0	0	0	0	8.6	0	0	0	0	8.6
Total	27	59.2	46	53.7	29.6	23	14	1	3	256.5

* DOJ Grade C vacancies shown as EOI, pending review of those posts which span both NICS grades E01 & E02

Note: Overall number of vacancies may vary as departments finalise their budgetary plans.

Government Employees on Fixed Term Contracts

Mr T Burns asked the Minister of Finance and Personnel to detail (i) the total number of government employees who have been employed on fixed term contracts that have been terminated early; and (ii) the total amount of compensation paid to these individuals because of early contract termination, broken down by Department, in each of the last five years.

(AQW 6938/10)

Minister of Finance and Personnel: In the last 5 years, there has been one member of staff employed on a fixed term contract, which was terminated early. This officer was employed in DOE. There was no compensation paid to the employee.

Population Growth

Mr D McKay asked the Minister of Finance and Personnel for a summary of the population growth and the associated population figures for (i) Rasharkin; (ii) Dunloy; (iii) Martinstown; (iv) Cargan; and (v) Ballycastle, in County Antrim over the last 20 years.

(AQW 7012/10)

Minister of Finance and Personnel: Settlement population statistics reported from the 1991 Census were based on a rectangle approximately covering the settlement. Statistics for Cargan and Martinstown were not published in the 1991 Census. Settlement population statistics reported from the 2001 Census were based on the more accurate Settlement Development Limit, however comparative figures based on the 1991 Census rectangle are also available.

Mid-2008 population estimates are only available for settlements with a population of at least 1,000 people at the time of the 2001 Census. Thus 2008 population statistics are only available for Ballycastle and Dunloy.

The table overleaf gives (a) the 1991 and 2001 Census populations according to the approximate rectangle definition, (b) the associated percentage population growth between 1991 and 2001, (c) the 2001 Census population and the 2008 population estimate according to the Settlement Development Limit, and (d) the associated percentage population growth between 2001 and 2008.

Table: Summary of population statistics for settlements of Rasharkin, Dunloy, Martinstown, Cargan, and Ballycastle, 1991 to 2008

Population indicator	Settlements				
	Rasharkin	Dunloy	Martinstown	Cargan	Ballycastle
(a) 1991 Census (rectangle)	923	1,119			4,005
(a) 2001 Census (rectangle)	873	1,311			4,682
(b) 1991-2001 growth	-5%	+17%			+17%
(c) 2001 Census (Statutory limit)	853	1,045	284	409	5,073
(c) 2008 estimate ² (Statutory limit)		1,300			5,500
(d) 2001-2008 growth		+21%			+8%

1 Settlement population data from the 1991 Census were based on a rectangle approximately enclosing the town or village. This is an imprecise method. In some cases households from the rural hinterland were included with the settlement (e.g. Dunloy). Furthermore, some settlements have grown beyond the 1991 rectangle in the next ten years. This leads to 2001 population figures based on the 1991 approximate rectangle being too low (e.g. Ballycastle). Population figures from the 2001 Census based on the Settlement Development Limit are thus more accurate. Images of each Settlement Development Limit can be viewed on the Northern Ireland Neighbourhood Information Service website www.ninis.nisra.gov.uk

2 Population estimates following the Census are generally quoted in rounded form as precision can be considered to be no better than to the nearest 100.

Review of Public Administration

Mr P McGlone asked the Minister of Finance and Personnel to detail the total cost, to date, to his Department and its agencies of the Review of Public Administration.

(AQW 7112/10)

Minister of Finance and Personnel: The Department of Finance and Personnel has spent £1.6m on the Review of Public Administration.

Agencies and Bodies Funded by DFP

Mr J Craig asked the Minister of Finance and Personnel to detail (i) all the agencies and bodies funded by, and associated with, his Department; and (ii) the total running costs of each agency or body for each of the last five years.

(AQW 7145/10)

Minister of Finance and Personnel: Details of the relevant agencies and bodies funded by the Department of Finance and Personnel together with the total running costs (expenditure) of each body for each of the last five years are provided in Annex A.

The information is provided on the basis of the last five complete financial years representing the basis of preparation of the Department's accounts. It should be noted that the figures for 2009-10 are subject to audit.

	2005-06	2006-07	2007-08	2008-09	2009-10
Agency/Body	£000	£000	£000	£000	£000
Northern Ireland Statistics and Research Agency	16,713	17,454	17,651	19,122	21,430
Land and Property Services Agency	N/a	N/a	32,150	59,465	67,074
Land Registers of Northern Ireland	16,219	16,955	16,746	N/a	N/a
Valuation and Lands Agency	14,142	16,573	N/a	N/a	N/a
Rate Collection Agency	10,420	12,836	N/a	N/a	N/a
Business Development Service	11,622	N/a	N/a	N/a	N/a
Special EU Programmes Body	1,075	1,137	1,251	1,293	1,361
Northern Ireland Building Regulations Advisory Committee	4	3	1	1	5
Statistics Advisory Committee	-	-	-	-	-
Northern Ireland Law Commission	N/a	N/a	-	408	432

Review of the Civil Service E02 Salary Scale

Mr P Weir asked the Minister of Finance and Personnel to outline the time-scale for the review of the Civil Service E02 salary scale.

(AQW 7165/10)

Minister of Finance and Personnel: Preparatory work on the comprehensive pay and grading review agreed as part of the NICS equal pay settlement has already commenced. The review will examine the pay and grading structures of all NICS grades, although the E02 grade will be prioritised as part of that review. I am determined that it will progress without any undue delay.

Efficiency Plans

Ms C Ní Chuilín asked the Minister of Finance and Personnel, in light of the new efficiency plans, how Departments are going to protect front-line services; and if his Department has issued any guidance to Departments on how to do this

(AQW 7177/10)

Minister of Finance and Personnel: The Executive is due to shortly discuss my proposals in respect of the way forward for the Budget 2010 process. This will include consideration of the amount of additional savings that will need to be delivered by Northern Ireland Departments over the period 2011-12 to 2013-14. The resources released from these savings will be used to address spending pressures and fund improvements in public services over the Budget period.

Although primary responsibility for the planning and delivery of savings resides with individual departments, the impact on priority front line services must be minimised. In order to ensure that this

is the case, it is important that departmental plans for the delivery of savings are made available to Assembly committees and the wider public in a timely manner so that they can be subject to proper challenge and scrutiny.

Once the Executive has agreed the approach to the Budget 2010 process, guidance will be issued to departments in respect of the form and content of savings delivery plans.

Deaths Recorded as Suicide

Mr R McCartney asked the Minister of Finance and Personnel to detail the number of deaths recorded as suicide in each District Council area, in each of the last five years.

(AQW 7184/10)

Minister of Finance and Personnel: The attached table gives the number of deaths registered due to 'suicide and self-inflicted injury'¹ and 'undetermined injury whether accidentally or purposefully inflicted'², by District Council area of residence of the deceased, for each year between 2005 and 2009^P.

1 International Classification of Diseases, Tenth Revision codes X60-X84, Y87.0

2 International Classification of Diseases, Tenth Revision codes Y10-Y34, Y87.2

P 2009 data is provisional

TABLE: NUMBER OF REGISTERED DEATHS DUE TO 'SUICIDE AND SELF-INFLICTED INJURY' AND 'UNDETERMINED INJURY WHETHER ACCIDENTALLY OR PURPOSEFULLY INFLICTED' IN EACH DISTRICT COUNCIL AREA IN NORTHERN IRELAND, 2005 - 2009^P.

District Council Area	Registration Year				
	2005	2006	2007	2008	2009
Antrim	8	8	4	6	7
Ards	8	9	11	5	7
Armagh	8	8	6	19	8
Ballymena	5	11	3	6	4
Ballymoney	2	2	1	0	4
Banbridge	3	9	5	3	4
Belfast	43	59	53	63	62
Carrickfergus	5	5	7	6	2
Castlereagh	9	5	5	5	10
Coleraine	0	6	6	9	7
Cookstown	11	9	3	6	4
Craigavon	9	8	17	14	12
Derry	12	28	14	20	18
Down	8	12	8	8	3
Dungannon	9	7	8	12	10
Fermanagh	11	13	14	7	11
Larne	2	5	3	6	5
Limavady	4	5	5	5	8

District Council Area	Registration Year				
	2005	2006	2007	2008	2009
Lisburn	14	17	10	14	14
Magherafelt	8	7	5	2	8
Moyle	2	4	4	4	4
Newry & Mourne	13	17	17	21	13
Newtownabbey	6	10	12	10	9
North Down	7	4	6	10	8
Omagh	5	8	9	8	12
Strabane	1	15	6	13	6
Northern Ireland	213	291	242	282	260

Budget

Ms M Ritchie asked the Minister of Finance and Personnel what proportion of the £127.9m budget cut she estimates will be imposed on her Department and what plans she has to deal with the reduced budget.

(AQO 1386/10)

Minister of Finance and Personnel: The funding available to the NI Executive has been reduced by £127.9 million per annum as a consequence of the announcement made by the Coalition Government on 24 May 2010 to reduce UK public spending by £6 billion in 2010-11.

The Executive had an initial discussion on this matter when it met on 27 May 2010 with the way forward to be formally agreed as part of the June Monitoring Round, once clarification has been received from HM Treasury on a number of technical issues.

Although there are a range of options available, the focus of the Executive will be on ensuring that the impact on existing departmental budgets is minimised.

Anger Management Training

Mr T Burns asked the Minister of Finance and Personnel how many Civil Servants in each Department have attended (i) compulsory; and (ii) voluntary anger management training courses in each of the last five years; and to outline the total cost of providing this training.

(AQW 7259/10)

Minister of Finance and Personnel: Since 12 April 2010, no staff in the DOJ have attended compulsory or voluntary anger management courses.

Departmental Officials use of Pool Cars

Mr S Gardiner asked the Minister of Finance and Personnel how many of his departmental officials have the use of pool cars.

(AQW 7340/10)

Minister of Finance and Personnel: Ministers have first call on the use of the cars in the central car pool. When available these cars can be used by officials at Grade 7 and above for business purposes.

Rating of Vacant Premises.

Mr D McKay asked the Minister of Finance and Personnel when he intends to introduce the rating of vacant premises.

(AQW 7345/10)

Minister of Finance and Personnel: Following a Review of Domestic Rating in 2007, including consultation in 2008 on detailed policy proposals, the Executive agreed that the rating of empty homes should be introduced at 100% liability. The legislation to enable this to happen was passed by the Assembly last year. In September, however, I took the decision to postpone the rating of empty homes until 1 April 2011 because of the poor state of the residential property market and agreed to keep the matter under review.

My officials have recently reviewed the situation and reported to me, having considered a range of information on the property market. However, before taking final decisions on the timing of the rating of empty homes I have sought, and will want to carefully consider, the views of Members of the Finance and Personnel Committee on the timing of this measure. I intend to advise both the Committee and my Executive colleagues of my decision before the summer recess.

To complete the picture, the rating of empty commercial premises has been in place, at 50% liability, since April 2004. Earlier this year my Department undertook a planned evaluation of the policy and as a result I decided to retain the existing 50% empty property relief for the time being.

Department of Health, Social Services and Public Safety

Accident and Emergency Services at Whiteabbey and Mid-Ulster Hospitals

Mr M Storey asked the Minister of Health, Social Services and Public Safety how many additional patients for the Accident and Emergency units are expected each week to (i) arrive by ambulance; and (ii) arrive by other means for the (a) Antrim Area Hospital; and (b) the Causeway Hospital, as a result of the proposed closure of accident and emergency services at Whiteabbey and Mid-Ulster Hospitals.

(AQW 6811/10)

Minister of Health, Social Services and Public Safety (Mr M McGimpsey): The information requested is not available

Whistle-blowing

Lord Morrow asked the Minister of Health, Social Services and Public Safety for his assessment of the findings of a British Medical Journal investigation which states that the health service is not doing enough to encourage a culture of whistle-blowing; and what his Department is doing to address this issue.

(AQW 6925/10)

Minister of Health, Social Services and Public Safety: The British Medical Journal investigation referred to by Mr Morrow is one covering an analysis of the whistleblowing policy in operation in 118 of the 122 NHS Foundation Trusts. I have no reason to feel that the issues raised by the BMJ are relevant to the Health and Social Care but I am not complacent about these matters.

Health and Social Care organisations are required to have whistleblowing policies in place to meet the requirements of the Public Interest Disclosure (Northern Ireland) Order 1998. The Social Partnership Forum in England along with Public Concern at Work is currently reviewing the whistleblowing guidance for those working within the NHS. My officials have been engaged in this review and will be considering the implication of the review outcome for Health and Social Care. The Social Partnership Forum is expected to launch the revised whistleblowing guidance for the NHS in June.

Accident and Emergency Services at Whiteabbey and Mid-Ulster Hospitals

Mr T Clarke asked the Minister of Health, Social Services and Public Safety to outline the discussions he, or his Department, has had with the management of the Northern Health and Social Care Trust regarding the closure of Whiteabbey and Mid-Ulster Accident and Emergency Departments, in the last twelve months.

(AQW 6929/10)

Minister of Health, Social Services and Public Safety: The changes to services at these hospitals have been signalled since the publication of Developing Better Services in 2002 and confirmed in a number of subsequent announcements.

At a meeting with the Chief Executive of the Trust and the Trust's Clinical Director for Unscheduled Care on 26th April 2010 I was made aware of pressing safety issues and difficulties in sustaining the current level of acute services. It was clear from this that the timescales previously envisaged for implementation of the changes were no longer appropriate and that change in service provision was required immediately.

Bone Health

Mr K McCarthy asked the Minister of Health, Social Services and Public Safety what steps the Northern Ireland Public Health Agency is taking to promote good bone health.

(AQW 6930/10)

Minister of Health, Social Services and Public Safety: Good bone health can be promoted in a number of ways through better nutrition, physical activity initiatives, smoking prevention/cessation and a responsible approach to alcohol consumption.

The Public Health Agency (PHA) has taken a number of steps to promote good bone health including the provision of a website www.enjoyhealtheating.info, which contains information on bone health and related healthy eating advice.

A diverse range of physical activity initiatives are provided including programmes to encourage walking and cycling, and physical activity referral schemes which help to build and maintain healthy bones. The PHA is also currently giving a renewed emphasis to reducing levels of smoking which is a major risk factor for osteoporosis and bone fracture.

Acute Inpatient Orthogeriatric Service

Mr K McCarthy asked the Minister of Health, Social Services and Public Safety what steps he is taking to ensure that all fracture units are supported by an acute in-patient orthogeriatric service.

(AQW 6931/10)

Minister of Health, Social Services and Public Safety: An inpatient orthogeriatric service is in place in four of the five Health and Social Care (HSC) Trusts across Northern Ireland.

I am advised that the Western Trust does not currently have an ortho-geriatrician in post but is awaiting approval from the Commissioner for the recruitment of a staff grade physician and a fracture liaison nurse.

An orthogeriatric service in all Trusts is one of the recommendations set out in a report on "The prevention and management of fragility fractures in Northern Ireland". I have asked the Health and Social Care Board to consider the most appropriate mechanism to implement the report's recommendations, taking account of the financial context of 2010 and beyond.

Agenda for Change

Mrs D Kelly asked the Minister of Health, Social Services and Public Safety how many staff from the Southern Health and Social Care Trust are still awaiting their Agenda for Change back pay; and when it will be paid.

(AQW 6932/10)

Minister of Health, Social Services and Public Safety: All current staff in the Southern Health and Social Care Trust have received their Agenda for Change arrears based on the initial assessment of their grading. The Trust is continuing with the Agenda for Change review process and any arrears due to staff as a result of this will be calculated and paid as soon as possible.

Computer System for the Health and Social Care Board

Mr C McDevitt asked the Minister of Health, Social Services and Public Safety (i) if he can confirm that £800,000 has been spent on a computer system for the Health and Social Care Board; and (ii) to explain how this system will benefit service users more than investing the same amount in front-line staff.

(AQW 6933/10)

Minister of Health, Social Services and Public Safety: There has been no expenditure on the computer system referred to.

IT Infrastructure in Fracture Units

Mr C McDevitt asked the Minister of Health, Social Services and Public Safety for his assessment of the IT infrastructure in hospital fracture units to support inpatient and outpatient fracture patients with osteoporosis.

(AQW 6941/10)

Minister of Health, Social Services and Public Safety: Four trusts treat fracture patients in Northern Ireland and all four trusts are committed to submitting data to the National Hip Fracture database (NHFD). Presently three trusts provide data to the NHFD and the remaining Trust is awaiting approval from the Commissioner to allow full participation in the NHFD.

All trusts treating fracture patients currently input data to a separate trauma access database. This allows regional monitoring of my Department's Priorities for Action target for fractures whereby 95% of patients, where clinically appropriate, wait no longer than 48 hours for inpatient fracture treatment.

An information infrastructure to ensure high quality services are available to patients is one of the recommendations set out in a report on "The Prevention and Management of Fragility Fractures in Northern Ireland". I have asked the Health and Social Care Board to consider the most appropriate mechanism to implement the report's recommendations and to explore what can be achieved regarding use of the NHFD in all Trusts that treat fracture patients, taking account of the financial context of 2010 and beyond.

Older People

Mr C McDevitt asked the Minister of Health, Social Services and Public Safety what steps his Department is taking to prevent older people from falling and injuring themselves.

(AQW 6942/10)

Minister of Health, Social Services and Public Safety: Steps to reduce the number of accidents in the home, such as falls are being taken forward through my Department's Home Accident Prevention Strategy published in 2004. In line with actions in the Strategy, Health and Social Care organisations have worked in partnership to develop initiatives to reduce falls including support for fracture falls prevention schemes for older people; Bee Safe for Older People programme; and Falls clinics to assess those at high risk or with a history of falling. Such programmes may include provision of advice on diet,

medication, exercise, home safety, balance, footwear and may involve onward referrals to occupational therapy, podiatry, physiotherapy and for the installation of home safety equipment.

In addition, the recommendations set out in the report on The Prevention and Management of Fragility Fractures in Northern Ireland are being taken forward by the Health and Social Care Board.

Elderly Mental Health Beds in the Waterside Hospital

Mr C McDevitt asked the Minister of Health, Social Services and Public Safety if he has any plans to close 18 elderly mental health beds in the Waterside Hospital.

(AQW 6943/10)

Minister of Health, Social Services and Public Safety: The Western Trust advises that Ward 3 in Waterside Hospital provides 18 continuing care beds for individuals with long standing mental health needs. The Trust advises that the purpose for which Ward 3 is used is changing from providing continuing care beds to providing Elderly Mentally Ill and Functionally Mentally Ill assessment beds. This change is in line with the strategic direction for older people's services and the Bamford Review, whose focus is on maintaining and supporting people in their own homes. The patients currently in Ward 3 have received a comprehensive assessment of their needs and will be placed in the most appropriate care environment to meet their individual care needs.

Rare Diseases and Conditions

Mr T Burns asked the Minister of Health, Social Services and Public Safety to detail, for each of the last five years, the number of patients from Northern Ireland who have been treated outside the UK or Ireland for very rare diseases and conditions because specialist care was not available; and to list the nature of these diseases and conditions.

(AQW 6949/10)

Minister of Health, Social Services and Public Safety: The table below sets out the requested information:

Year	2005/06	2006/07	2007/08	2008/09	2009/10
Patients treated outside UK/Ireland	4	3	5	2	2

I am advised by the Health and Social Care Board that the cases listed were referred for a range of specialist treatments for conditions such as retinoblastoma, severe lymphodema, monocytic leukaemia, cancer and inherited enzyme deficiency. Some referrals relate to infants and children requiring specialist investigation and treatments not available in Northern Ireland.

Abbots Cross Health Centre

Mr D Hilditch asked the Minister of Health, Social Services and Public Safety why Abbots Cross Health Centre charges adults £20 for the Hepatitis A vaccination and £10 for children.

(AQW 6955/10)

Minister of Health, Social Services and Public Safety: In 2006 GP Practices were issued with Regional Guidelines on Vaccines and Chemoprophylaxis for Travel in Primary Care which still apply today.

The guidance states that Hepatitis A vaccines, both the initial and booster doses are available on NHS prescription and that a GP should not charge for administration.

Unless a practice, when signing its new GMS contract with the Board, has withdrawn from the provision of vaccinations and immunisations, they should not be charging any of their patients for these travel vaccinations.

I have asked the Health and Social Care Board to look into this matter.

New Computer Systems for Health Centres

Mr D Hilditch asked the Minister of Health, Social Services and Public Safety why all health centres under the Northern Health and Social Care Trust were given new computer systems.

(AQW 6956/10)

Minister of Health, Social Services and Public Safety: ICT equipment in all HSC organisations is subject to an ongoing upgrade or replacement programme to maintain the support systems which are necessary for the delivery of health care services.

Since the new GMS Contract came into force, there has been an ongoing requirement on my Department to replace or upgrade ICT equipment needed to support the work of GPs. This covers GPs and their staff based in health centres within the Northern Trust.

There has also been a roll out of a Community Information System across the Northern Trust and additional computers have been required in some health centres for Trust staff needing access to this system. These computers are used to access general ICT services such as word processing and e-mail systems.

Private Nursing Homes

Mr C Boylan asked the Minister of Health, Social Services and Public Safety whether private nursing homes have the legal right to tell residents which pharmacy they must use for the collection of prescriptions; and if he is aware of any plans by private nursing homes to use multi-retail outlets rather than local independent pharmacies.

(AQW 6958/10)

Minister of Health, Social Services and Public Safety: Private nursing homes, for operational and logistical reasons, may enter into agreements with a particular pharmacy for the provision of services; however, I am unaware of any legal reason why residents should be bound by this arrangement. I am unaware of any plans by private nursing homes to use multi retail outlets as opposed to local pharmacies.

Accident and Emergency Units

Mr P McGlone asked the Minister of Health, Social Services and Public Safety to detail the number of patients presenting themselves to the Accident and Emergency unit at (i) Altnagelvin Hospital; (ii) the Royal Victoria Hospital; (iii) Craigavon Hospital; (iv) the Mater Hospital; (v) Antrim Area Hospital; and (vi) the Mid-Ulster Hospital, in each of the last five years.

(AQW 6961/10)

Minister of Health, Social Services and Public Safety: This information is published in the annual 'Hospital Statistics' publication available online at http://www.dhsspsni.gov.uk/index/stats_research/stats-activity_stats-2/hospital_statistics.htm.

Staff Movement from the Mid-Ulster Hospital to the Antrim Area Hospital

Mr P McGlone asked the Minister of Health, Social Services and Public Safety to detail the number of staff, by grade, moving from the Mid-Ulster Hospital to the Antrim Area Hospital as a result of the transfer of accident and emergency services.

(AQW 6962/10)

Minister of Health, Social Services and Public Safety: The Northern Trust has advised that following the service changes at Mid-Ulster Hospital 7 nurses and 2 doctors will be re-located to Antrim Area Hospital.

Hospital Beds in the Northern Health and Social Care Trust

Mr P McGlone asked the Minister of Health, Social Services and Public Safety to detail the number of hospital beds in the Northern Health and Social Care Trust area, in each of the last five years.

(AQW 6964/10)

Minister of Health, Social Services and Public Safety: Data relating to the number of available hospital beds is published annually and can be found online at the following link:

http://www.dhsspsni.gov.uk/index/stats_research/stats-activity_stats-2/hospital_statistics.htm.

Dialysis

Mr T Burns asked the Minister of Health, Social Services and Public Safety how many (i) adults; and (ii) children have received (a) home dialysis; and (b) hospital dialysis in each of the last five years, broken down by Health and Social Care Trust area.

(AQW 6984/10)

Minister of Health, Social Services and Public Safety: It is not possible to split information held on dialysis patients into those who are adults and those who are children. Additionally the number of patients who have received home haemodialysis is not available by Health and Social Care Trust.

Accident and Emergency unit at Whiteabbey Hospital

Mr A Ross asked the Minister of Health, Social Services and Public Safety (i) who made the final decision to close the Accident and Emergency unit at Whiteabbey Hospital; (ii) what consultation took place prior to this decision; (iii) who was informed of the closure and whether they were informed before the decision was made public.

(AQW 6988/10)

Minister of Health, Social Services and Public Safety: Patient safety must be of the utmost priority in the delivery of health and care services and I will not compromise on that position.

Changes to services provided at Whiteabbey Hospital have been signalled since the publication of Developing Better Services in 2002 and confirmed in a number of subsequent announcements. Although the introduction of a minor injuries service was due to take place over the coming months, the Northern Trust made me aware on 26th April 2010 of pressing safety issues and difficulties in sustaining the current level of acute services at the hospital. The Trust advised me that these meant immediate changes to the current A&E services on both sites and inpatient medical services at Whiteabbey Hospital were urgently required. The Trust and the Health and Social Care Board announced these changes on Wednesday 12 May.

I regret the short period of consultation available with those directly affected. I understand that the Trust has been working closely with the unions and the Royal College of Nursing to support individual members of staff find their preferred choice of posting. I will ensure however that Trusts put in place arrangements to inform unions at the earliest possible stage of any urgent change required to health and social care services in the future.

Antrim Area Hospital

Mr A Ross asked the Minister of Health, Social Services and Public Safety to detail the number of people the Antrim Area Hospital (i) currently serves; and (ii) is expected to serve when the accident and emergency services are closed at Whiteabbey and Mid-Ulster hospitals.

(AQW 6989/10)

Minister of Health, Social Services and Public Safety: This information is not available.

Antrim Area Hospital

Mr A Ross asked the Minister of Health, Social Services and Public Safety what additional resources will be available for the Antrim Area Hospital to cope with increasing pressures following the closure of accident and emergency services at Whiteabbey and Mid-Ulster hospitals.

(AQW 6990/10)

Minister of Health, Social Services and Public Safety: I refer the member to the answer provided for AQW 6928 2010.

Accident and Emergency Services at the Mid-Ulster Hospital

Mr P McGlone asked the Minister of Health, Social Services and Public Safety if an Equality Impact Assessment was carried out on the decision to close accident and emergency services at the Mid-Ulster Hospital.

(AQW 6991/10)

Minister of Health, Social Services and Public Safety: The recent change to services at Mid Ulster has been signalled since the publication of Developing Better Services in 2002 and confirmed in a number of subsequent announcements.

The Northern Trust's proposals to review and reconfigure services within the Trust area aim to significantly address the risks associated with providing acute hospital services at smaller hospitals and to create a safe and sustainable clinical environment.

Assessment of the impact of these proposals on service users was fully detailed in the Trusts 'Reconfiguration of Acute Hospital Services – Consultation and Equality Impact Assessment – January 2009' and can be found on the Trust's website at

http://www.northerntrust.hscni.net/pdf/Reconfiguration_of_acute_hospital_services.pdf

The Trust has put in place arrangements to continue to monitor and review the impact of these changes on those directly affected.

Out of Hours GP Service

Mr G Robinson asked the Minister of Health, Social Services and Public Safety to provide the definition of (i) an emergency call; and (ii) an urgent call; and (ii) for his assessment of the amount of overlap between the two for the out of hours GP service.

(AQW 6998/10)

Minister of Health, Social Services and Public Safety: Emergency calls are those that are deemed to be immediately life threatening and these are passed to 999 for a response by the Northern Ireland Ambulance Service.

Urgent calls are those that are serious or potentially life threatening and are triaged within 20 minutes of receipt of the call or earlier where possible.

These two categories of calls are distinct in terms of determining the action to be taken.

Written protocols are in place for call handlers for identifying emergency and urgent calls. Call handlers also receive training in assessing calls. Furthermore, a GP or nurse will also be available either in the Out-of-Hours centre or by phone if a call handler needs any assistance.

Out of Hours GP Service

Mr G Robinson asked the Minister of Health, Social Services and Public Safety for his assessment of the correlation between the number of (i) emergency call-outs; and (ii) urgent call-outs received by the GP out of hours service.

(AQW 6999/10)

Minister of Health, Social Services and Public Safety: In the period April 2009 to March 2010, 1.9% of the total calls to GP out of Hours Service Providers across Northern Ireland were disposed as emergency and 8.1% as urgent.

Out of Hours GP Service

Mr G Robinson asked the Minister of Health, Social Services and Public Safety what consultation the Western Health and Social Services Trust and the Local Commissioning Group carried out with front-line staff, prior to producing the plans for a reduction in the number of GPs operating the out-of-hours service in the Western Health and Social Care Trust area.

(AQW 7000/10)

Minister of Health, Social Services and Public Safety: Out of Hours services are commissioned by the Health and Social Care Board and in the Western area are provided by Western Urgent Care.

The revisions to OOHs provision were agreed by the Health and Social Care Board and Western Urgent Care's Management Team met with affected staff on both a group and individual basis to outline the changes.

Out of Hours GP Service

Mr G Robinson asked the Minister of Health, Social Services and Public Safety whether the planned reductions in the number of GPs operating the out-of-hours service in the Western Health and Social Care Trust is only for a trial period.

(AQW 7001/10)

Minister of Health, Social Services and Public Safety: Following an analysis of OOH's activity and workload across the Western area the Health and Social Care Board and Western Urgent Care have agreed a trial period was not necessary. The changes being introduced will be monitored to ensure patient care is not compromised.

Royal Maternity Hospital

Dr A McDonnell asked the Minister of Health, Social Services and Public Safety (i) for an update on the current bed provision in the Royal Maternity Hospital; and (ii) to detail the average length of hospital stay for patients with uncomplicated births.

(AQW 7018/10)

Minister of Health, Social Services and Public Safety: At May 2010 there were 53 inpatient beds at the Royal Jubilee Maternity Hospital.

Live births are recorded by the Belfast Trust as either vaginal delivery (assisted or unassisted) or delivery by caesarean. The most recent figures available for length of stay at the Royal Jubilee are for the year 2008/09, when the average length of stay after vaginal delivery was 1.9 days. For caesarean section, this was 3.5 days.

DEXA Scans on Bone Density

Mr J Wells asked the Minister of Health, Social Services and Public Safety, pursuant to AWQ 4917/10, whether he intends to make public the findings of the review by the Health and Social Care Board into referrals for secondary care for DEXA scans on bone density.

(AQW 7019/10)

Minister of Health, Social Services and Public Safety: I would refer the Member to the response provided for AQW 6121/10.

RoeDoc Out of Hours GP Service

Mr B Leonard asked the Minister of Health, Social Services and Public Safety to detail what consultation took place before a decision was taken to cut the RoeDoc Out of Hours GP service in the Western Health and Social Care from 1 July 2010.

(AQW 7024/10)

Minister of Health, Social Services and Public Safety: A public consultation was not undertaken as OOHs services to patients will not be affected by the reconfiguration of the GP out of hours services in the Western area. However, WUC Management Team did meet with affected staff both on a group and individual basis to outline the changes.

Group B Streptococcal Infection in Newborn Babies

Ms M Ritchie asked the Minister of Health, Social Services and Public Safety what steps he is taking to prevent Group B Streptococcal infection in newborn babies; and if he will make a statement on this matter.

(AQW 7031/10)

Minister of Health, Social Services and Public Safety: In October 2008 my Department issued the NICE Clinical Guideline No 62 – Antenatal Care which covers the routine care that all healthy women can expect to receive during their pregnancy. This includes guidance on Group B Streptococcal infection and recommends that pregnant women should not be offered routine antenatal screening for the infection.

The RCOG and the UK National Screening Committee have both considered the role of antenatal screening for GBS and also advised that it should not be offered.

The Royal College of Obstetricians and Gynaecologists (RCOG) published a guideline in 2003 on the “Prevention of early onset neonatal Group B streptococcal (GBS) disease.” The guideline advises healthcare professionals of the clinical risk factors associated with GBS infection in newborn babies and the management of them. Approximately 60% of cases of early-onset GBS infection are associated with these identifiable risk factors and it is likely that the majority of severely affected cases could be prevented by targeting this group.

Group B Streptococcal Infection in Newborn Babies

Ms M Ritchie asked the Minister of Health, Social Services and Public Safety what assessment he has made of the causes of Group B Streptococcal infection in newborn babies.

(AQW 7033/10)

Minister of Health, Social Services and Public Safety: Group B Streptococcus is a common bacterium which, like several others, normally lives in the body, including the vagina and the rectum. GBS usually causes no harm. However, if GBS is passed on from the mother to her baby around the time of the birth, it can occasionally cause serious illness for the newborn baby.

NICE Clinical Guideline No 62 – Antenatal Care, issued by my Department in 2008, makes an assessment of Group B Streptococcal infection. The Royal College of Obstetricians and Gynaecologists (RCOG) published a guideline in 2003 on the “Prevention of early onset neonatal Group B streptococcal (GBS) disease.” The guideline advises healthcare professionals to use clinical risk factors to identify pregnancies which are more likely to result in early-onset GBS infection.

The risk factors include: a mother having a previous baby affected by GBS; GBS detected in the mother’s urine during the current pregnancy; premature labour; if the woman’s waters have broken more than 18 hours before the baby is born; and fever during labour.

Group B Streptococcal Infection in Newborn Babies

Ms M Ritchie asked the Minister of Health, Social Services and Public Safety what advice he has received regarding (i) the incidence of; and (ii) measures to reduce the incidence of, Group B Streptococcal infection in newborn babies.

(AQW 7034/10)

Minister of Health, Social Services and Public Safety:

- (i) Approximately one in every 2000 newborn babies in the UK and the Republic of Ireland is diagnosed with GBS infection; this would equate to 10-12 each year in Northern Ireland.
- (ii) NICE Clinical Guideline No 62 – Antenatal Care, issued by my Department in 2008, provides guidance on Group B Streptococcal infection. Also, the Royal College of Obstetricians and Gynaecologists (RCOG) guideline “Prevention of early onset neonatal Group B streptococcal disease” advises healthcare professionals to use clinical risk factors to identify pregnancies which are more likely to result in early-onset GBS infection

Poor Health

Mr G Robinson asked the Minister of Health, Social Services and Public Safety for his assessment of whether overcrowded housing, high unemployment and rurality in an area are contributory factors to poor health for people living in that area.

(AQW 7047/10)

Minister of Health, Social Services and Public Safety: There are a wide range of (often inter-related) factors that impact on health and wellbeing. Unemployment, particularly long-term, and poor living conditions are two such factors, and can affect both rural and urban populations.

However the extent to which rurality is a contributory factor is much less clear, as “rurality” itself is open to many different interpretations, depending on the nature of the “area” under consideration.

Alleged Victims of Sexual Assault

Lord Morrow asked the Minister of Health, Social Services and Public Safety what assistance social services provides to children who are alleged victims of sexual assault; and what measures can be put in place to ensure that they remain free from harassment or intimidation whilst court cases are pending.

(AQW 7049/10)

Minister of Health, Social Services and Public Safety: Offences against children, committed by strangers, are normally investigated by the police as criminal matters. Social services can intervene to protect children at risk of harm under the Children (NI) Order 1995 which would include any child who is the alleged victim of a sexual assault. In a case where a child is an alleged victim of sexual assault and there are child protection concerns or the child is considered to be in need of other services, social services will assess the circumstances and provide or secure services to meet identified needs or risks. I believe that there are a range of options open to the courts and the police service to protect children and adults from harassment and intimidation. The Minister for Justice would be best placed to set out what these are.

Cost of Contracting Medical Consultants

Mr M McLaughlin asked the Minister of Health, Social Services and Public Safety for a breakdown of the cost of contracting medical consultants from England, Scotland and Wales to assess patients here, in each Health and Social Care Trust area, in each of the last three years.

(AQW 7059/10)

Minister of Health, Social Services and Public Safety: This information is not available centrally and could only be obtained at disproportionate cost.

Non-medical Consultancy Fees

Mr G Robinson asked the Minister of Health, Social Services and Public Safety how much was spent on non-medical consultancy fees by the Western Health and Social Care Trust in each of the last three years.

(AQW 7061/10)

Minister of Health, Social Services and Public Safety: The term 'nonmedical consultancy' is interpreted in this question as meaning 'external consultants' as defined by DFP guidance. Over the past three years for which information is available, the related expenditure in the Western Health and Social Care was as follows:-

Year	2008/09	2007/08
£	£79,696	£115,970

Information for WHSCT is not available for 06/07.

The HSC uses external consultants for a wide variety of assignments e.g. to prepare Outline Business Cases in capital projects, to carry out independent reviews of service provision or needs assessments into health requirements, or to design and deliver various IT systems.

Agencies and Bodies funded by the Department

Mr J Craig asked the Minister of Health, Social Services and Public Safety to detail (i) all the agencies and bodies funded by, and associated with, his Department; and (ii) the total running costs of each agency or body for each of the last five years.

(AQW 7068/10)

Minister of Health, Social Services and Public Safety: Details of the agencies and bodies funded by, and associated with, my Department, together with the running costs of each organisation, are available at: <http://www.dhsspsni.gov.uk/index/hss.htm> or, in the case of the NI Fire and Rescue Service, at <http://www.nifrs.org>

In addition, my Department contributes towards the running costs of 2 cross-border bodies; the Food Safety Promotion Board (30% of costs) and the Institute of Public Health in Ireland (£334k in 2009).

Accident and Emergency Services at Whiteabbey Hospital

Mr A Ross asked the Minister of Health, Social Services and Public Safety how many people attended the Whiteabbey Hospital A&E department in each of the last three years.

(AQW 7071/10)

Minister of Health, Social Services and Public Safety: This information is published in the annual 'Hospital Statistics' publication available online at http://www.dhsspsni.gov.uk/index/stats_research/stats-activity_stats-2/hospital_statistics.htm.

Accident and Emergency Services at Whiteabbey Hospital

Mr A Ross asked the Minister of Health, Social Services and Public Safety how the closure of A&E services at Whiteabbey Hospital will affect emergency response times in the Newtownabbey area.

(AQW 7072/10)

Minister of Health, Social Services and Public Safety: The Northern Ireland Ambulance Service (NIAS) does not measure performance at local council level.

Additional cover has been put in place to ensure no adverse effect on emergency response performance in the Northern LCG area which includes Newtownabbey. NIAS will be closely monitoring

future performance but, as the changes only took effect from 24 May 2010, it is too early to make any meaningful assessment.

Number and Age of Adopted Children

Ms S Ramsey asked the Minister of Health, Social Services and Public Safety to detail the number and age of children adopted in each Health and Social Care Trust area in each of the last five years.
(AQW 7076/10)

Minister of Health, Social Services and Public Safety: Figures for children adopted from care in Northern Ireland by age at adoption for the last four years for which information was collected are detailed in the statistical bulletin, 'Adoption of Looked After Children in Northern Ireland (2007/08)'. This bulletin is available on the DHSSPS website at:

http://www.dhsspsni.gov.uk/index/stats_research/stats-cib-3/statistics_and_research-cib-pub/children_statistics/statistics_and_research-cib_adoption.htm

Due to small numbers and to avoid personal disclosure figures are not presented by HSC Trust.

Adoption Cases

Ms S Ramsey asked the Minister of Health, Social Services and Public Safety to detail the number of adoption cases to be referred to (i) gateway teams; and (ii) family intervention teams which remain unallocated.
(AQW 7085/10)

Minister of Health, Social Services and Public Safety: Information is not available in the format requested.

Northern Health and Social Care Trust Employees

Mr P McGlone asked the Minister of Health, Social Services and Public Safety what instructions were issued by the Northern Health and Social Care Trust to employees in relation to expressing concerns about recent decisions made by the Trust; and when the instructions were issued.
(AQW 7086/10)

Minister of Health, Social Services and Public Safety: The Northern Trust has a Whistleblowing Policy in place which is applicable to all employees. This policy is designed to ensure that concerns around issues that are in the public interest can be raised with an appropriate officer of the Trust and dealt with openly and effectively.

In the week prior to the recent changes at Mid-Ulster and Whiteabbey hospitals the Trust reminded Junior Doctors of this whistleblowing policy together with their requirements of professional duty as set out by the General Medical Council.

Ballymena Health and Care Centre

Mr D McKay asked the Minister of Health, Social Services and Public Safety for an update on the new Ballymena Health and Care Centre.
(AQW 7091/10)

Minister of Health, Social Services and Public Safety: The Northern Health and Social Care Trust is currently finalising the Business Case for the new Ballymena Health and Care Centre and it is anticipated that this will be resubmitted to my Department shortly for appraisal. I remain committed to the scheme but I am unable to confirm when work on the new Health and Care Centre will commence until the business case has been approved and the availability of capital and revenue resources has been confirmed.

Cancer Screening

Mr A McQuillan asked the Minister of Health, Social Services and Public Safety what action his Department is taking to increase the uptake in cancer screening for both men and women.
(AQW 7093/10)

Minister of Health, Social Services and Public Safety: Currently there are three cancer screening programmes in Northern Ireland. The breast and cervical screening programmes were introduced over 20 years and in April this year, I launched the Bowel Cancer Screening Programme which invites men and women aged between 60 and 69, to participate in screening every two years.

It is important that people, when invited, participate in cancer screening programmes as they are important public health initiatives aimed at reducing deaths from cancer in our population. Currently 75% of women attend for their cervical and breast screening appointments, however research evidence shows uptake is lower in areas of social and economic deprivation. The Public Health Agency which I established in 2009 has undertaken a range of local initiatives to promote cancer screening in order to improve uptake in these areas.

Each screening programme is supported by a suite of leaflets to provide information on the benefits of screening and encourage men and women to take part in an initiative that could save their life.

My Department works in partnership with the Public Health Agency, voluntary organisations, including Action Cancer and the Ulster Cancer Foundation and other main stakeholders in order to promote all three cancer screening programmes and encourage high uptake.

Deprived Areas: Health Care

Mr A McQuillan asked the Minister of Health, Social Services and Public Safety what steps he intends to take to engage people in deprived areas who are in need of health care.
(AQW 7096/10)

Minister of Health, Social Services and Public Safety: A key task of the Public Health Agency, established as part of my reforms in Health and Social Care, is to work with other HSC bodies, local government, housing, education and others to address the determinants of poor health and wellbeing in local communities.

The PHA is particularly focused on engaging communities in geographical areas of highest social deprivation and health need, or social groupings that have fallen behind general levels of health. The Agency will be working with the Local Commissioning Groups of the Health and Social Care Board to involve patients, clients, carers and communities directly in the planning of the services they need.

Judicial System for Alleged Sexual Offences

Lord Morrow asked the Minister of Health, Social Services and Public Safety to outline the role of Social Services in the management of under 18's who are being processed through the judicial system for alleged sexual offences; and whether participation by Social Services can be considered part of the bail conditions.
(AQW 7109/10)

Minister of Health, Social Services and Public Safety: The role of Social Services with regard to any young person under 18 being processed through the judicial system will depend on the legal status of the young person. Social Services have specific statutory responsibilities under the Children Order (NI) 1995 for young people who are looked after as well as children at risk or in need. The issue of what matters can be considered as part of bail conditions is a matter determined by the PSNI and the courts. The Minister for Justice would be best placed to provide this information.

Protect Life Strategy

Ms S Ramsey asked the Minister of Health, Social Services and Public Safety how much funding each group received through the Protect Life Strategy, broken down by constituency, in each of the last three years.

(AQW 7113/10)

Minister of Health, Social Services and Public Safety: The Department provides £3.2 million funding per annum to support implementation of “Protect Life” suicide prevention strategy. Over £2.0 million of this funding is invested to support local communities with the development of suicide prevention initiatives in line with their local action plans.

The information requested is not available by constituency.

Protect Life Strategy

Ms S Ramsey asked the Minister of Health, Social Services and Public Safety for a breakdown of the money spent on media campaigns for the Protect Life Strategy.

(AQW 7114/10)

Minister of Health, Social Services and Public Safety: The “Protect Life” Suicide Prevention Strategy contains actions for suicide awareness information campaigns which seek to de-stigmatise mental health and encourage help seeking behaviour. Of the £3.2 m provided per annum by my Department for implementation of the “Protect Life” Strategy, funding has been allocated for the development of associated awareness raising campaigns as follows:

2006/07	2007/08	2008/09	2009/10
£315,387	£422,769	£302,746	£137,927

The costs include TV, cinema, radio, and online advertising, and also all supporting materials such as leaflets and posters.

Emergency Contraceptive Pills

Mrs D Kelly asked the Minister of Health, Social Services and Public Safety how many emergency contraceptive pills have been prescribed or dispensed in each of the last three years.

(AQW 7156/10)

Minister of Health, Social Services and Public Safety: The number of emergency contraceptive pills for which a prescription was written, dispensed, and presented for payment in each of the last three years is shown in the table below. This information was obtained from the Prescription Cost Analysis NI, Family Practitioner Services, BSO.

Table 1: Number of emergency contraceptive pill items dispensed 2007 - 2009

	2007	2008	2009
Number of items dispensed	13,543	13,146	13,149

Source: Prescription Cost Analysis NI, Family Practitioner Services, BSO.

The figures shown are the number of items dispensed during the year; information on the number of items prescribed is not held centrally. These figures do not include emergency contraceptive pills supplied to patients without a prescription being issued, which would include drugs provided from stock by hospitals, accident and emergency departments, and family planning clinics. The number of emergency contraceptive pills that are sold over the counter in pharmacies, without the need for a prescription, are not included in the figures above.

Private Clinics

Mr T Buchanan asked the Minister of Health, Social Services and Public Safety to detail the number of private clinics held by consultants in each Health and Social Care Trust, in each of the last three years.
(AQW 7162/10)

Minister of Health, Social Services and Public Safety: Information on the number of private clinics held by consultants in each Health and Social Care Trust, in each of the last three years is not available.

Staff Bonuses

Mr T Buchanan asked the Minister of Health, Social Services and Public Safety how much has been paid in bonuses to (i) consultants; and (ii) senior staff and management in each Health and Social Care Trust, in each of the last three years.

(AQW 7163/10)

Minister of Health, Social Services and Public Safety:

- (i) There were no bonuses paid to consultants employed in Trusts in the last three years. (ii) There were also no Superior Award bonuses paid to Trust Chief Executives and Directors in April 2009 in relation to the April 2008 to March 2009 performance period. Details of the bonuses paid to Trust Chief Executives and Directors in relation to the 2007 and 2008 years are published in the HSC Trust's annual reports.

Person-centred Plans

Mr P Weir asked the Minister of Health, Social Services and Public Safety to detail the current number of person-centred plans.

(AQW 7166/10)

Minister of Health, Social Services and Public Safety: The number of person centred plans would not be recorded specifically for each individual patient or across Programme of Care. Information could only be provided at disproportionate cost.

Review of Public Administration

Mr P McGlone asked the Minister of Health, Social Services and Public Safety to detail the cost, to date, to his Department and its agencies for the Review of Public Administration.

(AQW 7182/10)

Minister of Health, Social Services and Public Safety: The total cost to date of implementing the Review of Public Administration is £81.34m. The majority of this has been spent on early retirements and voluntary redundancies that will facilitate the achievement of £53m recurring savings from administration.

National Hip Fracture Database

Mr J McCallister asked the Minister of Health, Social Services and Public Safety what measures are in place to ensure that all hospitals, receiving fracture patients, register and provide data to the National Hip Fracture database.

(AQW 7202/10)

Minister of Health, Social Services and Public Safety: Four trusts treat fracture patients in Northern Ireland and all four trusts are committed to submitting data to the National Hip Fracture database (NHFD). Presently three trusts provide data to the NHFD and the remaining Trust is awaiting approval from the Commissioner to allow their full participation in the NHFD.

An information infrastructure to ensure high quality services are available to patients is one of the recommendations set out in a report on "The Prevention and Management of Fragility Fractures in Northern Ireland". I have asked the Health and Social Care Board to consider the most appropriate mechanism to implement the report's recommendations and to explore what can be achieved regarding use of the NHFD in all Trusts that treat fracture patients, taking account of the financial context of 2010 and beyond.

Out of Hours GP Service

Mr B Leonard asked the Minister of Health, Social Services and Public Safety what consideration he has given to reversing the decision to cut the out-of-hours GP service from 1 July, in order to allow for an inclusive consultation to take place and for alternative funding streams to be examined.

(AQW 7360/10)

Minister of Health, Social Services and Public Safety: The GP out of hours service in the Western area is not being cut, it is being reconfigured to deliver a more effective and efficient service. As there will be no reduction in the service, an inclusive consultation is not necessary.

GP Surgery in Meigh, Co. Armagh

Mr M Brady asked the Minister of Health, Social Services and Public Safety if he can confirm the start date and completion date of the new build for the GP surgery in Meigh, Co. Armagh.

(AQW 7372/10)

Minister of Health, Social Services and Public Safety: The Health and Social Care Board has advised that, subject to final credit approvals, the Practice intends to start work in August 2010. The building works are scheduled to take nine months to complete.

Mid-Ulster Hospital

Mr T Gallagher asked the Minister of Health, Social Services and Public Safety why the decision of the Northern Health and Social Care Trust to close services at the Mid-Ulster Hospital was not subject to an Equality Impact Assessment.

(AQW 7406/10)

Minister of Health, Social Services and Public Safety: An Equality Impact Assessment was carried out by the Department as part of the Developing Better Services strategy in 2002 for modernising hospitals and reforming structures in Northern Ireland. In addition the service changes at both Mid-Ulster and Whiteabbey hospitals were equality impact assessed and consulted on in January 2009 as part of the Northern Trust's 'Reconfiguration of Acute Hospital Services – Consultation and Equality Impact Assessment – January 2009.' A full copy of this report is available on the Trust's website at:

http://www.northerntrust.hscni.net/pdf/Reconfiguration_of_acute_hospital_services.pdf

Both assessments took into consideration all areas covered under section 75 of the NI Act 1998 and in keeping with the Equality Commission's requirements the Trust has put in place arrangements to monitor and review the impact of these changes on those directly affected.

Genito-Urinary Medicine Services

Ms M Anderson asked the Minister of Health, Social Services and Public Safety (i) to detail the level of Genito-Urinary Medicine services available in each Health and Social Care Trust area; (ii) whether he is aware of any concerns regarding the level of support available to HIV patients attending the GUM Clinic at the Royal Victoria Hospital; and (iii) whether any financial support is available for patients who travel to England for HIV support services because of the lack of availability locally.

(AQW 7525/10)

Minister of Health, Social Services and Public Safety:**(I) SERVICES AVAILABLE**

HSC Trust	Location	Opening Hours
Belfast	Royal Victoria Hospital	14 Consultant led clinics per week 13 Nurse led clinics per week Clinic opens at 7.30am for patient registration & clinics start at 1.30pm
Northern	Causeway Hospital	Walk in clinics held (1) on: Tuesday at 5pm Friday at 1.30pm Nurse led clinics held 9.30am – 12pm 3 mornings a week
Southern	Daisy Hill Hospital	Provides 3 clinics per week: Monday 6pm – 8pm Wednesday 9am – 12.30pm Friday 2pm – 4pm
South Eastern	Downe Hospital (2)	Monday 4pm – 8pm Wednesday 9am – 1pm Friday 1pm – 5pm
Western	Altnagelvin Area Hospital	Provides 6 clinics per week. Clinics are am/pm and one evening clinic: 9.30am – 1.00pm 4 mornings a week 2.00pm – 4.30pm once a week 5.00pm – 8.00pm once a week

Source: Health and Social Care Trusts

- (ii) The Belfast Trust receives a very small number of complaints from HIV patients, (2 in last 6 months). No concerns have been raised about the level of support available to HIV patients, both these complaints were regarding medical consultations. There have been no complaints about difficulty in obtaining appointments to the HIV clinics.
- (iii) Financial support is not provided for patients to travel to England as the Belfast Trust provides 2 HIV clinics per week which is sufficient capacity to see and review patients in a timely manner. The Trust is unable to provide fertility treatment for HIV patients and when this highly specialist service is required funding is provided for patients to attend a London clinic.

Mid-Ulster Hospital

Mr I McCrea asked the Minister of Health, Social Services and Public Safety whether a resuscitation unit is available at the Mid-Ulster Hospital.

(AQW 7548/10)

Minister of Health, Social Services and Public Safety: The Northern Trust has advised that a resuscitation team is available at the Mid-Ulster hospital.

Department of Justice

Policing Board

Mr D McKay asked the Minister of Justice what action he will take to prevent political vetting of nationalists and republicans who work, or apply to work, for the Policing Board.

(AQW 6926/10)

Minister of Justice (Mr D Ford): The Northern Ireland Policing Board is a Non Departmental Public Body operating at arms length from the Department of Justice. However, I am advised that the Policing Board does not undertake political vetting for any current or potential employee of the organisation. The work of the post and the degree of access to sensitive government assets determines whether or not security clearance is required and if so, to what level.

In relation to Security Vetting, the Policing Board operates within the Security Policy Framework published by Cabinet Office.

Complaints to the Police Ombudsman

Mr D McKay asked the Minister of Justice if he has met with the Police Ombudsman since coming to office; and if he has discussed the high number of complaints to the Ombudsman relating to incivility and oppressive behaviour by the PSNI.

(AQW 7036/10)

Minister of Justice: I met the Police Ombudsman for Northern Ireland on 20 May, together with his Senior Director of Investigations and the Chief Executive of his office. During this meeting I asked him about the types of complaints made against the police and the trends of these complaints over time.

The Police Ombudsman will address the numbers of different types of complaint in his Annual Report which will be published in July.

Discretion Project

Mr A McQuillan asked the Minister of Justice when the Discretion Project will be rolled out to all the policing districts.

(AQW 7080/10)

Minister of Justice: The Discretion Project pilot, and any roll-out, is a matter for the Chief Constable, who is accountable to the Northern Ireland Policing Board. I am committed to respecting the operational independence of the Chief Constable and the role of the Policing Board, and I have forwarded this Question to the Chief Constable, who will respond directly.

Discretioin Project

Mr A McQuillan asked the Minister of Justice how he will ensure the Discretioin Project will offer fair and transparent policing; and how the project will be monitored.

(AQW 7084/10)

Minister of Justice: The Discretion Project is a matter for the Chief Constable, who is accountable to the Northern Ireland Policing Board. I am committed to respecting the operational independence of the Chief Constable and the role of the Policing Board, and I have forwarded this Question to the Chief Constable, who will respond directly.

Street Disturbances

Mr J O'Dowd asked the Minister of Justice how many people have been charged and convicted as a result of street disturbances, connected to dissident activity, in the Lurgan and Brownlow areas in each of the last three years.

(AQW 7126/10)

Minister of Justice: Information in respect of charges is in the first instance a matter for the Chief Constable, who is accountable to the Northern Ireland Policing Board. I am committed to respecting the operational independence of the PSNI and the role of the Policing Board, and I have asked the Chief Constable to respond directly on this issue.

It is not possible to provide the conviction figures as Court Service records do not identify convictions in relation to street disturbances that may be connected to dissident activity. However, I would draw the Members' attention to my response to AQW/7127/10 which provides general information in respect of a range of offences, which may have been associated with street disturbances, for the Craigavon Court Division 2007 to 2009.

Riotous or Associated Behaviour

Mr J O'Dowd asked the Minister of Justice how many people found guilty of riotous, or associated behaviour, in the Lurgan and Brownlow areas in the last three years have used alcohol consumption as a defence or a contributing factor for their behaviour.

(AQW 7127/10)

Minister of Justice: The numbers of persons appearing before Craigavon magistrates' court in the last three years on a charge of riotous behaviour is set out in Table 1.

Table 1 - Number of persons prosecuted, number found guilty and number found not guilty for the offence of 'riotous behaviour' for Craigavon Petty Sessions District 2007 to 2009 (this will include cases for Lurgan and Brownlow, but also other areas such as Portadown.)

	Number prosecuted	Guilty	Not guilty
2007	6	6	0
2008	9	5	4
2009 ¹	5	4	1

1 Data for 2009 are provisional.

The details of the defence made in answer to charges before a magistrates' court are not recorded.

There was one case at Craigavon Crown Court in 2009 involving a charge of riot in which no plea was entered and the charge was left on the books (not proceeded with).

Driving Offences

Mr T Burns asked the Minister of Justice to detail the number of drivers caught driving without (i) insurance; (ii) road tax; (iii) a valid driving licence; and (iv) any combination of these offences in each of the last 5 years, broken down by vehicle type; and the number of people who were caught repeating the same offences (a) once; (b) twice; (c) three times; and (d) four or more times.

(AQW 7134/10)

Minister of Justice: My Department is not responsible for the collation of these statistics.

Statistics in relation to road traffic offences may be obtained by contacting PSNI directly.

Hit and Run Road Traffic Accidents

Mr T Burns asked the Minister of Justice to detail the number of 'hit and run' road traffic accidents recorded in each of the last five years.

(AQW 7135/10)

Minister of Justice: My Department is not responsible for the collation of these statistics.

Statistics in relation to the number of 'hit and run' road traffic accidents may be obtained by contacting PSNI directly.

Road Traffic Accidents

Mr T Burns asked the Minister of Justice to detail the number of road traffic accidents recorded by the PSNI in each of the last five years.

(AQW 7136/10)

Minister of Justice: My Department is not responsible for the collation of these statistics.

Statistics in relation to the number of road traffic accidents recorded by the PSNI may be obtained by contacting the PSNI directly

Road Traffic Accidents

Mr T Burns asked the Minister of Justice to detail the number of learner drivers, or holders of provisional driving licences, who have been involved in road traffic accidents in each of the last five years, broken down by vehicle type.

(AQW 7138/10)

Minister of Justice: My Department is not responsible for the collation of these statistics.

Statistics in relation to the number of this type of road traffic accident may be obtained by contacting PSNI directly.

Agencies and Bodies Funded by the Department

Mr J Craig asked the Minister of Justice to detail (i) all the agencies and bodies funded by, and associated with, his Department; and (ii) the total running costs of each agency or body for each of the last five years.

(AQW 7146/10)

Minister of Justice: The following agencies and other arms length bodies are currently funded by the Department of Justice. Their running costs (resource costs) for each of the past five years are as follows:

Notes:

- all figures in thousands
- 2009/10 figures are subject to audit

Executive Agencies	2009/10	2008/09	2007/08	2006/07	2005/06
NI Prison Service	139,720	139,380	130,359	136,321	130,685
Compensation Agency	3,622	3,848	3,604	3,978	4,547
Youth Justice Agency	23,489	21,621	21,981	26,087	19,513

Executive Agencies	2009/10	2008/09	2007/08	2006/07	2005/06
Forensic Science NI	11,674	10,761	10,142	9,503	9,002
NI Courts & Tribunal Services	83,259	85,543	76,905	78,339	76,110

Executive NDPBs	2009/10	2008/09	2007/08	2006/07	2005/06
Police Service NI	1,248,492	1,230,520	1,221,511	921,129	887,689
Probation Board NI	19,177	16,573	15,544	15,654	15,408
NI Policing Board	8,168	8,126	8,144	7,988	7,756
Office of the Police Ombudsman	8,897	8,618	8,534	8,433	7,953
NI Police Fund	279	321	242	283	334
Criminal Justice Inspection NI	1,433	1,429	1,410	1,246	1,277
RUC George Cross Foundation	170	222	150	162	158
NI Legal Services Commission	103,000	86,983	79,861	74,082	62,260

Advisory NDPBs	2009/10	2008/09	2007/08	2006/07	2005/06
Independent Assessor for PSNI Recruitment Applications	15	18	18	17	21
NI Law Commission	934	888	330	0	0

Tribunal NDPB	2009/10	2008/09	2007/08	2006/07	2005/06
Criminal Injuries Compensation Appeals Panel NI	662	704	671	569	0

Non-profit Institution Serving Households	2009/10	2008/09	2007/08	2006/07	2005/06
Police Rehabilitation & Retraining Trust	2,294	2,234	2,175	2,120	2,114

Miscellaneous Body	2009/10	2008/09	2007/08	2006/07	2005/06
Prison Service Trust	298	282	183	285	240
NI Prison Service Sports Association	15	10	0	14	10
Central Benevolent Fund	13	15	14	19	7

Independent Statutory Office Holder	2009/10	2008/09	2007/08	2006/07	2005/06
Parole Commissioners / Life Sentence Review Commissioners	893	721	528	373	295
Commissioner for Hearings under Prison Rule 109b / Remission of Sentences Commissioners	12	12	12	9	14
Prisoner Ombudsman	694	759	744	744	609

Independent Monitoring Boards	2009/10	2008/09	2007/08	2006/07	2005/06
Independent Monitoring Boards	187	n/a	n/a	n/a	n/a

Independent Monitoring Boards are for Maghaberry, Magilligan and Hydebank Wood prisons. This expenditure was combined with the Prisoner Ombudsman expenditure until 2009/10.

Voluntary Support Body	2009/10	2008/09	2007/08	2006/07	2005/06
RUC George Cross Widows Association	40	40	40	40	40

Cases Withdrawn at Court Level

Lord Morrow asked the Minister of Justice how many cases have been withdrawn at court level and replaced by a caution in each court division, in the last twelve months.

(AQW 7150/10)

Minister of Justice: The decision to withdraw or not proceed with a charge is one taken by the prosecuting authority and can occur either prior to the matter appearing in court or at a court hearing.

There is a considerable range of situations which may result in a charge being withdrawn at court and the reasons for withdrawal are not recorded as part of the final court order. It is therefore not possible to provide information specifically in relation to those cases which were withdrawn at court to allow a caution to be administered.

However, the Public Prosecution Service for Northern Ireland (PPS) have been able to provide information on the number of persons initially issued with a PPS prosecution decision, where that decision was followed at a later date by a diversionary decision for caution – as set out in Table 1. The figures cover the period of April 2009 to April 2010 and should be regarded as provisional at this stage. This reflects cases submitted to PPS only.

Table 1 – PPS Prosecution Decision Replaced by a Caution April 2009 – April 2010

County Court Division	Cases
Antrim	193
Ards	181

County Court Division	Cases
Armagh And South Down	87
Belfast	381
Craigavon	71
Fermanagh and Tyrone	128
Londonderry	155
Total	1,196

PSNI Civilian Staff Applications

Mr D McKay asked the Minister of Justice if ex-RUC members' previous experience will be taken into account in PSNI civilian staff applications.

(AQW 7151/10)

Minister of Justice: The criteria which may be taken into account in PSNI civilian staff applications are a matter for the Chief Constable, who is accountable to the Northern Ireland Policing Board. I am committed to respecting the operational independence of the Chief Constable and the role of the Policing Board and I have forwarded this question to the Chief Constable, who will respond directly.

PSNI Applicants

Mr A Maskey asked the Minister of Justice how many times security clearance has been denied to PSNI applicants on the grounds that they had a sibling who was a member of (i) Sinn Féin; (ii) SDLP; (iii) DUP; (iv) UUP; and (v) PUP.

(AQW 7153/10)

Minister of Justice: The vetting of PSNI applicants is a matter for the Chief Constable, who is accountable to the Northern Ireland Policing Board. I am committed to respecting the operational independence of the Chief Constable and the role of the Policing Board, and I have forwarded this Question to the Chief Constable, who will respond directly.

Policing Board

Mr A Maskey asked the Minister of Justice, in light of Kevin Kennedy being refused security clearance by the PSNI to work for the Policing Board because his brother was a member of Sinn Féin, how many times this provision has been used since 1998; and to give a religious breakdown of the applicants affected.

(AQW 7154/10)

Minister of Justice: The Department of Justice has no role in the security vetting process.

Policy in respect of Security Vetting is a matter for the Cabinet Office.

Operationally security vetting of civil servants is carried out by the Defence Vetting Agency and prior to 2008 by the Northern Ireland Security Vetting Unit (which was part of the Northern Ireland Office)

Social Networking Sites

Lord Morrow asked the Minister of Justice if he intends to introduce legislation to combat the use of social networking sites for organising criminal activity or behaviour.

(AQW 7155/10)

Minister of Justice: I have no plans, at present, to introduce legislation to combat the use of social networking sites for organising criminal activity or behaviour. Whilst I share your concerns regarding this

type of activity, the internet by its nature is global and therefore solutions do not rest in one jurisdiction. The police have advised that they will investigate specific complaints on a case by case basis.

Youth Conference

Ms C Ní Chuilín asked the Minister of Justice how many times a young person will go through a youth conference before a different course of action is pursued.

(AQW 7176/10)

Minister of Justice: The Justice (Northern Ireland) Act 2002 prescribes the legal authority for the court to make a Youth Conference Order. There is no upper limit for the number of conferences that a young person could attend for different offences. Each offence must be considered by the appropriate authority (Court/PPS) on a case by case basis.

As with Probation Orders, Custody, Fines, Conditional Discharges, Suspended Sentences and Youth Conference Orders, the youth court can make repeat sentences.

Sentencing

Mr P Weir asked the Minister of Justice what plans he has to put forward new guidelines or legislative requirements on sentencing.

(AQW 7215/10)

Minister of Justice: I have recently announced that I will be launching a consultation on sentencing guidelines mechanisms. While sentencing in individual cases is, of course, a matter for the judiciary, I want to examine all options on how best to establish a more transparent, consistent approach to sentencing that will promote public confidence.

Prisoners Under the Jurisdiction of the Secretary of State for Northern Ireland

Mr A Ross asked Minister of Justice how many prisoners in the current prison population remain under the jurisdiction of the Secretary of State for Northern Ireland.

(AQW 7220/10)

Minister of Justice: None. All prisoners detained in custody in Northern Ireland fall under the jurisdiction of the Department of Justice, including prisoners held formerly at the pleasure of the Secretary of State. These prisoners are now being held at the pleasure of the Department of Justice.

European Arrest Warrants

Lord Morrow asked the Minister of Justice for a breakdown of the (i) procedures; and (ii) costs involved in obtaining and serving a European Arrest Warrant.

(AQW 7232/10)

Minister of Justice: The procedures and costs incurred by the PSNI in obtaining and serving a European Arrest Warrant are matters for the Chief Constable who is accountable to the Northern Ireland Policing Board. I am committed to respecting the operational independence of the Chief Constable and the role of the Policing Board, and I have forwarded this Question to the Chief Constable, who will respond to you directly.

Cost of Housing a Prisoner

Mr T Elliott asked the Minister of Justice what was the average cost of housing a prisoner in (i) 2008; and (ii) 2009.

(AQW 7246/10)

Minister of Justice: The Northern Ireland Prison Service calculates an average cost per prisoner place for each financial year. This information is set out below.

	2008/09	2009/10
Cost Per Prisoner Place	£81,340	£77,831

Anti-social Behaviour Orders

Lord Morrow asked the Minister of Justice, pursuant to AQW 6709/10, in which council areas the six breached anti-social behaviour orders occurred.

(AQW 7251/10)

Minister of Justice: Given the small numbers involved I have been advised by the relevant authorities that to give the further breakdown of the information for the six breaches of anti-social behaviour orders could lead to the potential identification of the individuals.

In the circumstances it is not therefore possible to provide the information sought.

Items Lost by Forensic Science Northern Ireland

Mr T Burns asked the Minister of Justice to detail (i) the total number of items lost or misplaced by Forensic Science Northern Ireland in each of the last ten years; (ii) the types of items lost or misplaced; (iii) the length of time for which each item was lost or misplaced; (iv) whether each item was found or is still missing; and (v) to which investigations these items related.

(AQW 7255/10)

Minister of Justice:

- (i) For the years 2000 to 2006 inclusive, Forensic Science Northern Ireland does not hold information on the number of items temporarily misplaced; however there are no items from that period which remain unaccounted for. In 2007, 13 items were misplaced of which two remain as yet unaccounted for. In 2008, one item was misplaced but has subsequently been accounted for. In 2009 six items were misplaced of which two remain unaccounted for, and in the year 2010 to date five items were misplaced all of which are now accounted for.
- (ii) The types of items are reflective of the range of items generally submitted to FSNI. For example, body fluid samples, items of clothing and household items.
- (iii) Regarding the length of time taken to account for misplaced items, Forensic Science Northern Ireland only holds such information from 2007 onwards. 21 items were misplaced since 2007. Of these 16 items were accounted for within eight weeks and remainder within 15 weeks.
- (iv) Over the 10 year period, four items remain unaccounted for.
- (v) For legal reasons, it is not appropriate to give information linking items to specific cases. Not all items are destined to be used as evidence and in any relevant court proceedings and any issues concerning the tracking of exhibits is fully disclosed to the Court.

To help put the above statistics into context, it should be noted that over the last 10 years, FSNI received approximately 200,000 primary exhibits and derived a further 800,000 sub-exhibits from them, giving a total of approximately 1 million items. Although ideally of course, no items should be mislaid, the total figure of 4 items remaining unaccounted for over the last 10 years represents an extremely small proportion of the total.

Riotous Behaviour

Mr D McKay asked the Minister of Justice how many people found guilty of riotous, or associated behaviour, in Ballymena in the last three years have used alcohol consumption as a defence or a contributory factor for their behaviour.

(AQW 7309/10)

Minister of Justice: The numbers of persons appearing before Ballymena Magistrates' Court in the last three years on a charge of riotous behaviour is set out in Table 1.

TABLE 1 - NUMBER OF PERSONS PROSECUTED, NUMBER FOUND GUILTY AND NUMBER FOUND NOT GUILTY FOR THE OFFENCE OF 'RIOTOUS BEHAVIOUR' FOR BALLYMENA PETTY SESSIONS DISTRICT 2007 TO 2009.

	Number prosecuted	Guilty	Not guilty
2007	3	2	1
2008	0	0	0
2009 ¹	5	5	0

1 Data for 2009 are provisional.

As a Magistrates' Court is not a court of record, the details of the defence made in answer to charges before a Magistrates' Court are not recorded.

Drugs-Related Offences

Mr D McKay asked the Minister of Justice how many people have been found guilty of drugs-related offences in Ballymena in each of the last five years.

(AQW 7310/10)

Minister of Justice: The table below gives the number convicted for drug-related offences in the Ballymena police District Command Unit.

Data cover the calendar years 2002 to 2006 (the latest year for which figures are currently available) and are collated on the principal offence rule; only the most serious offence for which an offender is convicted is included.

NUMBER CONVICTED FOR DRUG-RELATED OFFENCES IN BALLYMENA POLICE DISTRICT COMMAND UNIT (DCU)¹ 2002-2006

Year	2002	2003	2004	2005	2006
Number convicted	29	26	34	29	29

1 Based on the DCU in which the offender's address falls.

Drug Dealing Convictions

Mr D McKay asked the Minister of Justice how many people have been found guilty of drug dealing in each of the last five years, broken down by district court.

(AQW 7311/10)

Minister of Justice: The table below gives the number convicted of drug dealing offences by court division.

Data cover the calendar years 2002 to 2006 (the latest year for which figures are currently available) and are collated on the principal offence rule; only the most serious offence for which an offender is convicted is included.

NUMBER CONVICTED FOR DRUG DEALING OFFENCES¹ BY COURT DIVISION 2002-2006

	2002	2003	2004	2005	2006
Belfast	23	20	44	34	34
Antrim	19	30	51	23	33
Ards	7	19	19	29	28

	2002	2003	2004	2005	2006
Armagh & South Down	9	9	13	14	10
Craigavon	17	11	15	18	23
Fermanagh & Tyrone	15	14	24	19	7
Londonderry	22	16	16	12	24
Total	112	119	182	149	159

- 1 Includes offences relating to the production, supply, possession with intent to supply drugs and the offence of cultivating cannabis.

PSNI Applicants

Mr D McKay asked the Minister of Justice what he will do to ensure that people applying for jobs in the PSNI, or elsewhere in the criminal justice system, will not be discriminated against because of their political opinion or the political opinion or party membership of their relatives.

(AQW 7312/10)

Minister of Justice: The Fair Employment and Treatment (Northern Ireland) Order 1998, as amended, makes it unlawful to discriminate for employment purposes on the grounds of political opinion. The Criminal Justice system is committed to respecting the legislative framework surrounding employment issues.

Registered Sex Offenders

Lord Morrow asked the Minister of Justice whether all registered sex offenders are required to live at suitable addresses approved by the PSNI and the Probation Board.

(AQW 7346/10)

Minister of Justice: The notification requirements contained in the Sexual Offences Act 2003 require all offenders who have been convicted of sexual offences, and who meet certain thresholds in relation to the seriousness of the offence, to notify personal details of identity and whereabouts to the police. There is no requirement in the legislation to live in accommodation approved by the police or probation.

However, sex offenders may also be subject to a sexual offences prevention order (SOPO). This is a civil order, under the Sexual Offences Act 2003, for the purpose of protecting the public from serious harm. An order may prevent an offender from living in accommodation which has not been approved by the police. Breach of an order is a criminal offence.

Sex offenders who are released under licence or probation supervision may, as part of their release conditions, have to live in accommodation approved by probation. If they do not comply with these conditions they can be returned to court.

Interventions relating to accommodation are based on risk assessment and managing risk.

Firearms Licences

Mr A Ross asked the Minister of Justice how many people currently hold firearms licences.

(AQW 7347/10)

Minister of Justice: Firearms licensing is a matter for the Chief Constable, who is accountable to the Northern Ireland Policing Board. I am committed to respecting the operational independence of the Chief Constable and the role of the Policing Board, and I have forwarded this Question to the Chief Constable, who will respond directly.

Air Rifles

Mr A Easton asked Minister of Justice to outline the current law in relation to air rifles.

(AQW 7382/10)

Minister of Justice: It is an offence to possess, purchase or acquire an air gun without holding a firearm certificate for it. There are exceptions to the firearm certificate rule for possession and acquisition of certain air guns at recreational facilities and certain very low powered air guns. Normally a person must be aged 18 or over to be granted a firearm certificate.

Firearms Licences

Mr A Ross asked the Minister of Justice how many people currently hold firearms licences in each constituency.

(AQW 7400/10)

Minister of Justice: Firearms licensing is a matter for the Chief Constable, who is accountable to the Northern Ireland Policing Board. I am committed to respecting the operational independence of the Chief Constable and the role of the Policing Board, and I have forwarded this Question to the Chief Constable, who will respond directly.

Department for Regional Development

Interruptions in Water Supply

Mr C McDevitt asked the Minister for Regional Development to detail the percentage of households that experienced unplanned interruptions in their water supply in 2009/10.

(AQW 6903/10)

Minister for Regional Development (Mr C Murphy): I have been advised by Northern Ireland Water that, for regulatory purposes, it only keeps records of unplanned interruptions to the water supply exceeding 6 hours, 12 hours and 24 hours. The percentage of households experiencing unplanned interruptions to their water supply in these categories, during 2009/10, is listed below. This includes properties experiencing interruptions caused by third parties, properties experiencing overruns of planned interruptions and 1,564 properties experiencing frozen communication pipes (the pipe which connects the water main to the pipework within the customer's property).

- 1.299% for a period exceeding 6 hours.
- 0.494% for a period exceeding 12 hours.
- 0.287% for a period exceeding 24 hours.

The percentage of households experiencing unplanned interruptions to their water supply in these categories, excluding incidents relating to the severe weather in December 2009, January 2010 and March 2010 during 2009/10 is:

- 0.635% for a period exceeding 6 hours.
- 0.171% for a period exceeding 12 hours.
- 0.013% for a period exceeding 24 hours.

Speed Bumps

Mr D McKay asked the Minister for Regional Development how many speed bumps have been installed by Roads Service in (i) Northern Division; (ii) Southern Division; (iii) Eastern Division; and (iv) Western Division areas in the last ten years.

(AQW 6922/10)

Minister for Regional Development: My Department's Roads Service carries out a programme of Traffic Calming schemes each year. The overall objective of this programme is to improve driver behaviour and control traffic speed, in order to reduce the number of collisions, primarily those involving pedestrians and cyclists. These Traffic Calming schemes incorporate a number of traffic calming measures, not all of which involve the use of speed bumps. 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

The table below provides the number of Traffic Calming schemes that have involved speed bumps, in each of the four Roads Service Divisions, since the 1999-2000 financial year:-

Year	Northern	Southern	Eastern	Western	Total
1999/00	4	4	8	1	17
2000/01	3	3	9	1	16
2001/02	4	10	14	3	31
2002/03	9	7	11	4	31
2003/04	9	11	21	5	46
2004/05	7	6	26	6	45
2005/06	10	7	21	8	46
2006/07	4	7	15	10	36
2007/08	10	10	16	8	44
2008/09	9	11	23	9	52
Total	69	76	164	55	364

Footpath from Martinstown to Con Magees Gaelic Athletic Club

Mr D McKay asked the Minister for Regional Development if Roads Service has been contacted by any elected representatives in relation to the delaying or postponing of building a footpath from Martinstown to Con Magees Gaelic Athletic Club.

(AQW 6924/10)

Minister for Regional Development: My Department's Roads Service has advised that it has not been contacted by any elected representatives, in relation to delaying or postponing the construction of a footpath from Martinstown to Con Magees Gaelic Athletic Club.

However, I can advise that, at the request of an elected representative in the North Antrim constituency, a Roads Service official did attend a meeting with him and two of his constituents in September 2009, to provide information on Roads Service's position regarding footway provision in the vicinity of Martinstown.

Water Charges

Mr C McDevitt asked the Minister for Regional Development to outline his Department's current position on the introduction of water charges.

(AQW 6979/10)

Minister for Regional Development: Policy decisions on future funding, including the introduction of domestic water and sewerage payments, are the responsibility of the Executive as a whole. I sought the Executive's agreement to the continued deferral of additional household payments and the continuance of current non-domestic arrangements for 2010/11. Measured water and sewerage services are

charged at 100% with a domestic allowance (a 'free' allowance of 200 m³ per annum for water and 190 m³ per annum for sewerage) for qualifying customers (those who pay full rates). Unmeasured charges for water and sewerage will be charged at 50% of the full rate for 2010/11. The Executive agreed these proposals and that the issue of deferral beyond 2010/11 needed to be considered in light of greater clarity on the Executive's 2010 Budget process.

Roads Service Contracts

Mr J O'Dowd asked the Minister for Regional Development to outline how local engineering firms can tender for contracts from the Roads Service and other agencies under his Department.

(AQW 6996/10)

Minister for Regional Development: My Department's Roads Service has advised that all Roads Service contracts are awarded through tender competitions advertised on the Roads Service website: www.roadsni.gov.uk/index/contractadverts.htm. The competitions are held using either the open or restricted procedures.

The open procedure is a single stage competition where any contractor wishing to tender can take out tender documents, and submit an offer in accordance with the instructions for tendering.

The restricted procedure is a two stage competition. In the first stage any contractor wishing to be invited to tender takes out prequalification documents and submits an application as instructed. The application provides details relating to the contractors suitability to undertake the work involved in the contract. All applications properly submitted are assessed and those which satisfy minimum requirements are ranked in order of suitability. In the second stage of the competition, a predetermined number of the most suitable contractors are invited to tender in accordance with instructions for tendering.

In addition works Roads Service contracts of a value of £3,927,260, or greater, and services contracts of a value of £101,323, or greater, are advertised in the Official Journal of the European Union (OJEU).

The Snow Clearance call off contract is also advertised in the local press and farming publications.

Translink has advised that for the purposes of procurement legislation, it is a Public Utility and, therefore, operates under, and applies, the Utilities Contracts Regulations 2006. This legislation states how procurement is to be carried out over certain threshold values, which at 1 January 2010 are:-

	Services/ Supplies	Works
(Total value of contract)	£313,694	£3,927,260

The above contracts are subject to the procedures in the Regulations, including the requirements to be advertised in OJEU.

Procurement requirements for items over an estimated value of £30,000 are also advertised on the Translink website to enable open competition, and the same standards are used to pre-qualify, invite to tender and evaluate submitted tenders, all of which are subject to an approval process. Further information on Translink tenders and procurement policy can be found on their website: www.translink.co.uk/.

I have been advised by Northern Ireland Water that opportunities for local engineering firms to tender for goods, services and works requirements are provided on its website at www.niwater.com, in the local press and in the Official Journal of the European Union (OJEU). Local companies can also register with e-sourcingNI and Constructionline to maximise their opportunity of being invited to tender for public sector contracts.

Water Charges

Mr G Savage asked the Minister for Regional Development for a breakdown and the number of the properties that are currently subject to water charges.

(AQW 7045/10)

Minister for Regional Development: I am advised by Northern Ireland Water that, at April 2010, there were 83,615 non-domestic properties subject to water charges. Of these properties, 68,938 were charged through a metered supply and 14,677 were charged on an unmeasured basis.

Agencies and Bodies Funded by the Department

Mr J Craig asked the Minister for Regional Development to detail (i) all the agencies and bodies funded by, and associated with, his Department; and (ii) the total running costs of each agency or body for each of the last five years.

(AQW 7065/10)

Minister for Regional Development:

- (i) The table below sets out the agency and bodies funded by the Department for Regional Development.
- (ii) It sets out the running costs of each agency or body for each of the last five years. The figures represent the total budget of each organisation to provide public services and to pay staff salaries and general administration costs.

Figures have been taken from audited accounts, apart from 2009/10, which are based on draft accounts.

(i) DRD Agency / Body	(ii) Total Running Costs (£million)				
	2005-06	2006-07	2007-08	2008-09	2009-10
*Roads Service	160.2	141.5	238.9	233.3	318.4
**NIW	475.0	488.0	290.6	331.1	351.7
***NITHC	148.5	170.7	176.2	187.8	183.6

- The figures for Roads Service include depreciation but exclude cost of capital charges and capitalised expenditure.

** The running costs for Water Service for the two years to 31 March 2007 include the cost of capital charges and depreciation costs. The running costs for Northern Ireland Water for the three years to 31 March 2010 include loan interest costs, dividends payable in respect of the year and deferred tax.

*** 2009-10 figures exclude exceptional reorganisational costs in 2009/10.

Road Works on the Lisheeghan Road, Rasharkin

Mr D McKay asked the Minister for Regional Development what works Roads Service plans to carry out on the Lisheeghan Road, Rasharkin and how much money will be allocated for this work in (a) 2010/11; and (b) 2011/12.

(AQW 7092/10)

Minister for Regional Development: My Department's Roads Service has advised that a carriageway resurfacing scheme to remove the worst stretches of the undulations on the Lisheeghan Road, Rasharkin is programmed for this financial year. Roads Service intends to improve approximately 1.2 kilometres of the Lisheeghan Road, however, the exact cost of this work is not known at this stage of the scheme.

Roads Service's resurfacing programme for 2011/2012 has not been finalised. However, it is unlikely that further resurfacing work on the Lisheeghan Road will be afforded a high priority.

Senior Citizen SmartPass Scheme

Mr A McQuillan asked the Minister for Regional Development if he plans to extend the Senior Citizen SmartPass scheme to other modes of transport in rural areas.

(AQW 7098/10)

Minister for Regional Development: I have no plans at present to extend further the terms of the Concessionary Fares Scheme. You should note that since 1 December 2009, my Department has managed the Assisted Rural Travel Scheme pilot scheme, whereby members of Rural Community Transport Partnerships can obtain concessions equivalent to those available on mainstream public transport on Dial-a-Lift services operated by the Partnerships. The funding for this pilot scheme has been provided by the Department of Agriculture and Rural Development and is scheduled to run until the end of March 2011.

Road Infrastructure

Mr A Ross asked the Minister for Regional Development how much has been spent on major road infrastructure in each constituency, in each of the last three years.

(AQW 7116/10)

Minister for Regional Development: My Department's Roads Service does not maintain an analysis of its expenditure in the format requested. However, it does hold an analysis of total capital expenditure, for the proceeding years, in each Council area.

Roads Service total expenditure on capital includes Major Capital schemes, Minor Capital schemes, Street Lighting Renewal & Other Capital activities.

Table (i) below details total capital expenditure; table (ii) details expenditure on Major Capital schemes, as these would predominantly be on the major road network.

I should also explain that Roads Service does not simply split its total budget for capital expenditure on roads across all the district council areas. Major road improvements are prioritised on a countrywide basis, taking account of a broad range of criteria, such as, strategic planning policy, traffic flow, number of accidents, potential travel time savings, environmental impact, accessibility and value for money. While the actual spend on a major works scheme may be within one district council area, the benefits of such schemes are not confined to that district council, constituency or county in which they are located.

TABLE (I) ROADS SERVICE TOTAL CAPITAL EXPENDITURE FROM 2006-2007 TO 2008-2009

District Council	Total Capital '06/07	Total Capital '07/08	Total Capital '08/09
	£'k	£'k	£'k
Antrim	2,801	1,970	848
Coleraine	1,380	2,090	1,745
Limavady	1,145	1,450	1,406
Moyle	177	287	464
Ballymoney	1,223	510	670
Derry	3,754	8,492	19,397
Ballymena	1,910	6,170	4,920
Larne	346	1,216	2,074
Belfast	26,628	6,116	11,503
Castlereagh	835	1,316	444

District Council	Total Capital '06/07	Total Capital '07/08	Total Capital '08/09
	£'k	£'k	£'k
Newtownabbey	1,578	1,965	2,219
Carrickfergus	2,566	4,849	4,165
North Down	1,916	1,770	1,218
Lisburn	3,673	2,686	2,345
Ards	1,725	1,960	8,667
Armagh	1,677	3005	2,446
Newry & Mourne	62,010	14,863	4,627
Banbridge	2,221	887	1,251
Craigavon	1,803	1,658	1,704
Down	1,539	986	1,341
Magherafelt	966	2,651	2,544
Omagh	3,455	4,387	11,534
Strabane	2,067	1,296	695
Cookstown	1,078	865	1,135
Fermanagh	2,121	4,017	8,607
Dungannon	15,361	14,235	4,622
Overall Totals	145,955	91,697	102,591

TABLE (II) ROADS SERVICE MAJOR CAPITAL EXPENDITURE FROM 2006-2007 TO 2008-2009

District Council	Major Capital '06/07	Major Capital '07/08	Major Capital '08/09
	£'k	£'k	£'k
Antrim	313	758	180
Coleraine	0	0	0
Limavady	0	177	384
Moyle	0	0	0
Ballymoney	0	0	0
Derry	1,867	2,663	2,828
Ballymena	618	886	1,342
Larne	0	176	1,116
Belfast	19,815	924	1,683
Castlereagh	14	0	7
Newtownabbey	4	3	95
Carrickfergus	0	895	695

District Council	Major Capital '06/07	Major Capital '07/08	Major Capital '08/09
	£'k	£'k	£'k
North Down	0	0	0
Lisburn	269	29	114
Ards	52	23	7,065
Armagh	705	729	610
Newry & Mourne	141	455	1,467
Banbridge	116	5	142
Craigavon	0	9	61
Down	0	294	341
Magherafelt	253	1,350	1,044
Omagh	0	1,889	9,278
Strabane	1,125	69	0
Cookstown	0	219	857
Fermanagh	101	314	1,382
Dungannon	44	108	79
Overall Totals	25,437	11,975	31,220

Flickering Streetlights

Mr D McKay asked the Minister for Regional Development what penalties are in place against developers who do not fix flickering streetlights which affect residents' quality of life in unadopted estates.

(AQW 7140/10)

Minister for Regional Development: My Department's Roads Service has no penalties in place that can be issued against developers who do not fix flickering streetlights which affect residents' quality of life in unadopted estates.

Until a developer receives an 'Acceptance of Transfer of Street Light Energy and Maintenance' letter from Roads Service, he is responsible for major repairs, warranty failures, repair of vandalism, damaged columns, routine maintenance and for the payment of energy.

Regional Aviation Strategy

Mr B Wilson asked the Minister for Regional Development what consideration he has given to a regional aviation strategy; and what discussions he has had with his Executive colleagues on this issue.

(AQW 7141/10)

Minister for Regional Development: Aviation is a reserved matter within the responsibility of the Secretary of State for Transport. I have received calls for change to the existing strategy as it impacts on the future development of airports in the North. I am considering the powers available to the Secretary of State and to the Executive to control the development of airports here and to influence the distribution of air traffic between them. If I conclude that it is necessary to seek a transfer of reserved powers, in order to secure changes in an aviation strategy locally, I will discuss the matter with Executive colleagues.

Airport Economic Regulation Bill

Mr B Wilson asked the Minister for Regional Development for his assessment of the impact that the Airport Economic Regulation Bill, announced in the Queen's speech, will have on the regulation of airports in Northern Ireland.

(AQW 7143/10)

Minister for Regional Development: The Airport Economic Regulation Bill will apply to airports in Britain. My officials are considering, in consultation with the Department for Transport, the merits of extending the proposed reforms to airports in the North.

A5 and A8 Western Transport Corridor

Lord Morrow asked the Minister for Regional Development, pursuant to AQO 1263/10, for his assessment of whether the deputy First Minister's comments in relation to the A5 and A8 Western Transport Corridor going ahead has the potential to prejudice the outcome of any public enquiry or environmental impact study.

(AQW 7158/10)

Minister for Regional Development: I understand that the comments by the Deputy First Minister, in relation to the A5 and A8 projects, to which you refer, were made during a Statement to the Assembly on the North/South Ministerial Council Plenary meeting in January 2010.

I am content that his remarks do not have the potential to prejudice the outcome of any public inquiry, or any environmental impact study.

For your information, I anticipate that the draft Orders will be published later this year, with a public inquiry following in 2011.

Mains Water Pipe on the Tamlogh Road between Randalstown and Portglenone

Mr T Clarke asked the Minister for Regional Development, pursuant to AQW 6512/10, when NI Water intends to replace the section of the water main on the Tamlogh Road, between Randalstown and Portglenone.

(AQW 7171/10)

Minister for Regional Development: I am advised by Northern Ireland Water that the section of water main on the Tamlogh Road between Randalstown and Portglenone will be replaced as part of a wider water mains rehabilitation scheme. Work on the scheme is scheduled to commence in August 2010 and is expected to be completed by March 2011.

Road Layout in the Centre of Doagh

Mr D Kinahan asked the Minister for Regional Development what steps are being taken to reorganise the road layout in the centre of Doagh; and when this work will begin.

(AQW 7172/10)

Minister for Regional Development: My Department's Roads Service has advised that it has no proposals to reorganise the road layout in the centre of Doagh Village at this time. Roads Service officials have identified the need to resurface sections of Main Street and Station Road. This work is included in the Roads Service 2010/11 carriageway resurfacing programme, and it is anticipated that this work will be carried out over the summer period, subject to funding priorities.

Roads Service previously completed a consultation exercise regarding the possible implementation of additional waiting restrictions, to assist with traffic progression through the village. However, the proposal did not receive the support of residents or traders and therefore, was not pursued further. No further proposals are envisaged at this time.

Street Lighting at Mayfield Square in West Belfast

Ms J McCann asked the Minister for Regional Development if his Department is responsible for the street lighting at Mayfield Square in West Belfast.

(AQW 7194/10)

Minister for Regional Development: My Department's Roads Service has advised that it took over responsibility for the street lighting in Mayfield Square on 12 December 2008.

Roads Planned for Adoption

Mr P Weir asked the Minister for Regional Development to list the roads that are planned for adoption in North Down, in (i) 2010/11; and (ii) 2011/12.

(AQW 7198/10)

Minister for Regional Development: My Department's Roads Service expects to adopt the following roads in the North Down constituency in 2010/2011:

- Mar Properties site at Upritchard Park, Bangor;
- MMM design site at Shaftesbury Road, Bangor;
- IDB site at Innotec Road, Bangor;
- KC Concrete site at Clifton Manor, Bangor;
- Dunlop Homes Ltd Development at Glenview Manor, Bangor;
- Ballymagee Development at Dellmount Crescent, Bangor;
- Elmwood Development at Woodcroft Lane, Holywood;
- Ramola Developments at Brooklane, Bangor;
- Habinteg Housing development at Abbey Place, Bangor;
- Boland Reilly Homes site at Ballycrochan Road, Bangor;
- Fisher Development at 1-3 Demense Gate, Bangor;
- Killutagh Development at Lineybrook Lane, Bangor;
- Northland Developments at Stonebridge, Bangor;
- NIHE site at Grays Lane, Helens Bay;
- Thallon Development at 1-3 Gray Point, Helens Bay;
- Miradon Development at Worcester Avenue, Bangor;
- Hagan Homes Development at Linen Lane, Bangor;
- NIHE site at Strand Avenue, Bangor;
- Dunlop Homes Ltd Development at Beechfield Crescent, Bangor;
- Close Development at Crawfordsburn Close, Crawfordsburn;
- Lanark Homes Development at Kestral Park, Bangor;
- Habinteg Housing Development at Ballymacconnell Road, Bangor;
- GM Design Development at Victoria Drive, Bangor;
- Edgewater, Millisle Road, Donaghadee;
- Brecken Ridge, Donaghadee;
- The Meadows, Donaghadee;
- Carnmoon, Millisle Road, Donaghadee;

- Manor Farm, Moat Street, Donaghadee;
- Rockhill, Warren Road, Donaghadee;
- Ballywalter Road, Millisle;
- Ballymacruise Drive, Millisle;
- Moss Road, Millisle; and
- Abbey Road, Millisle.

Full details of the roads in the North Down constituency that are planned for adoption in 2011/2012 financial year are not currently available, and will be dependent upon private developers submitting plans for future Private Street Determinations, and implementing them on site.

Airport Economic Regulation Bill

Mr C McDevitt asked the Minister for Regional Development whether he intends to adopt the reforms outlined in the Airport Economic Regulation Bill.

(AQW 7208/10)

Minister for Regional Development: My officials are consulting with the Department for Transport on the merits of extending the proposed reforms to airports in the North. Following receipt of their advice, I will decide on the way forward.

Penalty Charge Notices

Mr S Hamilton asked the Minister for Regional Development how many penalty charge notices have been issued, but not processed, by National Car Parks since the beginning of its contract.

(AQW 7222/10)

Minister for Regional Development: My Department's Roads Service has advised that all Penalty Charge Notices (PCNs) are issued by Traffic Attendants employed by NSL Ltd (previously NCP) however processing is undertaken by Roads Service's Parking Enforcement Processing Unit.

The current contract for the Operation of Parking and Enforcement Services with NSL Ltd commenced in October 2006. During the period since inception to the end of March 2010, 489,663 Penalty Charge Notices (PCNs) were issued, of which 61,076 were still being processed for payment as at 3 June 2010.

Dunmurry Water and Sewage Plant

Ms J McCann asked the Minister for Regional Development for an update on the planned upgrade of Dunmurry water and sewage plant.

(AQW 7256/10)

Minister for Regional Development: I am advised by Northern Ireland Water that the contract to upgrade Dunmurry Wastewater Treatment Works was awarded in March 2010 and the contractor is currently completing the final design of the Works. Construction work is scheduled to commence in June 2010 and is expected to be completed by Summer 2012.

Grass Cutting

Mr S Hamilton asked the Minister for Regional Development how much Roads Service has spent on grass cutting in each of the last five years.

(AQW 7262/10)

Minister for Regional Development: My Department's Roads Service does not hold financial information solely in relation to grass cutting. It does, however, hold records by financial year, on

the total expenditure on Environmental Maintenance, which includes grass cutting, weed control, maintenance of street trees, etc.

Details of actual spend on Environmental Maintenance activities, in each of the last five financial years, is shown in the table below:

Year	2004/05	2005/06	2006/07	2007/08	2008/09
Environmental Maintenance	£5,165,000	£5,433,000	£5,661,000	£5,577,000	£5,996,000

Translink SmartPass Cards and Travelcards

Mr T Burns asked the Minister for Regional Development to detail (i) the number of Translink SmartPass cards and travelcards purchased but subsequently never used; (ii) which Translink services these cards and pre-paid travel relate to; and (iii) the value of the pre-paid travel on these unused cards, since the introduction of the various SmartPass cards and travelcard schemes.

(AQW 7281/10)

Minister for Regional Development: Translink SmartPass cards are available to those people aged 60 and over and to certain categories of people with disabilities. These cards are not sold and have no stored value. I have therefore assumed that this question refers to Translink's Smartlink cards and travel cards.

In relation to part (i) and part (iii) of the question, Translink has informed me that it does not record this information in the format requested and to extract the relevant data would involve disproportionate cost. Moreover, travel cards do not have a predetermined monetary value as the cards allow travel for a specific time period. In relation to part (ii) of the question, the table below shows the services to which the various pre-paid cards relate.

Card	Service
Metro Smartlink and Travelcards	Metro services
Ulsterbus Multi-Journey cards	Ulsterbus services
Ulsterbus Town Service Travelcards	Designated Ulsterbus Town Services
iLink cards	All Translink services

Translink SmartPass Cards and Travelcards

Mr T Burns asked the Minister for Regional Development to detail (i) the value of pre-paid travel which has been unused for at least a year on Translink SmartPass cards and travelcards; and (ii) which Translink services the cards and pre-paid travel relate to, since the introduction of the various SmartPass cards and travelcard schemes.

(AQW 7283/10)

Minister for Regional Development: Translink SmartPass cards are available to those people aged 60 and over and to certain categories of people with disabilities. These cards are not sold and have no stored value. I have therefore assumed that the question refers to Translink Smartlink cards and travel cards.

I have been informed by Translink that it does not record the value of unused pre-paid travel on Smartlink cards. In relation to travel cards these do not have a predetermined monetary value as the cards allow travel for a specific time period. When the expiry date is reached, the card is no longer valid for travel until a top-up transaction has been made.

Pool Cars

Mr S Gardiner asked the Minister for Regional Development how many of his departmental officials have the use of pool cars.

(AQW 7327/10)

Minister for Regional Development: Ministers have first call on the use of the cars in the central car pool. When available, these cars can be used by officials at Grade 7 and above for business purposes.

11 July Night Bonfires

Mr P Butler asked the Minister for Regional Development to detail the cost to his Department of repairing damage caused by the 11 July night bonfires in 2009.

(AQW 7359/10)

Minister for Regional Development: My Department's Roads Service has estimated that it cost approximately £84,000 to clean and repair bonfire sites during the summer of 2009.

I should advise that this figure includes approximately £20,000 to repair fire and structural damage to the concrete and road surface of the Lecky Road Flyover in Derry.

Road Works, Newtownards

Mr J Shannon asked the Minister for Regional Development (i) if he can confirm when the road works at Trasnagh Drive, Newtownards will commence, given the commitment of Roads Service at various meetings; and (ii) if he can confirm that Scrabo Road, Newtownards will be widened and resurfaced.

(AQW 7383/10)

Minister for Regional Development: My Department's Roads Service has advised that it is currently progressing arrangements to appoint a contractor to carry out the agreed works at Trasnagh Drive, Newtownards. It is anticipated that work will commence by the end of this summer.

There are no plans to widen any section of the Scrabo Road, Newtownards. However, it is proposed to carry out resurfacing work on the section of the Scrabo Road, between the Messines Road/Blair Mayne Road South roundabout and the Old Belfast Road, before the end of this financial year.

Department for Social Development

Agencies and Bodies Funded by his Department

Mr J Craig asked the Minister for Social Development to detail (i) all the agencies and bodies funded by, and associated with, his Department; and (ii) the total running costs of each agency or body for each of the last five years.

(AQW 7069/10)

Minister for Social Development (Mr A Attwood): In the last five years, this Department has funded the following Agencies and other bodies:

- Social Security Agency;
- Child Support Agency;
- Northern Ireland Housing Executive;
- Liganside Corporation; and
- ILEX.

Information on the running costs of each is included in the table below. All figures are expressed in £'million and reflect the amounts in published Annual Accounts.

	£m 2004-05	£m 2005-06	£m 2006-07	£m 2007-08	£m 2008-09
Social Security Agency	160.11	150.56	145.14	144.45	155.39
Child Support Agency	15.05	16.23	16.48	16.63	-
NI Housing Executive	167.23	174.60	188.11	190.93	204.81
Laganside Corporation	8.91	7.60	5.22	-	-
ILEX	0.66	0.67	0.98	1.67	1.20

Note: The figures for the Social Security Agency exclude programme benefit expenditure but include costs for the Disability Living Allowance Advisory Board for Northern Ireland.

Running costs for the Child Support Agency were subsumed in the Department's Accounts in 2008-09, when it became the Child Maintenance & Enforcement Division.

The Department also provides, directly and through the Housing Executive, grants to organisations and individuals.

The Laganside Corporation was dissolved in March 2007.

In addition to the above, Vaughan's Charity Trust is a 'Category C' Non Departmental Public Body which falls under the responsibility of DSD. It is a small charitable trust founded some time ago, with the purpose of promoting agriculture in County Fermanagh. No significant public money is involved.

Pension Credit

Mr I McCreagh asked the Minister for Social Development why, when a main road sections off a piece of a farmer's land, it is then deemed a separate income or investment, and as a result is calculated separately when assessing entitlement for Pension Credit.

(AQW 7105/10)

Minister for Social Development: Since it is a means tested benefit, property or land a person has may affect a claim for Pension Credit. The property that a person normally lives in is ignored for as long as they continue to live there. This can include agricultural land which adjoins the property. Depending on the individual circumstances, the value of land which does not adjoin the property may affect a claim for Pension Credit.

Review of Public Administration

Mr P McGlone asked the Minister for Social Development to detail the total cost, to date, to his Department and its agencies of the Review of Public Administration.

(AQW 7111/10)

Minister for Social Development: To the end of March 2010 my Department has spent £1.379 million on the Review of Public Administration.

Social Housing Development Programme

Ms C Ní Chuilín asked the Minister for Social Development whether and when he intends to review the decision to remove the strategic guidelines on social housing ringfencing for the Social Housing Development Programme.

(AQW 7120/10)

Minister for Social Development: The Housing Executive will shortly be consulting on a draft equality impact assessment for new strategic guidelines. The proposed new guidelines will continue to ensure that the Social Housing Development Programme focuses on meeting greatest objective need.

Ring fencing was just one of the mechanisms used for distributing the Social Housing Development Programme. At the time it helped direct social housing into areas of particularly acute housing need. Increasingly however it did not recognise the huge, but disproportionate growth in housing need throughout Northern Ireland and failed to reflect the length of time applicants waited for social housing.

However the issue of addressing housing need is one that is kept constantly under review and indeed further changes to Strategic Guidelines that will further focus the Social Housing Development Programme on meeting greatest need are shortly to be subjected to the Equality Impact Assessment. This will involve consultation with all relevant stakeholders and I will ensure the member is alerted to this at that time.

Girdwood Park Site in North Belfast

Ms C Ní Chuilín asked the Minister for Social Development when work will begin on social housing for the Girdwood Park site in north Belfast.

(AQW 7121/10)

Minister for Social Development: As part of the wider master plan being developed for the Girdwood site, the Housing Executive have been asked to appoint a Housing Association to take forward the development of 200 new social and affordable homes, subject of course to securing the necessary approvals.

The first 100 units are provisionally planned to start in 2011/12 and the second phase of another 100 units are again provisionally planned to commence in 2012/13.

Funding to GAA Clubs through the Neighbourhood Renewal Programme

Mr J Wells asked the Minister for Social Development to detail (i) the total amount of funding given to GAA clubs through the Neighbourhood Renewal Programme in each year since it was launched; and (ii) the amount given to each club and the purpose for which the funding was to be used.

(AQW 7189/10)

Minister for Social Development: The information requested is detailed in the tables below.

TABLE 1: NEIGHBOURHOOD RENEWAL FUNDING TO GAA CLUBS 2003/04 TO 2009/10

Year	Award
2003/04	£0
2004/05	£16,284
2005/06	£53,549
2006/07	£356,012
2007/08	£33,027
2008/09	£16,469
2009/10	£638,770
Total	£1,114,111

TABLE TWO: AMOUNT AND PURPOSE OF GRANTS AWARDED FROM NEIGHBOURHOOD RENEWAL TO GAA CLUBS 2003/04 AND TO 2008/09.

Club	Purpose	Award
St Agnes Gaelic Athletic Club, Belfast	Perimeter fencing	£16,284

Club	Purpose	Award
Clan na Gael, Lurgan	Part salary costs - Sports Development Officer July 2005 – March 2010	£191,028
	Multi-use games area (MUGA) and realignment of a football pitch	£538,660
Strabane Sigersons GAA	Floodlighting	£77,453
	Project co-ordinator salary and programme costs for a range of sports, cultural, educational, coaching and health and well-being programmes. 2006/07 – 2009/10	£102,917
Lamh Dherg GAC	Perimeter Fencing	£73,300
Russell Gaelic Union, Downpatrick	Floodlighting.	£42,942
Thomas Clarkes GFC, Dungannon	Upgrading of existing facilities	£71,527
	Total	£1,114,111

Housing Executive Tenants

Mr A Ross asked the Minister for Social Development how many Housing Executive tenants have been evicted from properties because of (i) noise; or (ii) other anti-social behaviour in each Council area, in each of the last 24 months.
(AQW 7218/10)

Minister for Social Development: The tables below give details of the number of Housing Executive tenants who have been evicted from properties because of (i) noise; or (ii) other anti-social behaviour, broken down by district council area in each of the last 24 months.

TABLE 1: HOUSING EXECUTIVE TENANTS EVICTED BECAUSE OF (I) NOISE; OR (II) OTHER ANTI-SOCIAL BEHAVIOUR IN THE YEAR 2008/2009.

Council	Apr		May		Jun		Jul		Aug		Sep		Oct		Nov		Dec		Jan		Feb		Mar	
	N	A/S	N	A/S	N	A/S	N	A/S	N	A/S	N	A/S	N	A/S	N	A/S	N	A/S	N	A/S	N	A/S	N	A/S
Belfast						2															1		1	
North Down																			1				1	
Ards																								
Castlereagh						1																		
Lisburn	1			1		1							2			1						1		
Downpatrick																	2		1					1
Banbridge																								
Newry & Mourne									1		1										1			
Armagh																			1					
Craigavon								1		1														
Dungannon																								
Fermanagh																								
Ballymena			1												1									
Antrim																								
Newtownabbey				1													1							1

Council	Apr		May		Jun		Jul		Aug		Sep		Oct		Nov		Dec		Jan		Feb		Mar	
	N	A/S	N	A/S	N	A/S	N	A/S	N	A/S	N	A/S	N	A/S	N	A/S	N	A/S	N	A/S	N	A/S	N	A/S
Carrickfergus																							1	
Larne		1																						
Ballycastle																								
Ballymoney																								
Coleraine																								
Derry		1							1				1											
Limavady					1																		1	
Magherafelt											1		1											
Strabane																								
Omagh				1					1															
Cookstown											1		2											

TABLE 2: HOUSING EXECUTIVE TENANTS EVICTED BECAUSE OF (I) NOISE; OR (II) OTHER ANTI-SOCIAL BEHAVIOUR IN THE YEAR 2009/2010.

Council	Apr		May		Jun		Jul		Aug		Sep		Oct		Nov		Dec		Jan		Feb		Mar	
	N	A/S	N	A/S	N	A/S	N	A/S	N	A/S	N	A/S	N	A/S	N	A/S	N	A/S	N	A/S	N	A/S	N	A/S
Belfast					1		2		1		1										1			
North Down					1		1		1															1
Ards				1	1						1		1											
Castlereagh																								
Lisburn			1														1							1
Downpatrick					1	2	1				1		2						1		1			
Banbridge									1				1											
Newry & Mourne							1																	

Council	Apr		May		Jun		Jul		Aug		Sep		Oct		Nov		Dec		Jan		Feb		Mar	
	N	A/S	N	A/S	N	A/S	N	A/S	N	A/S	N	A/S	N	A/S	N	A/S	N	A/S	N	A/S	N	A/S	N	A/S
Armagh											1													
Craigavon		1												1										
Dungannon								1																1
Fermanagh																							1	
Ballymena											1												1	
Antrim																								
Newtownabbey																1	1							
Carrickfergus																								
Larne											1													
Ballycastle																								
Ballymoney												1												
Coleraine		1																						
Derry		2																						
Limavady		1							1								1							
Magherafelt																								
Strabane																								
Omagh				1																				
Cookstown							1		1															1

Key:

N – Noise

A/S – Anti-social behaviour

William Street Car Park

Mr R McCartney asked the Minister for Social Development for an update on the transfer of responsibility for the William Street car park in the Derry City Council area from the Department of Regional Development to his Department.

(AQW 7235/10)

Minister for Social Development: Officials in my Department's North West Development Office continue to work with DRD, Planning Service, Land and Property Service and Derry City Council colleagues to address a number of issues including the content of an acceptable scheme, market testing in advance of any development competition and appropriate procurement procedures. However, it is not necessary to transfer the William Street car park from DRD Roads Service to my Department to enable the running of a development competition for the site.

In the event that a preferred developer is selected for an agreed scheme the issue of transferring the site from DRD to my Department will be addressed as required.

Disability Living Allowance and Employment Support Allowance Appeals

Mr P Weir asked the Minister for Social Development to detail the total number of (i) Disability Living Allowance; and (ii) Employment Support Allowance appeals processed in each of the last three years.

(AQW 7244/10)

Minister for Social Development:

- (i) The table below details the total number of Disability Living Allowance Appeals processed in each of the last 3 years:

Financial year	2007/08	2008/09	2009/10
Number of DLA Appeals Processed	5,834	6,803	6,157

- (ii) Employment Support Allowance replaced Incapacity Benefit and Income Support paid on the grounds of incapacity for new customers from 27 October 2008. No Employment Support Allowance appeals were determined until 2009/10 financial year therefore there is no data relating to 07/08 and 08/09.

The total number of Employment Support Allowance appeals processed during 2009/10 financial year was 1,627.

Social Housing Maintenance Work

Mr D McKay asked the Minister for Social Development how much funding his Department will allocate to social housing maintenance work in North Antrim for 2010/11.

(AQW 7249/10)

Minister for Social Development: The Northern Ireland Housing Executive is responsible for determining the maintenance requirements of its housing stock. They have advised that an anticipated £5.4m will be spent in North Antrim in 2010/11 on maintenance work on Housing Executive homes.

Social Housing Newbuild Provision for North Antrim

Mr D McKay asked the Minister for Social Development to outline the planned social housing new build provision for North Antrim in 2010/11.

(AQW 7250/10)

Minister for Social Development: Following a recent review of the Social Housing Development Programme, the table below details the current Social Housing Development Programme for North Antrim in 2010/11;

Fold	St. Patrick's Barracks, Ballymena	47	General Needs
Fold	Tobar Park, Cullybackey	18	General Needs
North & West	Brookfield Gardens, Ahoghill	8	General Needs
North & West	Garvaghy Crescent Phase 1, Portglenone	16	General Needs
TBC	Ramoan Road, Ballycastle	7	General Needs
Triangle	PSNI Site, Ferniskey Road, Kells	6	General Needs
Total		102	

Social Housing Development Programme

Mr S Hamilton asked the Minister for Social Development to list all social development schemes, including the number of units planned, in this year's Social Housing Development Programme for the (i) Ards; and (ii) Down District Council areas.

(AQW 7252/10)

Minister for Social Development: The tables below detail the schemes in the Social Housing Development Programme for (i) Ards Borough Council and (ii) Down District Council areas for 2010/11.

ARDS BOROUGH COUNCIL:-

Housing Association	Scheme	Units
Alpha	Weir Court, Comber	15
Clanmil	29 Laburnum, Comber	1
Connswater	2 – 4 Londonderry Avenue, Comber	12
Connswater	41 Movilla Street, Newtownards (includes 43 Movilla Street - surplus site)	12
Connswater	51 Newtownards Road, Comber (T)	12
Connswater	73 Bangor Road, Newtownards	4
Helm Housing	West Street, Newtownards	24
North & West	Blenheim Drive, Newtownards (T)	15
Oaklee	The Square, Portaferry	13
Trinity	Beverly Avenue, Newtownards	38
Ulidia	Glenbrook Road, Newtownards (T)	7

DOWN DISTRICT COUNCIL:-

Housing Association	Scheme	Units
Ark	Crewhill Gardens, Ardglass	26
Clanmil	Boulevard Park, Newcastle	10

Housing Association	Scheme	Units
Clanmil	St Patricks Road, Raholp, Downpatrick	8
Fold	Ridge Heights, Newcastle	16
Habinteg	Drumaness Road, Drumaness	12
Helm Housing	Riverside Road	36
Oaklee	Burrenwood Road, Castlewella	19
Trinity	19 Downpatrick Road, Crossgar	10

Warm Homes Scheme

Mr R McCartney asked the Minister for Social Development to outline his Department's plans for the delivery of the Warm Homes Scheme.

(AQW 7253/10)

Minister for Social Development: Since it was introduced in 2001, the Warm Homes Scheme has invested in excess of £118 million making over 80,000 homes warmer. Following a Northern Ireland Audit Office report and subsequent Public Accounts Committee hearing the Warm Homes Scheme qualification criteria were changed and the new scheme was launched on 1 July 2009. The new scheme targets those properties which have no central heating, solid fuel, Economy 7 or Liquid Petroleum Gas heating. According to the 2006 House Condition Survey, there are approximately 47,000 homes throughout Northern Ireland that meet these criteria.

A review of the new Warm Homes Scheme will take place after one full year of operation when a full analysis will be made of all the available data. That review will begin in September 2010.

Legal Fees in Relation to Benefit Fraud

Mr J Craig asked the Minister for Social Development (i) how much his Department has spent on (a) legal costs; and (b) enforcement action, in relation to benefit fraud; and (ii) to detail the amount of legal fees recovered from third parties, in relation to benefit fraud, in each of the last three years.

(AQW 7377/10)

Minister for Social Development: The Department for Social Development has not incurred any legal or enforcement costs in relation to benefit fraud. Where appropriate, the Public Prosecution Service for Northern Ireland prosecutes benefit fraud offenders on behalf of the Department, with the Northern Ireland Court Service taking any enforcement action against customers who default on sanctions imposed by the courts, for example, on a fine that is not paid.

The Department does not seek to recover any legal fees from third parties. However, the Public Prosecution Service may ask for court costs to be awarded when sentencing is being considered.

Disability Living Allowance Appeals

Mr I McCrea asked the Minister for Social Development to detail the number of Disability Living Allowance appeals processed for the Mid-Ulster area in each of the last five years.

(AQW 7468/10)

Minister for Social Development: The information requested cannot currently be provided as The Appeals Service does not maintain statistical data on the basis of constituency areas.

The Appeals Service arranges Disability Living Allowance appeals to be heard in Tribunal Centres throughout Northern Ireland, statistical data can be broken down on the basis of each Tribunal Centre. These Tribunal Centres are situated in the following locations:

- Armagh

- Ballymena
- Ballymoney
- Banbridge
- Belfast
- Cookstown
- Coleraine
- Downpatrick
- Dungannon
- Enniskillen
- Limavady
- Londonderry
- Lurgan
- Magherafelt
- Omagh
- Newry
- Newtownards
- Strabane

Information can be supplied for any of these specific centres if requested.

Banbridge District Housing Office

Mr G Savage asked the Minister for Social Development (i) why Banbridge District Office has not allocated houses for the last two weeks; (ii) whether this is considered normal practice; (iii) to outline the protocol and procedures in place when staff are not present to allocate houses; and (iv) what action he intends to take to ensure that there is no repeat of this situation.

(AQW 7489/10)

Minister for Social Development: The Housing Executive's Banbridge District Office has offered eight properties to applicants over the past two weeks. When the Senior Housing Officer is on leave it is standard practice that the Assistant District Manager or District Manager would allocate any properties that would become available for letting. If the Senior Housing Officer was on extended absence then acting up arrangements would be put in place to ensure delivery of all housing functions.

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.

Revised Written Answers

Environment

Volume of Landfill

In Bound Volume 51, page WA260, replace the answer to the question (AQW 6353/10) asked by Mr T Elliott with:

Until December 2003, District Councils in Northern Ireland were the regulating authority for landfill facilities and in many instances were also the controlling operators of the landfill sites. NIEA therefore did not have the statutory power or responsibility to request landfill data from Councils prior to this date.

The Northern Ireland Landfill Allowance Scheme (NILAS) was introduced in April 2005 and the Northern Ireland Environment Agency (NIEA) is the designated Monitoring Authority and maintains a landfill allowances register. District Councils are required to report on municipal waste each quarter including tonnage figures of municipal waste collected, municipal waste sent to landfill and tonnage of municipal waste sent to waste facilities.

Data returns are made using the WasteDataFlow (WDF) UK-wide online database which has been in place since 2005. Councils electronically submit their statistical waste information to NIEA.

Data submissions from the Councils for the initial implementation year 2005/06 are incomplete. Additionally, Councils have not yet returned data for the fourth quarter of 2009/10. Consequently, the Agency only holds municipal waste data for the last 3.75 years.

The attached spreadsheet provides a detailed breakdown of the tonnage of municipal waste landfilled for the 3 Waste Groups, arc21, NWRWVG and SWaMP 2008 and for each District Council area for 2006/07, 2007/08, 2008/09 and 2009/10 (April –Dec only). The total tonnage of municipal waste landfilled in Northern Ireland was 786,951 tonnes, 749,449 tonnes, 694,904 tonnes and 512,604 tonnes respectively.

The Agency is not required and does not hold waste data for the total volume of landfill generated in each local council. This would include an extensive range of other waste streams as listed in the European Waste Catalogue (EWC).

Waste Management Group	District Council	Municipal Waste Landfilled 2006/07 (tonnes)	Municipal Waste Landfilled 2007/08 (tonnes)	Municipal waste landfilled 2008/09 (tonnes)	Municipal waste landfilled 2009/10 (Apr - Dec only) (tonnes)
arc21	Antrim Borough Council	19,414	20,005	18,811	13,728
	Ards Borough Council	36,745	36,355	31,552	21,513
	Ballymena Borough Council	28,136	26,618	22,890	17,268
	Belfast City Council	139,040	130,052	123,581	92,379
	Carrickfergus Borough Council	19,473	16,533	16,284	11,734
	Castlereagh Borough Council	21,524	20,767	19,678	14,632
	Down District Council	25,666	28,035	31,727	19,939
	Larne Borough Council	15,459	14,685	13,666	10,299
	Lisburn City Council	50,544	45,820	42,355	29,792
	Newtownabbey Borough Council	40,707	38,875	32,778	23,445
	North Down Borough Council	37,941	36,009	31,068	21,444
	arc21	434,649	413,754	384,390	276,173
NWRWMG	Ballymoney Borough Council	12,373	11,388	10,426	7,775
	Coleraine Borough Council	34,042	30,722	25,087	23,163
	Derry City Council	46,752	43,971	41,781	35,895
	Limavady Borough Council	13,171	13,283	11,821	9,576
	Magherafelt District Council	16,400	15,816	14,480	10,384
	Moyle District Council	8,418	7,607	6,976	6,137
	Strabane District Council	18,093	18,141	16,286	11,227
	NWRWMG	149,249	140,928	126,857	104,157

Waste Management Group	District Council	Municipal Waste Landfilled 2006/07 (tonnes)	Municipal Waste Landfilled 2007/08 (tonnes)	Municipal waste landfilled 2008/09 (tonnes)	Municipal waste landfilled 2009/10 (Apr - Dec only) (tonnes)
SWaMP2008	Armagh City & District Council	18,990	18,167	18,464	13,085
	Banbridge District Council	14,646	14,886	14,230	10,652
	Cookstown District Council	15,073	13,877	12,749	9,263
	Craigavon Borough Council	40,253	37,439	35,193	25,373
	Dungannon & South Tyrone BC	23,872	23,314	21,657	15,912
	Fermanagh District Council	30,419	30,711	27,484	18,459
	Newry & Mourne District Council	39,513	38,321	36,852	27,455
	Omagh District Council	20,287	18,048	17,027	12,076
	SWaMP2008	203,053	194,763	183,656	132,275
	Northern Ireland	786,951	749,445	694,903	512,605

Health, Social Services and Public Safety

Guidance on the Termination of Pregnancy

In Bound Volume 51, page WA95, replace the answer to the question (AQW 5132/10) asked by Mr P Ramsey with:

- i) In line with advice from senior counsel briefed on behalf of the Department, interim Guidance was issued on the Termination of Pregnancy. It is clear when reading the interim Guidance that its effect is temporary and that it is the intention of the Department to publish a further and final version which will contain sections dealing with counselling and conscientious objection in order to fully comply with the Order of the Court of Appeal in the Family Planning Association Case. However, I can inform you that the Family Planning Association has welcomed the issue of this interim guidance while the Department works towards issuing full guidance as soon as possible.
- (ii) The law on the termination of pregnancy is the responsibility of the Department of Justice. My Department is producing Guidance on the law and therefore the removal of the section on conscientious objection was not subjected to an equality impact assessment before the interim Guidance was issued. However, in order to be inclusive the two adverse sections will be revised and then subjected to full public consultation. Following consultation they will then be submitted to the Executive Committee for consideration.

Social Development

Social Housing Waiting List

In Bound Volume 46, page WA193, replace the answer to the question (AQW 2999/10) asked by Mr A Ross with:

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.

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